

Warrant, Summary, and Recommendations

TOWN OF GROTON



2012 FALL TOWN MEETING

Groton-Dunstable Middle School Auditorium
344 Main Street, Groton, Massachusetts 01450

Beginning Monday, October 15, 2012 @ 7:00 PM

Attention – Voters and Taxpayers

Please bring this Report to Town Meeting

**FALL TOWN MEETING WARRANT
OCTOBER 15, 2012**

Middlesex, ss.
Commonwealth of Massachusetts
To any Constable in the Town of Groton

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn said inhabitants of the Town of Groton qualified to vote on Town affairs to assemble in the Groton-Dunstable Middle School Auditorium in said Town on Monday, the fifteenth day of October, 2012 at Seven O'clock in the evening, to consider the following:

ARTICLE LISTINGS

Article 1:	Prior Year Bills	2
Article 2:	Amend the Fiscal Year 2013 Town Operating Budget	2
Article 3:	Transfer Money into the Capital Stabilization Fund	2
Article 4:	Transfer Money into the Stabilization Fund	3
Article 5:	Creation of Lost Lake Sewer System	3
Article 6:	Design & Construction of Lost Lake Sewer Project	4
Article 7:	Authorize Inter-municipal Agreement with Ayer	5
Article 8:	Community Preservation Committee Funding Accounts	5
Article 9:	Community Preservation Committee Project Recommendation	6
Article 10:	Citizens' Petition – Opposition to New Center Fire Station	6
Article 11:	Citizens' Petition – Rescind Article 12 of the 2012 Spring Town Meeting....	7
Article 12:	Connection to Town Sewer – Farmers Row Parcel 108-1	8
Article 13:	Amend Chapter 218, Zoning, Intensity Regulations	8
Article 14:	Rezone Parcel 108-1-4 from Residential – Agriculture “R-A” to Public Use “P”.....	10
Article 15:	Amend Chapter 81 of the Code of the Town of Groton	10
Article 16:	Establish Affordable Housing Revolving Fund	11
Article 17:	Land Acquisition on Chicopee Row	11
Article 18:	Funding to Design the Replacement of Fitch’s Bridge.....	12
Article 19:	Accept Quail Ridge Road as a Public Way	13
Article 20:	Accept Portion of Robin Hill Road as a Public Way	13
Article 21:	Accept Forest Drive as a Public Way	13
Article 22:	Accept Winding Way as a Public Way	14
Article 23:	Accept Paugus Trail as a Public Way	14
Article 24:	Citizens’ Petition – Zoning Amendment	14
Article 25:	Offset the Tax Rate	16
Appendix A:	Report of the Center Fire Station Building Committee.....	18
Appendix B:	Citizens Guide to Town Meeting.....	20

ARTICLE 1: PRIOR YEAR BILLS

To see if the Town will vote to transfer from available funds a sum or sums of money for the payment of unpaid bills from prior fiscal years, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Summary: *Town Meeting approval is required to pay bills from a prior fiscal year. A list of unpaid bills will be provided at Town Meeting.*

ARTICLE 2: AMEND THE FISCAL YEAR 2013 TOWN OPERATING BUDGET

To see if the Town will vote to amend the Fiscal Year 2013 Operating Budget as adopted under Article 5 of the April 30, 2012 Spring Town Meeting, and vote to raise and appropriate and/or transfer from available funds a sum or sums of money as may be necessary to defray the expenses of the Town for Fiscal Year 2013, or to take any other action relative thereto.

**FINANCE COMMITTEE
BOARD OF SELECTMEN
TOWN MANAGER**

Board of Selectmen: *Recommendation Deferred Until Town Meeting*
Finance Committee: *Recommendation Deferred Until Town Meeting*

Summary: *The Fiscal Year 2013 Town Operating Budget was approved at the 2012 Spring Town Meeting in April, 2012. Any changes to this Budget would have to be made prior to setting the tax rate. The purpose of this article is to make any necessary changes to balance the FY 2013 Operating Budget. Handouts will be available at Town Meeting outlining any proposed changes.*

ARTICLE 3: TRANSFER MONEY INTO THE CAPITAL STABILIZATION FUND

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum or sums of money to be added to the sum already on deposit in the Capital Stabilization Fund, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Summary: *The Fund has a balance of \$260,000. The financial management goal is to achieve and maintain a balance in the Capital Stabilization Fund equal to 1.5% of the total annual budget. Any balance beyond the 1.5% level should be added to the Capital Stabilization Fund in conjunction with the Capital Plan to reduce overall borrowing and associated costs. The target amount for the Capital Stabilization Fund will be provided at Town Meeting.*

