



Town Manager
Mark W. Haddad

TOWN OF GROTON

173 Main Street
Groton, Massachusetts 01450-1237
Tel: (978) 448-1111
Fax: (978) 448-1115

Select Board

Peter S. Cunningham, *Chair*
John F. Reilly, *Vice Chair*
Allison S. Manugian, *Clerk*
Rebecca H. Pine, *Member*
Matthew F. Pisani, *Member*

SELECT BOARD MEETING

MONDAY, JUNE 26, 2023

AGENDA

SELECT BOARD MEETING ROOM

2nd FLOOR

GROTON TOWN HALL

7:00 P.M. Announcements and Review Agenda for the Public

7:05 P.M. Public Comment Period

I. 7:06 P.M. Town Manager's Report

1. Consider Ratifying the Town Manager's Appointments of John Babcock, Medha Sri and Alix Chace as Lifeguards at the Groton Country Club and Deborah Dennis as a Per Diem Van Driver
2. Consider Accepting the Town Manager's Nomination of Bob Fournier and Ken Adams and Appointing Mr. Fournier and Mr. Adams to the Trails Committee
3. Update from Town Manager on PFAS Issue at GDRSD High School
4. Review Anticipated Line-Item Transfers
5. Recommendation from Town Manager to Remove Prescott Playground
6. Update on Select Board Meeting Schedule Through Labor Day

II. 7:10 P.M. Items for Select Board Consideration and Action

1. Initiate the Annual Performance Review of the Town Manager
2. Consider Approving Change of Manager of both 128 Main Street LLC dba The Groton Inn and 128 Main Street LLC dba Forge and Vine from Tricia Thompkins to Michael Noseworthy on both the All Alcoholic On-Premises Licenses and Common Victualler Licenses
3. Consider Earth Removal Exemption of 500 Cubic Yards for 111 Farmers Row
4. Revote Conservation Restrictions Approved at 2023 Spring Town Meeting

III. 7:15 P.M. Discussion – Town Meeting

OTHER BUSINESS

ON-GOING ISSUES – Review and Informational Purposes – Brief Comments - Items May or May Not Be Discussed

- A. Water Department – Manganese Issue
- B. PFAS Issue
- C. Green Communities Application and Implementation
- D. Florence Roche Elementary School Construction Project
- E. Town Manager's Tri-Comm Working Group

SELECT BOARD LIAISON REPORTS

IV. Minutes: Regularly Scheduled Meeting of June 12, 2023

ADJOURNMENT

Votes may be taken at any time during the meeting. The listing of topics that the Chair reasonably anticipates will be discussed at the meeting is not intended as a guarantee of the topics that will be discussed. Not all topics listed may in fact be discussed, and other topics not listed may also be brought up for discussion to the extent permitted by law.



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Town Manager
Mark W. Haddad

To: *Select Board*

From: *Mark W. Haddad – Town Manager*

Subject: *Weekly Agenda Update/Report*

Date: *June 26, 2023*

TOWN MANAGER'S REPORT

In addition to the Town Manager's Report and a review of the On-going Issues List, there is one item scheduled on Monday's Agenda. The Board had received an email from Resident Ginger Vollmar expressing her concerns with holding Town Meeting on a Saturday and the length of the 2023 Spring Town Meeting (it lasted five hours). The Board requested that we schedule this for a discussion with the Moderator and the Town Clerk. Both Jason Kauppi and Dawn Dunbar will be in attendance at the meeting (as will Ms. Vollmar). I provided the following information to both Ms. Vollmar and the Board when this issue was first raised in May. Please consider the following:

I would like to offer my thoughts on Town Meeting, specifically the length of the meeting and holding it on a Saturday. I believe the Saturday Town Meetings have been extremely successful. Attendance has not been impacted by holding it on a Saturday and it does allow the Town to complete its business in one session. The day the Town Meeting is held does not drive attendance at the meeting. Issues on the Warrant is what brings people to Town Meeting. Please consider the following attendance over the last several years at Town Meeting:

<u>Date</u>	<u>Attendance</u>
Saturday, April 29, 2023	264
Saturday, October 22, 2022	101
Monday, September 12, 2022	494*
Saturday, April 30, 2022	210
Saturday, October 23, 2021	124
Saturday, May 1, 2021	371
Saturday, October 3, 2020	185
Saturday, June 13, 2020	324

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Monday, October 21, 2019	103
Monday, April 29, 2019	380
Monday, October 1, 2018	248
Monday, April 30, 2018	379

***Florence Roche Elementary School Additional Funding**

Attendance at Town Meeting is pretty similar whether it is on a Monday or a Saturday. Another consideration is the second night of Town Meeting. Attendance drops off significantly on the second night. Please consider the following:

2019 Spring Town Meeting – First Night – 380	Second Night – 190 – Drop off of 50%.
2018 Spring Town Meeting – First Night – 379	Second Night – 203 – Drop off of 46%

As stated above, the 2023 Spring Town Meeting lasted five hours. At the height of the meeting, 264 residents voted on Article 12. At 1:45 p.m. when the Re-Zoning Article (Article 23) vote took place, 187 residents were present. That is a reduction of 77 voters or 29%. That is not an overly significant reduction, even though the meeting lasted five hours. It has been my experience that people have a tendency to stay at a meeting rather than return a second night. I hope you find this information helpful. I look forward to discussing this in more detail at Monday's meeting.

