

**BOARD OF SELECTMEN MEETING  
MINUTES DECEMBER 22, 2014  
APPROVED**

**Present:** Anna Eliot, Vice Chair; Stuart M. Schulman, Clerk; Peter S. Cunningham, Member; John G. Petropoulos, Member

**Absent:** Josh A. Degen, Chair

**Also Present:** Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant;

Ms. Eliot called the meeting to order at 7:00pm.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad said that the town meeting in back in the spring to make improvements to Sargisson Beach. He said that Pine & Swallow had worked very hard to help with the RFP process and with Leone Construction from Shrewsbury through the construction process. He said that Mr. Bob Pine had reported earlier that day that the work was just about done and because the process went so well, he was not going to charge the Town. He said that he would like to thank Mr. Pine very much for his hard work and help with this project.
  
2. Mr. Haddad said that the Planning Board was present to provide the Board with an update. Mr. George Barringer said at their last meeting, the Board required the Boards involved to meet with the Town Manager to find resolution without continuing the appeal process. He said the ZBA filed the decision and could not retreat. He said the Planning Board met on Thursday in Executive Session adding that this appeal was important to the Town. He said the appeal was of the non-use provision adding there was no evidence that the property was ever used as a permanent residence. He said there was no permit on file for the conversion of the residence from seasonal to full-time. Mr. Barringer disagreed that payment of taxes showed use. He said that the Planning Board was in the position that the appeal had to move forward adding that they were proposing to go to the compulsory conference in January to seek mediation to try to resolve this in a timely and cost effective manner. Mr. Haddad asked what the estimated cost for mediation was. Mr. Barringer said between \$10,000 and \$12,000. Mr. Haddad said the Board would need to reverse their vote if they chose to allow the Planning Board the opportunity to move forward with mediation. Ms. Eliot asked if the Board was willing to go to mediation. Mr. Barringer said that he wasn't sure. Mr. Haddad said that once the ZBA made a decision, they couldn't reverse it. He said that a judge would need to remand the case back to the ZBA if the Planning Board's argument was compelling. Mr. Haddad said that January 14<sup>th</sup> was the pretrial meeting.

*Mr. Cunningham moved to offer an expenditure not to exceed \$12,000 on this matter. Mr. Schulman seconded the motion.*

Ms. Eliot said that she didn't think the pretrial should cost them \$12,000. Mr. Haddad said the pretrial was estimated to cost between \$2,000 and \$3,000.

*Mr. Cunningham amended his motion to offer an expenditure not to exceed \$3,500 on this matter. Mr. Schulman seconded the motion. The motion carried unanimously.*

Ms. Alison Manugian asked if there was a mechanism where the case could be withdrawn if the two Boards worked together. Mr. Haddad said that once the decision was filed, it could not be changed.

3. Mr. Haddad said that they received 14 applicants for the Building Committee for Prescott School. He said that as directed by the Board, Mr. Cunningham and he interviewed several of the candidates. He said that due to the number of qualifications of the applicants, he and Mr. Cunningham were recommending that

they increase the size of the Committee from seven (7) to nine (9) members. Mr. Haddad said that one of the applications was never received by the office and as a courtesy to the applicant he and Mr. Cunningham met with her that day. Ms. Eliot asked if a third person had screened the applicants. Mr. Haddad said that it was just he and Mr. Cunningham. Ms. Eliot asked if the list would have been different if the application they received that day had been received sooner. Mr. Cunningham said “maybe not” adding that they were fortunate to get so many applicants. He said a ten (10) member committee might be cumbersome but not insurmountable. He said based on the last minute application, he said they were asking the Board to consider increasing the committee size from seven (7) to ten (10).

*Mr. Cunningham moved to expand the committee membership of the Municipal Building Committee to ten (10) members. Mr. Schulman seconded the motion. The motion carried unanimously.*

Mr. Haddad asked the Board to ratify the following appointments:

1. Anna Eliot
2. Brian Bolton
3. Greg Sheldon
4. Halsey Platt
5. David Melpignano
6. Lynwood Prest
7. Gary Green
8. Alison Manugian
9. Jane Bouvier
10. Beck Pine

*Mr. Cunningham moved to affirm the appointments of the individuals submitted by the Town Manager to the Municipal Building Committee for Prescott School. Mr. Schulman seconded the motion. The motion carried unanimously.*

Ms. Mary Jennings thanked the Board and asked if the Board would consider broadening the charge of the Committee. She said that she was a member of the Friends of Prescott. She said that they would like to see the charge expanded to include the vision of Prescott. She said over 25 people showed up to their informal meeting with lots of ideas, one being the expansion of the charge to a more visionary process. She also asked that the consider expanding the time line to a year adding that six (6) months was not long enough. Mr. Cunningham said that they were all good points but thought it should be left up to the committee to sit down review the charge and see if they suggest that any changes be made. Mr. Petropoulos agreed adding that Ms. Jennings could attend a meeting and voice her opinion there. Ms. Eliot said that she would like to see a report given at six (6) months adding it’s nice to be kept informed. Mr. Schulman said he had no objection to changing the timeline adding he didn’t want it left open.

4. Mr. Haddad said that he, Mr. Schulman, Ms. Dufresne and Ms. Dunbar and the staff at the Groton Country Club met with the Club’s members. He said that it was a positive meeting and things like moving forward and the hiring of a new General Manager/Head Golf Professional were topics discussed. Mr. Schulman agreed that it was a positive meeting and thought things were coming together.

