

**BOARD OF SELECTMEN  
OCTOBER 4, 2004  
REGULAR SESSION MINUTES  
“APPROVED”**

**Present:** George F. Dillon, Jr., Chair; Peter S. Cunningham, Vice Chair; John L. Saball, Clerk; Virginia C. Wood, Member; Robert W. Nordblom, Member; Administrative Officer Jean Kitchen and Kathleen Newell, Office Assistant.

The Meeting opened at 6:55 p.m.

**Employee Recognition – Ed Doucette, Fire Department – 15 Years of Service**

Mr. Ed Doucette was unable to attend the meeting. Mr. Dillon commended Mr. Doucette for his 15 years of services to the Town of Groton.

**Public Hearing – Board of Selectmen and Finance Committee RE: Special Town Meeting Articles**

The Board of Selectmen met with the Finance Committee to review the Special Town Meeting warrant (enclosed herein).

*Mr. Cunningham moved to open the public hearing. Seconded by Mr. Saball. Unanimous vote.*

Mr. Dillon read the legal notice.

Article 1 & 2 – Ms. Wood asked if the funding for the first four articles had been designated. Mr. Dillon stated there was a tentative agreement.

Article 3 & 4 – Mr. Cunningham read the article and stated the Landfill Capping had been funded from the Stabilization fund.

Article 4 – Mr. Cunningham read the article. Ms. Jenkins explained there had been an error in the computer spreadsheet program. Ms. Kitchen stated the Library would be split to wages/salary. Ms. Owen Shuman questioned the wording of supplement vs. restore as the \$14,356 had been included in the budget and was concerned the word supplement would cause confusion at Town Meeting. Ms. Kitchen stated the supplement was due to the error not a budgeting error.

Article 5 – Mr. Saball read the article. Mr. Harlan Fitch asked if the Recreation Commission had been returning receipts to the Accountant monthly or quarterly as the Accountant had requested. Mr. Dillon stated the receipts had not been turned in during the last month and in the last week there had been a discrepancy from what the Accountant had for a number. Commissioner Peter DiFranco stated the receipts had been submitted at the end of the month until last month due to large enrollments and direction had been given to the Assistant to stay focused on the budget and she would now provide a weekly report on what has been deposited.

Article 6 - Mr. Saball read the article.

Article 7 - Ms. Wood read the article.

Article 8 – Ms. Wood read the article.

Article 9 – Mr. Nordblom read the article. Ms. Kitchen stated she had spoken had with GELD and the costs have gone up dramatically. Ms. Kitchen stated the Town would need to fund completely upfront and GELD may fund some after the project is completed.

Article 10 – Mr. Nordblom read the article. Mr. Dillon asked Mr. Walsh if the need could be met with a demo model. Mr. Walsh responded it was possible but unlikely to meet the specifications.

Article 11 – Mr. Dillon read the article. Mr. Fitch stated the Finance Committee was not saying what the source of funding. Ms. Ann Walsh stated the Committee had not yet determined the sources. Mr. Dillon asked how the potential CPA would impact the Conservation Fund. Conservation Commissioner Peter Morrison stated no money would be available for two years. Conservation Commissioner Bruce Clements stated the reason for the \$150,000 request was because only \$50,000 had been funded at the Spring Town Meeting. Mr. Clements stated \$150,000 was customary. Mr. Dillon stated the \$150,000 had only been customary for three years. Mr. Morrison stated the fund had been depleted and it was important to have money in the fund to pursue state money.

Ms. Wood asked when the funding source would be determined. Mr. Webber stated the sources would be free cash and the land-fill capping fund and \$800,000 was the amount of the articles. Mr. Webber stated how it was divided was arbitrary.

Article 12 – Mr. Dillon read the article. Ms. Kitchen stated the Recreation Department had been paying the lifeguards as contract employees and the Personnel Board had reclassified them as hourly employees.

Article 13 – Mr. Cunningham read the article. Mr. Dillon stated the article had not changed the date of Town Meeting only the starting time.

Article 14 – Mr. Cunningham read the article.

Article 15 – Mr. Saball read the article.

Article 16 – Mr. Saball read the article.

Article 17 – Ms. Wood read the article. Mr. Dillon stated the CPC committee will be made up of 7 members. Ms. Wood stated information can be obtained via the website [www.grotoncpa.org](http://www.grotoncpa.org).

Article 18 – Mr. Nordblom read the article.