1. I have appointed John Babcock, Medha Sri and Alix Chace as Lifeguards at the Groton Country Club and Deborah Dennis as a Per Diem Van Driver for the Council on Aging. I would respectfully request that the Board consider ratifying these appointments.
2. The Trails Committee has requested that I nominate Bob Fournier and Ken Adams for appointment to the Trails Committee. I would respectfully request that the Board accept these nominations and appoint Mr. Fournier and Mr. Adams.
3. We have continued to investigate the best solution to bring clean potable drinking water to the Groton Dunstable Regional High School. As you know, the two options we are investigating are to bring water from Pepperell, which is known as the Regional Solution or to bring water from Groton's Whitney Well, which is known as the Groton solution. Recently, we met with representatives from DEP and DCR to get an understanding of the permitting necessary for all solutions. Attached to this report is a summary of what permits are needed for the various options. Suffice it to say, most options will take a minimum of two years to permit, except taking water directly from Pepperell.

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3. **Continued:**

That said, I met with the Town Administrators from Pepperell and Dunstable to further discuss how we can all work together regionally to come up with the most cost-effective solution to this issue. Based on our discussions, we believe the best option for all three towns would be for water to come directly from Pepperell. This Option could be implemented immediately. While we had originally rejected this Option due to the levels of PFAS in the Pepperell Jersey Street Well (it tests around 13 ppt), financially, it makes the most sense to revisit this Option. The original estimate for this Option was between \$4 million and \$5 million. We believe we can add a temporary treatment facility at the High School prior to distributing the water to the High School and the surrounding properties in Dunstable. I would like to have the Board consider proceeding with this Option and have Environmental Partners begin preliminary design and permitting. We would also need to consider when to bring this issue back to Town Meeting. We can discuss this in more detail at Monday's meeting.

4. As you know, we will be meeting in joint session with the Finance Committee at your July 10th meeting to consider FY 2023 Line-Item Transfers. In advance of that meeting, Patricia DuFresne has prepared a preliminary list (may change once final FY 2023 invoices are submitted) for your review. We can review this list in more detail at Monday's meeting.

5. As you know, we have been working with both the Park Commission and Friends of Prescott to restore the playground at the Prescott School. Volunteers had cleaned out the trees and brush around the equipment and the DPW removed the roots, etc. The next step was to install the required fabric and mulch around the equipment. It was difficult to obtain a quote for this work, but we finally did receive one. The quote is for approximately \$32k. This is not something I can support or desire to bring forward for funding (either from General Funds of the Town of CPA Funds). The playground cannot be used without the proper foundation under the equipment. It is my recommendation to the Select Board that this equipment be removed and the playground discontinued. I cannot justify a \$32k expense for a playground with old/outdated equipment. We can discuss this in more detail at Monday's meeting.

6. Please see the update to the meeting schedule that will take the Board through Labor Day:

Monday, July 3, 2023
Monday, July 10, 2023

No Meeting (July 4th Holiday)
-Meet in Joint Session with the Finance Committee to
Approve FY 2023 Line-Item Transfers
-Set the Date and Open the Warrant for the 2023 Fall
Town Meeting

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6. Continued:

Monday, July 17, 2023	Regularly Scheduled Meeting
Monday, July 24, 2023	No Meeting
Monday, July 31, 2023	Regularly Scheduled Meeting
Monday, August 7, 2023	No Meeting
Monday, August 14, 2023	Regularly Scheduled Meeting
Monday, August 21, 2023	No Meeting
Monday, August 28, 2023	Regularly Scheduled Meeting
Monday, September 4, 2023	No Meeting (Labor Day Holiday)
Monday, September 11, 2023	Regularly Scheduled Meeting

ITEMS FOR SELECT BOARD CONSIDERATION AND ACTION

1. It is that time of the year for the Select Board to begin the Annual Performance Review of the Town Manager. Attached with this Report is the Town Manager Evaluation Policy for your review. Essentially at this meeting, the Chair needs to certify which members can participate in the Annual Review and direct the Town Manager to begin the self-evaluation. We can discuss this in more detail at Monday's meeting.
2. We have received a request from 128 Main Street, LLC dba as both the Groton Inn and Forge and Vine, to change their Manager from Tricia Thompkins to Michael Noseworthy. Enclosed with this report are the applications for this change. I would respectfully request that the Board approve this Change at Monday's meeting.
3. The Board has received a Request for a Certificate of Exemption submitted by the Prescott Development to remove 500 cubic yards of excess earth material generated by the construction of a single-family home, sewage disposal system and driveway at 111 Farmers Row. The removal of material qualifies as an exemption under Chapter 134, Section 10, of the Code of the Town of Groton based on the fact that the excess material results from construction of a new house lot. The Earth Removal Stormwater Advisory Committee granted Stormwater Management Permit #2020-07 for the project on November 17, 2020. Enclosed with this Report is a memorandum from Earth Removal Stormwater Inspector recommending approval of this exemption, along with recommended conditions.