#### **GREAT PONDS ADVISORY COMMITTEE**

Mr. Jim Luening, Chair of the Great Ponds Advisory Committee (GPAC) announced that they were being represented by a delegation but did not have a quorum. He said that Baddacook Pond was Groton’s largest natural pond which was home recreation activities such as fishing and boating. He said the pond had 35 acres of weeds adding that weeds were destroying the natural habitat. He said it was also a danger to recreational users. He said they initiated the boat launch monitor program two (2) years ago which has been successful. Mr. Luening said that

research done on the sonar chemical treatment had shown that it has been safely and effectively used for many years. He said the EPA and DEP had both done extensive testing and florodine levels were below the point of concern. He said that a year ago the Board of Water Commissioners had discussed this and said if three (3) action items were addressed they would take another vote on this. He said that GPAC was advising the Board of Selectmen to move forward with a Notice of Intent (NOI) which included answers to questions raised by the Water Commissioners. Mr. Art Prest said that GPAC wanted the BOS to submit the NOI to the Conservation Commission and start there. Mr. James Gmeiner said that in January they voted not to support this application. He said they received a copy of the NOI the previous Thursday and after looking through it, didn't appear complete. He said that maybe this was a way of getting this started adding they controlled the rights to the pond and thought they Commissioners should be the ones to sign off on the application as property owners. He thought the Board would be the applicant but the Water Commissioners needed to sign off as the property owners. Mr. Petropoulos wanted to make sure everything was completed so as to not waste the Conservation Commission's time. Mr. Schulman said that they had seen a lot of scientific evidence from both sides adding he wished they would get everyone on the same page. Mr. Bruce Easom said that he was a member of the Conservation Commission speaking as an individual. He said that this sort of thing was what they signed up for. He said the Commission should be sued as a grease to get this started adding it was an important issue. He encouraged the Board to the file the NOI.

*Mr. Cunningham moved to authorize the Town Manager to sign the Notice of Intent for treatment of Baddacook Pond. Mr. Petropoulos seconded the motion. The motion carried unanimously.*

#### **ANNUAL LICENSES**

Mr. Haddad asked the Board to approve the following annual licenses:

- Seven Hills Pediatric Center, Holly Jarek, Manager  
Located at 22 Hillside Ave  
CVL  
Hours of Operation: 24/7  
Licenses to expire on December 31, 2015
- Blackbird Café, Inc., dba Blackbird Café, Catherine Kenney, Manager  
Located at 491 Main Street  
CVL  
Hours of Operation Daily: 6:00 AM – 5:00 PM  
License to expire on December 31, 2015
- Bruno Ferreira, dba Bruno's Pizzeria, Bruno Ferreira, Manager  
Located at 195 Main Street  
CVL  
Hours of Operation: Daily 9:30 AM – 8:30 PM  
License to expire on December 31, 2015
- Otto Wright Ventures, dba Main Street Café, Robert Wright, Manager  
Located at 159 Main Street  
CVL  
Hours of Operation: Mon-Sun 6:30 AM – 3:00 PM, Fri evening 6:00 PM – 10:00 PM  
License to expire on December 31, 2015

*Mr. Schulman moved to accept the annual license renewals as read. Mr. Cunningham seconded the motion. The motion carried unanimously.*

- Groton Country Club, Function Hall & the Tavern, Mark W. Haddad, Manager  
 Located at 94 Lovers Lane  
 General On-Premise All Alcohol (2), CVL (2),  
 Hours of Operation: Daily 8:00 AM - 1:00 AM  
 Licenses to expire on December 31, 2015

Mr. Haddad explained that the Tavern would be coming in to transfer the license sometime in January but until that time, they needed to renew the Country Club licenses as is. He asked the Board to approve the licenses for the Country Club.

*Mr. Cunningham moved to approve the annual licenses for the Country Club. Mr. Schulman seconded the motion. The motion carried unanimously.*

Mr. Haddad asked the Board to approve the following licenses:

- Shaw's Supermarkets, Inc., dba Shaw's Supermarket #7627  
 Located at 760A Boston Road  
 CVL  
 Hours of Operation: Mon to Sat 7:00 AM - 10:00 PM, Sun 7:00 AM – 9:00 PM  
 License to expire on December 31, 2015
- Groton Exchange, Inc., Paul Palmer, Manager  
 Located at 318 Main Street  
 CVL  
 Hours of Operation: Daily 6:00 AM – 9:00 PM  
 License to expire on December 31, 2015
- RiverCourt Residences, Richard Kendall, Manager  
 Located at 8 West Main Street  
 CVL  
 Hours of Operation: Sun to Sat 24 hours/day  
 License to expire on December 31, 2015

*Mr. Cunningham moved to approve the annual licenses as read. Mr. Schulman seconded the motion. The motion carried unanimously.*

**MINUTES**

*Mr. Cunningham moved to approve the Regular Session meeting minutes of December 1, 2015. Mr. Petropoulos seconded the motion. The motion carried unanimously.*

*Mr. Cunningham moved to approve the Executive Session meeting minutes of December 5, 2015 as amended and not release. Mr. Schulman seconded the motion. The motion carried unanimously.*

*Mr. Cunningham moved to adjourn at 8:27pm. Mr. Schulman seconded the motion. The motion carried unanimously.*

Approved: \_\_\_\_\_

Stuart Schulman, Clerk

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respectfully submitted,  
 Dawn Dunbar, Executive Assistant

Date Approved: 2/10/15