Article 19 – Mr. Nordblom read the article. Mr. Webber asked who would benefit from the sewer extension. Mr. Gmeiner stated it will benefit the individuals who have access to the sewer lines. **\*\*Ms. Wood excused herself at 8:10 p.m.\*\*** Finance Committee member Garrett Boles stated all the costs associated to the extension would be born by the ratepayers and asked if residents would be forced to connect. Mr. Gmeiner stated residents would not be forced to hook up but would pay a betterment.

Article 20 – Mr. Nordblom read the article. Mr. Gmeiner stated the figure may be modified on Wednesday night.

Article 21 – Mr. Dillon read the article.

Article 22 – Mr. Dillon read the article. Treasurer/Collector Christine Collins stated the rate was 4%.

**\*\*Ms. Wood returned at 8:25 p.m.\*\***

Article 23 – Mr. Cunningham read the article. Water Commissioner Chris Kelley stated he was comfortable to remove the article and hold for future use after research.

*Ms. Wood moved to remove Article 23 of the 4<sup>th</sup> draft of the Special Town Meeting dated October 25, 2004. Seconded Mr. Nordblom. Unanimous vote.*

Article 24 – Mr. Cunningham read the article.

Article 25 – Mr. Saball read the article. Ms. Collins asked if the someone with an in-law apartment would be unable to apply for an exemption. Ms. Wood stated that in-law apartments were not allowed but two family dwellings could be eligible.

Article 26 – Mr. Saball read the article

**\*\*Mr. Saball removed himself from the room.\*\***

Article 27 – Ms. Wood read the article. Mr. Dillon stated the school district still had this under consideration.

Article 28 – Ms. Wood read the article.

**\*\*Mr. Saball returned to the meeting.\*\***

Article 29 – Mr. Nordblom read the article. Ms. Kitchen stated the article was not formally on until the warrant had been opened for the submission and the costs won't be known until October 12, 2004. Ms. Wood stated the Town was trying to negotiate a cost similar to the low cost Groton has enjoyed for the past 20 years.

Article 30 – Mr. Nordblom read the article.

Article 31 – Mr. Cunningham read the article. Mr. Dillon stated the Planning Board would be holding a hearing regarding the rezoning.

*Mr. Cunningham moved to close the hearing. Seconded by Mr. Saball. Unanimous vote.*

### **Comprehensive Permit, Chapter 40 B – Pineridge Court, 32 Jenkins Road, Map/Parcel 217/84**

Attorney Julie McNeil was present representing R. M. Hicks, Inc. Planning Board Member Josh Degen, and concerned abutters were present for this portion of the meeting.

Mr. Dillon stated this was an informal meeting with an opportunity for additional and more specific comments at the ZBA. Attorney McNeil stated the project was proposed for Jenkins Road which is located on a 9.53 acre lot currently zoned residential/agricultural of which 7.23 dry acres and 2.3 containing wetlands. The project has 44 proposed units in one building for age 55 and older. Attorney McNeil reviewed the proposed plans and preliminary list of waivers. Ms. Wood asked if Attorney McNeil had seen Groton's master plan and suggested she look at it. Mr. Dillon asked Attorney McNeil to review the list of waivers.

Ms. Wood asked what the deadline was for comments. Mr. Dillon stated comments were due by October 15, 2004. Attorney McNeil read a partial list of waivers as follows: basic regulations, schedule of use regulations, basic regulation – heights, general provisions to allow for a multifamily building residential/agricultural district, parking lot, site plan review, multi-family use, development rate limitation and other zoning not listed, Groton building connection fees.

Mr. Degen read a memo dated October 1, 2004. Mr. Dillon read memos from the Conservation Commission (dated 9/30/04) and the Police Department. Ms. Kitchen stated there were some concerns regarding the ownership of the property. Mr. Nordblom stated that the square footage does not match up with the size of the units or the number of units and the size of the building must be much larger was shown on the application, and that was a very large structure. Mr. Dillon stated Attorney McNeil had stated the project was for age 55 and over, however it was stated nowhere on the application. Attorney McNeil stated that is what had been asked for in the site eligibility letter. Mr. Dillon again stated it that was not specified in the application. Ms. Wood stated the numbers did not make sense, such as site preparation \$750,000 and the marketing costs appeared high. Ms. Wood stated she hoped the ZBA would review the numbers very carefully. Ms. Wood further added that there was not one thing in the project which complies with the Master Plan. Attorney McNeil asked for specifics. Ms. Wood stated the size and scope of the project are not in character with Groton and that the Town needs to weigh the costs of the affordable housing with the character of Groton. Mr. Cunningham concurred with Mr. Degen's comments and stated he was dismayed to this project come in with minimal affordability and no effort to offer a little bit more. Mr. Cunningham stated the size and shape of this building is inconsistent with the area. Attorney McNeil stated this was a preliminary first meeting. Mr. Dillon stated the Board is on a time table to present comments.