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4. Conservation Administrator Nikolis Gualco has requested time on the Agenda for the Board to revote the Conservation Restrictions approved at the 2023 Spring Town Meeting. Apparently, the State has made it clear that they will need the Town (Select Board and Conservation Commission) to re-vote its approval of the Conservation Restrictions that will be held by the Trust. It is the State's opinion that the number of minor revisions to the Conservation Restrictions constitutes a substantive change. We can discuss this with Nikolis in more detail at Monday's meeting.

MWH/rjb
enclosure

GDRHS/Kemp Street Dunstable Water Connection State Permitting

Option 1: Pepperell (Nashua) >>GDRHS/Kemp Street (Nashua)

- No Interbasin Transfer – water remains in Nashua Basin
- Sufficient capacity under existing Water Management Act Permit
- No MEPA review unless more than five miles of water mains needed

Option 2: Dunstable (Merrimack) >> GDRHS/Kemp Street (Nashua)

- No Interbasin Transfer Determination if less than 100,000 gpd transferred
- No Water Management Act Permit or Needs Forecast if water supplied from new Dunstable line is less than 30,000 gpd
- No MEPA review unless more than five miles of water mains needed

Option 3: Dunstable (Merrimack)>>GDRHS/Kemp Street (Nashua) >>Pepperell (Nashua)

- Interbasin Transfer Determination Significant if more than 100,000 gpd transferred
- Water Management Act Permit and Water Needs Forecast required if water supplied from new Dunstable line is more than 30,000 gpd
- MEPA review if interbasin transfer is more than 100,000 gpd or more than five miles of water mains needed

Option 4: Dunstable (Merrimack) >>Pepperell (Nashua) >>GDRHS/Kemp Street (Nashua)

Same as Option 3.

Option 5: Groton (Merrimack) >> GDRHS/Kemp Street (Nashua)

- Any transfer to Nashua Basin in Dunstable is Significant and requires DCR and Water Resources Commission approval
- New Water Management Act permit and Needs Forecast required for more than 90,000 gpd
- MEPA review for Significant Interbasin Transfer

PROPOSED LINE ITEM TRANSFERS FOR YEAR END 2023

Ledger Number	FUNDING NEEDED (Line Items in Deficit) Account	Original Amount Presented 6/26/23	Adj. & New	Current Amount	
				7/10/2023	Notes
5115	124 Town Manager Salaries	2,925.00		2,925.00	Vacation Buy Back
5120	135 Accounting Wages	14.02		14.02	Budget Formula Calc Var
5115	145 Treasurer/Collector Salaries	2,280.00		2,280.00	Treasurer Salary Adjustment Jan
5400	145 Treasurer/Collector Gen Expenses	2,300.00		2,300.00	Lockbox increased usage fees/PW Fees
5400	152 Human Resources	2,300.00		2,300.00	Recruitment Advertising
5120	161 Town Clerk Wages	5,700.00		5,700.00	Early Voting/Vote by Mail
5120	162 Election Wages	5,622.00		5,622.00	Early Voting
5400	162 Election Expenses	3,200.00		3,200.00	Election Signage/Location Mailing
5115	210 Police Salaries	4,318.00		4,318.00	VBB/Fitness Test/Holiday Pay
5400	220 Fire General Expenses	30,000.00		30,000.00	Vehicle Maintenance
5115	242 Mechanical Inspectors Salaries	10,600.00		10,600.00	Permitting Activity
5400	242 Mechanical Inspectors Gen Expenses	540.00		540.00	Permitting Activity
5115	420 Highway Salaries	150.00		150.00	
5115	541 COA Salaries	2,131.00		2,131.00	Bonus unbudgeted
5400	541 COA General Expenses	2,000.00		2,000.00	Interim Departmental Assistance
5120	542 VAN Wages	8,000.00		8,000.00	Increased Programming
5400	542 VAN Expenses	4,500.00		4,500.00	Increased Programming
5115	640 Country Club Salaries	453.00		453.00	
5400	640 Country Club General Expenses	15,000.00		15,000.00	Increased Programming
5173	916 Medicare	15,000.00		15,000.00	
	TOTAL	117,033.02	0.00	117,033.02	
	FUNDING FROM (Line Items with Surplus)				
		14.02		14.02	
5400	135 Accounting General Expense				
5120	210 Police Wages	4,318.00		4,318.00	
5120	220 Fire Wages	30,000.00		30,000.00	
5120	235 Dispatch Wages(Avail \$50k)	50,000.00		50,000.00	Vacant Position
5120	124 Town Manager Wages	2,925.00		2,925.00	Personnel Turnover
5120	145 Treasurer Wages	4,580.00		4,580.00	Personnel Turnover
5115	161 Town Clerk Salaries	8,888.00		8,888.00	Unspent Contractor Funds
5120	241 Building Insp Wages	2,500.00		2,500.00	Personnel Turnover
5120	541 COA Wages	5,150.00		5,150.00	Personnel Turnover
5400	914 Employee Health Insurance	8,658.00		8,658.00	Enrollment activity
	TOTAL			117,033.02	
	Net Transfer			0.00	



SELECT BOARD POLICY

Policy Category:	Board
Policy Number:	BOA – 2020 – 16
Latest Revision Date:	May 11, 2020

POLICY NAME: **TOWN MANAGER EVALUATION POLICY**

On an annual basis, the Select Board will evaluate the prior fiscal year's performance of the Town Manager. The Town Manager, as the Chief Administrative Officer of the Town, is responsible to the Select Board for the proper administration of all town affairs placed in his/her charge by the Town Charter. It is therefore vital to the continuity of, and the community's confidence in, Town government, that the Town Manager's performance be publicly evaluated, and that, as part of that evaluation, areas of strength and areas that need improvement can be identified by the Select Board.

EVALUATOR ELIGIBILITY:

1. To be eligible to submit an annual evaluation for the Town Manager, a member of the Select Board must have been a member of the board for more than 120 consecutive calendar days immediately prior to completing the annual evaluation.
2. An annual evaluation for the Town Manager requires that a simple majority of the Select Board has completed, reviewed with the Town Manager and submitted an individual Evaluator Workbook to the Human Resources Director. Only members who completed and submitted an individual Evaluator Workbook may vote to approve or disapprove the Select Boards' evaluation at a full board meeting.

ROLE OF THE CHAIR:

1. The Chair of the Select Board is responsible for the administration of this policy and procedure. The Chair shall begin the annual evaluation process by placing on the Board's agenda an item to discuss the commencement of the Town Manager's annual performance evaluation. The Chair will request that the Town Manager prepare his or her self-evaluation portion of the Evaluator Workbook which will be disseminated to each Board member with instructions to complete the Evaluation Workbook, review it with the Town Manager, obtain the Town Manager's signature, and deliver the completed Evaluation Workbook to the Human Resources Director. Under no circumstances may a Select Board member share their completed Evaluation Workbook with anyone but the Human Resources Director.



SELECT BOARD POLICY

2. The Human Resources Director is responsible for receiving each Board member's Evaluator Workbook. The Human Resources Director along with the Select Board Chair will compile the members' individually completed Evaluation Workbook using the Compilation Workbook. After double checking the Compilation Workbook results, the Human Resources Director and the Select Board Chair will generate the Select Board's Town Manager Evaluation covering the evaluation's start and end date.
3. The Select Board Chair will present, to the full Board at a public meeting, the compiled Select Board's Town Manager Evaluation for approval. Only members who completed and submitted an individual Evaluator Workbook may vote to approve or disapprove the Select Boards' evaluation at the full board meeting. Board members, if any, who did not complete an individual Evaluator Workbook must abstain at the time this vote is taken.
4. All questions relative to the performance evaluation process should be directed to the Chair.

EVALUATION PROCEDURES:

1. The Town Manager's performance evaluation shall commence on the first regularly Select Board meeting in July of each fiscal year and will be prepared and completed as generally described in the Role of the Chair, above, and these procedures.
2. At the first regular Select Board meeting in July, the Chair shall validate which Select Board members are eligible to complete an Evaluator Workbook and request that the Town Manager complete the Status of Town Manager Goals and the Town Manager's Self Evaluation sections of the Evaluator Workbook.
3. The time period in which the Town Manager will complete the Status of Town Manager Goals and the Town Manager's Self Evaluation sections of the Evaluator Workbook is fifteen (15) calendar days from the date the Select Board Chair requests the Town Manager to complete his sections of the Evaluator Workbook. This time period may be extended by mutual agreement of a simple majority Board vote and the Town Manager. All Select Board members may vote, whether they will complete an Evaluator Workbook or not, on the question of an extension for completion of this task.
4. Following the Town Manager's completion of their sections of the Evaluator Workbook, the Human Resources Director will update the Evaluator Workbook with the Town Manager provided date and distribute copies of the Workbook to eligible board members.
5. All Board discussions and deliberations as to the evaluation procedure and completion of the evaluation document are to be held in public session. Board members are not to share their comments with other members of the Board outside of a properly posted public meeting of the Board.