Mr. William Lopes of 66 Jenkins Road stated he had concerns and it was important to look at the size and scale of the building and its inappropriateness to the area. Mr. Lopes stated the building is more inappropriate that it may first appear as it has a poured foundation which will be built up three stories plus an underground garage. Mr. Lopes stated this building will tower over this area. Ms. Wood stated the Board needed to be careful in the comments as Partridgeberry Woods has had severe flooding. Ms. Liz Lopes

of 66 Jenkins Road stated she could not imagine the amount of fill which will be needed and the project is a travesty and misuse. Mr. James Western, an abutter stated the building is insensitive to the neighborhood and the style is a joke. Ms. Connie Sartini asked if an environmental impact study had been done. Mr. Dillon stated the Conservation Commission had recommended that an EIS be conducted. Ms. Marion Stoddard of Long Hill Road, stated this project is inconsistent with the master plan of the Town and the site is inappropriate and the size is completely unreasonable and concerned with the area as it is close to the flood plain. Mr. Bill Snyderman, an abutter stated that the area remains wet through the spring and bringing in fill will increase the flooding problems on his property. Conservation Commissioner Ana Elliot stated any letter needed to reflect the Town's housing capacity and volume of Chapter 40B projects. Mr. Scott Wilson cited a case in Walpole, stating he was not sure that the number of 40B projects we were facing will carry much weight with the State. Ms. Julie List, of Spencer Circle asked at what point does the applicant needs to contact Natural Heritage.

Ms. Wood suggested the following for comments: the requested waivers were unclear exactly what they would need waivers from; there are problems with flooding. Partridgeberry Woods created flooding and this project will require extensive fill and the impact is unknown; no mention on the application of 55 or older; this project does not fit with the Master Plan, finances need to be scrutinized; adequacy of Jenkins Road needs to be determined as recent research has shown the road was discontinued many years ago; there needs to be more creativity in the application versus demolishing the existing house; and not enough time to review; and the presenter was filling in for Attorney Doug Deschene's and many questions went unanswered.

#### **OTHER BUSINESS:**

##### **Computer Committee Appointment – Stuart Shulman**

*Mr. Cunningham moved to appoint Stuart Schulman to the Computer Committee to fill the vacancy for the one-year term, term to expire June 30, 2005. Seconded by Mr. Saball. Unanimous vote.*

##### **Squannassit-Petapawag ACEC Great Pond Steering Committee Appointment – Jodi Deuger**

*Ms. Wood moved to appoint Jodi Deuger to the Squannassit-Petapawag ACEC Great Pond Steering Committee for the one-year term, term to expire June 30, 2005. Seconded by Mr. Cunningham. Unanimous vote.*

##### **Filling of Reference Librarian Vacancy.**

*Ms. Wood moved to authorize the Library to hire a replacement for the position of Reference Librarian, Grade 8, Step 1. Seconded by Mr. Cunningham. Unanimous vote.*

##### **Open and Close Special Town Meeting Warrant**

*Ms. Wood moved to reopen the Special Town Meeting Warrant for the submission of the following Article: To see if the Town will vote to allow the Board of Selectmen to enter into a contract for solid waste disposal which exceeds three (3) years... Seconded by Mr. Cunningham. Unanimous vote.*

##### **Minutes**

*Ms. Wood moved to approve the Regular Session Minutes of August 9, 2004. Seconded by Mr. Nordblom. Unanimous vote.*

#### **ADMINISTRATIVE OFFICER REPORT**

Ms. Kitchen stated she had received a letter from Mass Highway regarding a preconstruction meeting for Four Corners.

#### **SELECTMEN LIAISON REPORT**

Mr. Saball stated he had attended the Library Anniversary celebration which was well attended. Mr. Saball stated the Fire Chief had requested he make a reminder of Fire Prevention Week and for citizens to replace the batteries in their smoke detectors.

Mr. Cunningham stated he had attended an Eagle Scout Ceremony for Jared Wayne, who had placed the flags in West Groton.

*Mr. Cunningham moved to adjourn at 10:13 p.m. Seconded by Mr. Saball. Unanimous vote.*

Approved: \_\_\_\_\_  
John L. Saball, Clerk

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*Respectfully submitted,*  
Kathleen Newell  
Office Assistant

Date Approved: November 15, 2004

Attachments (1): Special Town Meeting Warrant 4<sup>th</sup> Draft