SELECT BOARD POLICY

6. Each member, who received one, shall complete their Evaluator Workbook and return it back to the Human Resources Director. Board members completing Evaluator Workbooks are required to meet with the Town Manager to discuss their and the Town Manager's thoughts on the evaluation prior to submission. The timeline for returning the Completed Evaluator Workbook to the Human Resources Director is fifteen (15) calendar days following delivery of the Town Manager completed Evaluator Workbook to the Board members. This time period may be extended by mutual agreement of a simple majority Board vote and the Town Manager. All Select Board members may vote, whether they will complete an Evaluator Workbook or not, on the question of an extension for completion of this task.
7. Not later than (15) calendar days after all required Evaluator Workbook have been received by the Human Resources Director, the Director and the Select Board Chair will prepare, following the Compilation Workbook process, the Select Board's Town Manager Evaluation document.
8. At the next regularly scheduled Select Board meeting, the Select Board Chair will present to the full Board at a public meeting the Select Board's Town Manager Evaluation for approval. Only members who completed and submitted an individual Evaluator Workbook may vote to approve or disapprove the Select Board's evaluation at the full board meeting. Board members, if any, who did not complete an individual Evaluator Workbook must abstain at the time this vote is taken.
9. After the vote of approval, the Town Manager and the Select Board Chair will sign the Select Board's Town Manager Evaluation and provide the signed document to the Human Resources Director. In turn, the Human Resource Director will deliver a copy of the approved Select Board's Town Manager Evaluation to the Town Clerk for public release when requested. For document retention, see the Document Retention section of this document.

MISCELLANEOUS

One (1) copy of the Select Board's Town Manager Evaluation will be placed in the Town Manager's personnel file and retained there for as long as his personnel file is retained by the Town.

This policy and procedure may be amended only by a majority vote of the Board taken during a properly posted public meeting. Any such amendment shall be reduced to writing and incorporated herein. All current members of the Select Board, regardless of the length of service, are eligible to vote on proposed amendments to this policy.



Select Board Groton, MA

LICENSE FORM

This application must be clearly filled out, duly signed and returned to the Select Board's office. Please note that the Town has adopted a bylaw (*per M.G.L. Chapter 40, Section 57*) which states a license or permit may be denied, revoked, or suspended for non-payment of local tax betterments or assessments.

Please check all relevant transactions: Make Checks Payable to The Town of Groton

x Common Victualler License-\$25

x Entertainment License-\$100

x Sunday Entertainment License-\$24

*Sunday Entertainment State Fee \$100
Made out to Commonwealth of MA

☐ **Class II License-\$100**

☐ Auctioneer License-\$10

128 Main Street LLC
Name of Company

Forge & Vine
Doing Business As

Michael Noseworthy
Manager

128 Main Street Groton MA 01450
Mailing Address of Company

128 Main Street	Groton	MA	01450
Business Mailing Address		State	ZIP

978-448-6600	
Phone number business	Phone number of company (<i>if different</i>)

3pm – 11pm
Hours of Operation

156	45-5183564
Seating Capacity (if applicable)	Federal I.D. Number

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state and local tax returns and paid all state and local taxes required under law. This license will not be issued unless the applicant signs this certification clause.

Signature of Individual or Corporate Name (Mandatory)
John B. Gamaral, MANAGER OF
COACH CAMP, LLC MANAGER OF 128 MAIN STREET, LLC

Signature of Corporate Officer (Mandatory if Applicable)

For Office Use Only:

Date Received: _____ Check#: _____ Amount: _____



Select Board
Groton, MA

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☒ Entertainment License-\$100

☐ Auctioneer License-\$10

☒ Sunday Entertainment License-\$24

*Sunday Entertainment State Fee \$100
Made out to Commonwealth of MA

128 Main Street LLC
Name of Company

The Groton Inn
Doing Business As

Michael Noseworthy
Manager

128 Main Street Groton MA 01450
Mailing Address of Company

128 Main Street Groton MA 01450
Business Mailing Address State ZIP

978-448-6600
Phone number business Phone number of company (if different)

24/7 (alcohol only to be sold during permitted hours)
Hours of Operation

Seating Capacity (if applicable) 45-5183564
Federal I.D. Number

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state and local tax returns and paid all state and local taxes required under law. This license will not be issued unless the applicant signs this certification clause.

John B. Gmural, MANAGER OF
Signature of Individual or Corporate Name (Mandatory)
COACH LAMP, LLC MANAGER OF 128 MAIN STREET, LLC

Signature of Corporate Officer (Mandatory if Applicable)

For Office Use Only:

Date Received: _____ Check#: _____ Amount: _____

**REQUEST FOR CERTIFICATE OF EXEMPTION
EARTH REMOVAL BY-LAW, CHAPTER 134, SECTION 10 EXEMPTIONS**

Name of Landowner: WORTH SHINLEY MORTGAGE TRUST

Address: 13 MULPUL RD
SHINLEY MA 01464

Telephone Number: 508-341-2017

Location of Property: 111 LANMENS ROW

Assessor's Lot: 107-1 Zoning District: R-11

Definitive Subdivision plan, if any:

Quantity (in cubic yards) of material to be removed: ~~1000. cu yds~~ 500 yds AB
(Please attach supporting calculations)

Type of earth material to be removed: LOAM
(sand, gravel, rock, loam, muck, peat)

Reason for earth removal and why you believe it qualifies as an exemption:

EXCESS MATERIAL. NEED TO EXCHANGE FOR
FILL / DRAINAGE.

Destination of material to be removed: 170 OLD AVE RD GASTON
GASTON HILL MUSE

Description of reclamation plan: CONSTRUCTION OF SINGLE
FAMILY HOME

(over)

Please attach 1 original and 9 copies of the sketch plan (with dimensions) showing Items A – H in the regulations.

I, W. S. A., hereby agree that removal of earth materials from the above-referenced property shall be done in conformance with the Earth Removal By-Law, Chapter 134, Section 10 Exemptions, the Earth Removal Regulations, and with this application. I have read and agree to comply with the Earth Removal By-Law and Earth Removal Regulations.

W. S. A.
Signature of Landowner

6/12/23
Date

For Selectmen's Office Use

Date application received: _____

Application forwarded to departments for comment: _____

Comments received from:

Earth Removal Inspector: _____ Building Inspector: _____

Planning Board: _____ Conservation Commission: _____

Board of Health: _____ Highway Surveyor: _____

Police Chief: _____ Fire Chief: _____

Water Department: _____ Others: _____

Date of issuance of Certificate of Exemption: _____

Expiration date (one year from date of issuance): _____



TOWN OF GROTON

Earth Removal Stormwater Advisory Committee

173 Main Street
Groton, Massachusetts 01450
Telephone (978) 448-1105
FAX: (978) 448-1113

MEMORANDUM

DATE: June 21, 2023

TO: Select Board

FROM: Michelle Collette, Earth Removal Stormwater Inspector

RE: Groton School, 111 Farmers Row
Earth Removal Exemption

I reviewed the Request for a Certificate of Exemption submitted by the Prescott Development to remove 500 cubic yards of excess earth material generated by the construction of a single-family home, sewage disposal system and driveway at 111 Farmers Row. The removal of material qualifies as an exemption under Chapter 134, Section 10, of the Code of the Town of Groton, because the excess material results from construction of the new house lot. The Earth Removal Stormwater Advisory Committee granted Stormwater Management Permit #2020-07 for the project on November 17, 2020.

Please note that this exemption is in addition to the exemption I granted on June 15, 2023 for the first 500 cubic yards of material.

I recommend that the Select Board grant the exemption to remove up to 500 cubic yards of excess earth material from the site with the following standard conditions:

1. No operating on site before 7:00 AM or after 5:00 PM unless the Select Board determines otherwise.
2. Loaded trucks shall depart from the site only within such hours as the Select Board, after consultation with the Police Chief, may prescribe in the interest of public safety.
3. The public roadway must be cleaned at the end of the workday.
4. Applicant shall notify the Earth Removal Stormwater Inspector prior to commencement of activity.
5. Slope of stockpiles shall not exceed 2.1.

6. Stockpiles shall be stabilized with non-invasive, fast-germinated seed such as annual rye to prevent dust and wind-blown erosion. Erosion control barriers shall be installed around the base of the stockpiles.
7. Town water is available on the site. It is imperative that appropriate dust control measures to be undertaken at all times.

**SELECT BOARD MEETING MINUTES
MONDAY, JUNE 12, 2023
UN-APPROVED**

SB Members Present: John Reilly, Chair; Rebecca H. Pine, Vice Chair; Matthew F. Pisani, Clerk; Peter Cunningham; Alison S. Manugian

Also Present: Mark Haddad, Town Manager; Kara Cruikshank, Executive Assistant to the Town Manager; Hannah Moller, Treasurer/Collector; Attorney Robert Collins; Michelle Collette, Earth Removal Stormwater Inspector; Nik Gualco, Conservation Administrator

Pursuant to Select Board Policy regarding Board Re-organization, Mr. Haddad called the meeting to order at 7:00 PM and reviewed the agenda.

BOARD REORGANIZATION

Mr. Haddad called for nominations for the position of Chair. Mr. Reilly nominated Mr. Cunningham. Ms. Manugian nominated Mr. Reilly.

Those in favor of Mr. Cunningham- 4 in favor- Members Pisani, Pine, Reilly, and Cunningham
Those in favor of Mr. Reilly- 1 in favor- Member Manugian. Mr. Cunningham was voted in as Chair.

Mr. Cunningham called for nominations for Vice Chair. Mr. Pisani nominated Mr. Reilly. All five members were in favor of Mr. Reilly as Vice Chair.

Mr. Cunningham called for nominations for Clerk. Ms. Pine nominated Ms. Manugian for Clerk. All five members were in favor of Ms. Manugian as Clerk.

ANNOUNCEMENTS

Ms. Pine announced that a series of Juneteenth events were scheduled. She expressed her gratitude towards the Diversity, Equity and Inclusion Committee and the Racial and Social Justice Working Group for their efforts in organizing these events. Ms. Pine also informed everyone about a free three-day seminar at Lawrence Academy named SEED, which is open to the general public. SEED is a nationwide organization that sponsors this seminar, which will be held from 8:30 A.M. to 3:00 P.M. on June 20th through 22nd. She also announced that the DEI Committee will meet on Thursday, June 22nd at 7:30 P.M. at the Town Hall. The Committee will discuss renaming one of Groton's conservation properties to honor the Nipmuc People, the earliest residents of the land we know as Groton.

Mr. Cunningham announced he attended the Groton Riverfest on Sunday, June 11th. He said it was a great event.

Mr. Gualco attended the meeting and shared information about the Conservation Restrictions that the Board approved on May 22, 2023. He mentioned that he anticipated receiving three Restrictions from the State as follows: Casella Property, Priest Property, and Patricia Hallet Property. Mr. Gualco said these restrictions would require the Board's signature once those documents are received.

PUBLIC COMMENTS

Mr. Francisco, from the Sustainability Commission, announced that an upcoming Sustainability Seminar on Heating and Cooling Options would take place on Thursday, June 15th, at the Groton Center. An expert will consult on Geo-Thermal technologies such as heat pumps, solar hot water heating, and Bio Mass Heating.

TOWN MANAGERS REPORT

1. Approve Bond Anticipation Notes for the Florence Roche Elementary School Construction Project

Treasurer/Collector Hannah Moller requested the Board's approval and signature on the Bond Anticipation Notes for the most recent borrowing of \$28,340,300 for the Florence Roche Elementary School Construction Project. Jeffries LLC was awarded the bid for a NIC (net interest cost) of 3.682464, which included a premium of \$230,123.24. Mr. Haddad shared that the Town initially estimated a 4.5% interest rate with a premium of \$166,366.71. However, based on this, the Debt Budget could be reduced by approximately \$307,000, which was good news for taxpayers, thanks to the Town's AAA Bond Rating.

Mr. Haddad asked the Select Board to vote to approve the Bond per the proposed motion contained in the packet and requested the Clerk sign the necessary documents.

Ms. Pine made a motion to approve the Bond per the motion contained as outlined in the packet (attached to these minutes). Mr. Reilly seconded the motion. The motion carried unanimously.

2. Manager's Tri-Com Working Group

On Monday, June 12th, the first Town Manager's Tri-Com Working Group meeting was held, Mr. Haddad said. The group comprised of Alison Manugian and Matt Pisani from the Select Board, Bud Robertson and Mary Linskey from the Finance Committee, and Fay Raynor and Brian LeBlanc from the Groton Dunstable Regional School Committee. Assistant Finance Director/Town Accountant Patricia DuFresne, School Superintendent Laura Chesson, School District Business Manager Sherry Kersey, and the Finance Team will also be part of the Working Group. The initial meeting aimed to set parameters for conducting the review of the operating budget over the next several years and discussed the timeline for the review. The group will meet bi-weekly. Mr. Haddad said the meeting went well, and Mr. Pisani and Ms. Manugian agreed.

Ms. Pine commented that she would like the information to be understandable for everyone, not just the Working Group. Mr. Haddad said he would provide regular updates and include the Tri-Com Working Group on the Agenda's ongoing issues.

2. Update on Select Board Meeting Schedule Through Labor Day

Monday, June 19, 2023	No Meeting (Juneteenth Holiday)
Monday, June 26, 2023	-Discuss Fall Town Issues -Preliminary review of FY 2023 Line-Item Transfers
Monday, July 3, 2023	No Meeting (July 4th Holiday)
Monday, July 10, 2023	-Meet in Joint Session with the Finance Committee to Approved FY 2023 Line-Item Transfers -Set the Date and Open the Warrant for the 2023 Fall Town Meeting

Monday, July 17, 2023	Regularly Scheduled Meeting
Monday, July 24, 2023	No Meeting
Monday, July 31, 2023	Regularly Scheduled Meeting
Monday, August 7, 2023	No Meeting
Monday, August 14, 2023	Regularly Scheduled Meeting
Monday, August 21, 2023	No Meeting
Monday, August 28, 2023	Regularly Scheduled Meeting
Monday, September 4, 2023	No Meeting (Labor Day Holiday)
Monday, September 11, 2023,	Regularly Scheduled Meeting

ITEMS FOR SELECT BOARD CONSIDERATION AND ACTION

1. Consider Making Annual Appointments of the Select Board

Mr. Haddad reviewed the Board's committee appointments. (See attached memo).

Mr. Haddad suggested that the Annual Appointments for the Council on Aging be reviewed first, especially since some members of the public were excited to be in attendance. Mr. Haddad announced the appointment of two new members to the council, Lois Young and Harris McWade.

Ms. Pine moved to approve the appointments of the Council on Aging as presented. Ms. Manugian seconded the motion. The motion carried unanimously.

Ms. Pine moved to approve the appointment of the Fire Chief, Steele McCurdy, with a three-year term to expire in 2026. Ms. Manugian seconded the motion. The motion carried 4 in favor, 1 abstained- Pisani.

Mr. Reilly announced Kathy Lincoln's retirement from the Fire Department after serving for 30 years. He would like to express his gratitude for her dedicated service.

Mr. Haddad asked that the Select Board reappoint Becky Pine, Richard Perini, and Charles Vander Linden to the Affordable Housing Trust with terms to expire in 2025.

Mr. Pisani moved to approve the appointments of the Affordable Housing Trust with terms to expire in 2025. Ms. Manugian seconded the motion. The motion carried 4 in favor, 1 abstained- Pine.

Mr. Haddad asked the Select Board to make the remaining appointments as presented on Page 1 of the memo in their packet. He also wanted to bring to the Boards attention a vacancy on the Capital Planning Advisory Committee. Mr. Cunningham said there is also a vacancy on the Complete Streets Committee.

Ms. Pine moved to approve the remaining appointments on page 1 as presented. Mr. Reilly seconded. The motion carried unanimously.

Mr. Reilly moved to approve the appointments on page 2 as presented. Ms. Pine seconded the motion. The motion carried unanimously.

Ms. Pine moved to approve the appointments on page 3 as presented. Mr. Pisani seconded the motion. Unanimous vote

Mr. Haddad said the Board of Registrars would have a vacancy effective June 30th. The current makeup of the Board of Registrars is One Republican member, Two Democratic members, and one Unenrolled (Dawn Dunbar, Town Clerk). He said the Town Clerk provided a breakdown of past makeups of the Board. The Board can appoint either a Democrat or Republican to the Board. After a brief discussion the Board decided to keep the make-up of the Board the same with 2 Democrats and 1 Republican.

Ms. Pine moved to appoint Jane Fry (Democrat) to the Board of Registrars. Ms. Manugian seconded the motion. The motion carried unanimously.

2. Approve Revised MOU for the North Central Climate Change Coalition

Mr. Haddad said the Select Board approved a Memorandum of Understanding for the North Central Climate Change Coalition (NC4) last year. The Town Administrator of Pepperell was concerned that the originally approved documents did not require strict compliance with the Open Meeting Law and wanted to ensure that the organization would comply. The MOU had been updated to require that compliance. The MOU was provided to the Board with their packet to review for approval. Mr. Haddad respectfully requested that the Board adopt the revised MOU and authorize the Town Manager to sign it. Also, he would like the Board to vote to designate Phil Francisco, Ginger Vollmar, and Charlotte Weigel as the Town's Representatives on NC4.

Ms. Pine made a motion to adopt the revised MOU and authorize the Town Manager to sign it. Mr. Reilly seconded the motion. The motion was carried unanimously.

Mr. Pisani made a motion to designate Phil Francisco, Ginger Vollmar, and Charlotte Weigel as the Town's Representatives on NC4. Ms. Pine Seconded the motion. The motion carried unanimously.

3. Approve a One Day Wine and Malt License for a Private Event at the Salt and Light Café to be held on June 16, 2023 from 6:30 p.m. to 9:30 p.m.

Ms. Manugian made a motion to approve the One Day Wine and Malt Beverage License for the Salt and Light Café on Friday, June 16, 2023 from 6:30 p.m. to 9:30 p.m. Mr. Pisani seconded the motion. The motion carried unanimously.

OTHER BUSINESS

1. Consider Approving an Earth Removal Exemption for the Groton School Athletic Fields Project

Attorney Robert Collins, a representative of the Groton School Trustees, and Earth Removal Stormwater Inspector Michelle Collette were present during the meeting. Attorney Collins was seeking approval for an Earth Removal Exemption for two athletic fields at Groton School. These fields include repurposing the Varsity Soccer Fields near Farmers Row and the installation of an artificial turf field surface at the existing soccer field and baseball diamond behind the Hundred House. He said the project would involve the removal of the existing topsoil from the two locations. Initially, there were plans to utilize new topsoil, but upon excavation, it was discovered that the existing soil was of better quality. The soil would be sifted at Cataldo in Littleton, MA, then transported back to Groton School. Ms. Manugian inquired about the Historic Districts Commission's opinion.

Attorney Collins reported that the HDC held three hearings and issued a Certificate of Appropriateness. The discussions were positive. Attorney Collins said there was a sense of urgency with this exemption. Ms. Collette expressed concerns about a stockpile of loam, which could cause dust issues if dry and windy. Groton Schools' priority is to finish the project before the kids return to school in September. It was confirmed by Stan Dillis that no sewage disposal systems or wells were within 100 feet of the area to be excavated. This exemption would be in addition to the Exemption granted by Ms. Collette on June 9, 2023 for 500 cubic yards of material.

Ms. Pine moved to approve the Earth Removal Exemption to move up to 3000+ cubic yards of excess earth material with the conditions stated on the memo to the Select Board dated June 12, 2023.

Mr. Cunningham would like the Police Chief to weigh in on the hours allowed for the trucks to depart from the site.

Mr. Reilly seconded the motion. The motion carried unanimously.

ON-GOING ISSUES

According to Mr. Cunningham, Senator Kennedy allocated funds in 2020 through a Transportation Bond Bill for the engineering and permitting of the Nashua Rail Trail reconstruction. Mr. Cunningham mentioned that may be progressing to Administration and Finance.

Approval of Minutes from June 5, 2023

Ms. Pine made a motion to approve the minutes of the regularly scheduled meeting from June 5, 2023, as amended. Mr. Reilly seconded the motion. The motion carried 4 in favor, 1 abstained- Manugian.

The meeting was adjourned at 7:47 pm.

Respectively submitted by Kara Cruikshank, Executive Assistant to the Town Manager.