ARTICLE 4: TRANSFER MONEY INTO THE STABILIZATION FUND

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum or sums of money to be added to the sum already on deposit in the Stabilization Fund, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Summary: *The balance in this fund is \$1.3 million. The financial management goal is to achieve and maintain a balance in the Stabilization Fund equal to 5% of the total annual budget. The target amount for the Stabilization Fund will be provided at Town Meeting.*

ARTICLE 5: CREATION OF LOST LAKE SEWER SYSTEM

To see if the Town will vote, pursuant to the provisions of Chapter 83 of the Massachusetts General Laws, to establish a sewer system in the Town of Groton to be known as the "Lost Lake Sewer System," to serve the Lost Lake area of the Town, and to adopt the following bylaw, as Chapter 191 of the Code of the Town of Groton, for said purpose, including provisions for the expansion of said Sewer System by a Town Meeting Vote:

Lost Lake Sewer System

§191-1 Establishment

There is hereby established a Sewer System within the Town entitled "Lost Lake Sewer System" comprised of land situated in a geographical area bounded and described on a plan of land entitled "Lost Lake Sewer District" drawn by Woodard and Curran and dated September, 2012, on file with the Office of the Town Clerk. The inhabitants of said geographical area shall be served by a system of sewerage to be provided by the Town within the territorial limits and capacity of said system.

§191-2 Extension and expansion

The system may be extended and expanded to serve an increased land area if there remains sufficient capacity by a majority vote of an Annual Town Meeting or a Special Town Meeting.

§191-3 Assessment for general and special benefit facilities

Pursuant to MGL c. 83, §15, in the assessment of betterments for the Lost Lake Sewer System and any extension thereof, the costs of general benefit facilities including, but not limited to, pumping stations, trunk and force mains, shall be separated from the costs of special benefit facilities including, but not limited to, the sewer mains serving adjacent properties.

or to take any other action relative thereto.

**BOARD OF SELECTMEN
LOST LAKE SEWER ADVISORY COMMITTEE**

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *No Position*

Summary: *This article will provide for creation of a new sewer system to serve the Lost Lake Area and the Four Corners Commercial Properties. Wastewater from the system will be treated in Ayer.*

ARTICLE 6: DESIGN AND CONSTRUCTION OF LOST LAKE SEWER PROJECT

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum or sums of money, to be expended by the Town Manager, for the design and construction of the Lost Lake Sewer System; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise; to determine what percentage of the cost of the System shall be paid for by the Town, provided that such percentage shall not exceed twenty-five (25%) percent; and, further, to authorize the Board of Selectmen and/or the Board of Sewer Commissioners to assess betterments upon the properties benefitted thereby for the remaining portion of the cost of the System, or to take any other action relative thereto.

**BOARD OF SELECTMEN
LOST LAKE SEWER ADVISORY COMMITTEE**

Board of Selectmen: *Recommended By Majority Vote (4 In Favor, 1 Against)*
Finance Committee: *Not Recommended (4 Against, 3 In Favor)*

Summary: *This article seeks funding for the design and construction of the Lost Lake Sewer System, which will serve the Lost Lake Area and Four Corners Area of Town and transport wastewater to the Ayer Wastewater Collection System. It is proposed that the Town borrow the sum of \$12.9 Million Dollars for the project. In addition, the article proposes to authorize the Board of Selectmen and/or the Board of Sewer Commissioners to assess betterments on the properties served by the newly created Lost Lake Sewer System.*

ARTICLE 7: AUTHORIZED INTERMUNICIPAL AGREEMENT WITH AYER

To see if the Town will vote to authorize the Board of Selectmen to enter into an inter-municipal agreement with the Town of Ayer for the discharge of wastewater to the Ayer Sewer Collection System for treatment, or to take any other action relative thereto.

**BOARD OF SELECTMEN
LOST LAKE SEWER ADVISORY COMMITTEE.**

Board of Selectmen: Recommended Unanimously
Finance Committee: No Position

Summary: *This article will permit the Board of Selectmen to enter into an inter-municipal agreement with the Town of Ayer for the purpose of discharging wastewater to the Town of Ayer’s Wastewater Collection System for treatment.*

ARTICLE 8: COMMUNITY PRESERVATION COMMITTEE FUNDING ACCOUNTS

To see if the Town will vote to amend the vote taken under Article 14 of the 2012 Spring Town Meeting Warrant by revising the Fiscal Year 2013 allocation to the Community Preservation Committee’s sub accounts as follows:

	<u>Original Allocation</u>	<u>Revised Allocation</u>
CPC Operating Expenses:	\$ 32,280	\$ 36,250
Open Space Reserve:	\$ 64,560	\$ 72,500
Historic Resource Reserve:	\$ 64,560	\$ 72,500
Community Housing Reserve:	\$ 64,560	\$ 72,500
Unallocated Reserve:	\$419,640	\$471,250

or to take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

Board of Selectmen: Recommended Unanimously
Finance Committee: Recommended Unanimously

Summary: *When the original allocation took place at the Spring Town Meeting, the amount of reimbursement from the Commonwealth was not known and the allocation was based on an estimate of the Town’s Community Preservation Fund revenues. The purpose of this article is to account for the additional state Community Preservation Reimbursement and make the appropriate allocations to the various sub-accounts. Please note, that with the exception of the CPC Operating Expenses, none of these funds will be spent without further approval at Town Meeting.*

ARTICLE 9: CPC PROJECT RECOMMENDATION

To see if the Town will vote to adopt and approve the recommendations of the Community Preservation Committee for Fiscal Year 2013, and further, vote to implement such recommendations by appropriating the following sum or sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws:

CPC Proposal A: Conservation Fund: \$ 25,000

or to take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

Board of Selectmen: *No Recommendation (2 Against, 3 Deferred Until Town Meeting)*
Finance Committee: *Recommendation Deferred Until Town Meeting*

Summary: *The Conservation Commission is applying for \$25,000 in Community Preservation Act Funds to be transferred to the Conservation Fund to be added to the amount already in the Conservation Fund (approximately \$700,000) to be used for the acquisition of the Cox-Walker parcels on Chicopee Row. Previously this land had been considered for the site of a new high school. These parcels represent an opportunity to protect 109 acres of open space for watershed protection, wildlife habitat protection and recreation uses as permitted by Chapter 44B of the Massachusetts General Laws. The proposed purchase price is \$716,000. The Commission has filed for a state grant as well to help offset a portion of the acquisition cost.*

ARTICLE 10: CITIZENS' PETITION – OPPOSITION TO NEW FIRE STATION

To see if the Town will vote to oppose the building of a new fire station on the field located on Farmers Row, shown as Lot 4 on the map entitled, "Approval Not Required Plan, Lawrence Homestead Trust, Farmers Row, Groton, MA, Applicant: Town of Groton, 173 Main Street, Groton, Massachusetts," prepared by Gale Associates and Romanelli Associates, Inc., dated April 24, 2012, recorded as Plan 296 of 2012 at the Middlesex South Registry of Deeds, being shown on Assessors Map 108, Parcel 1-4, which is part of the property formerly owned by the Lawrence Homestead Trust, due to the negative impact the construction of such station will have on the character of the Town and its potential to destroy open space proximal to the Town Center, and, further to see if the Town will vote to place a permanent conservation restriction on said property pursuant to Section 31, 32, and 33, of Chapter 184 of the Massachusetts General Laws as may be amended from time to time, to prevent the construction of said station, or to take another action relative thereto.

CITIZENS' PETITION

<u>Name</u>	<u>Address</u>	<u>Name</u>	<u>Address</u>
Alix Chace	152 Broadmeadow Road	Marylou O'Connor	85 Farmers Row
Michael Chace	152 Broadmeadow Road	John O'Connor	85 Farmers Row
Robert Huguenin	61 Long Hill Road	Scott MacDonald	2 Farmers Row
Nancy Huguenin	61 Long Hill Road	Art Campbell	31 Fir Road
Richard Peterson	141 Hill Road	Tim Broad	46 Hawtree Way

Board of Selectmen: *Not Recommended Unanimously*
Finance Committee: *No Position*

Summary: *We oppose the building of a new Fire Station for the Town of Groton on the field located on Farmers Row in Groton, MA which is the property of Lawrence Homestead Trust. The recommendation of this site by the New Fire Station Building Committee fails to deliver a sustainable model for decision making, fails to utilize current municipal buildings which suffer from misallocation and/or under-allocation to meet Town needs, will drastically change the character of the Town, and unnecessarily destroy open space proximal to the Town center. The proposed site is a beautiful field, the most beautiful and prominently visible productive agricultural farm land site existing today within Groton, the value of which is priceless and which can never be bought back if the proposed development is allowed to take place. In the name of sustainability, we believe it is a mandate to better utilize and renovate the current municipal building structures and land to meet the changing needs of the town rather than destroying productive farmland to build a new extensive building while other municipally owned buildings are badly underutilized and could meet the needs of the Town if investment were made into their renovation and reallocation. The current building plan and proposed site imposes a heavy cost to the Town without regard to the misallocation and inefficiency of existing municipal building structures and fails to prioritize commercially zoned land over agricultural open space in its analysis which proposed a new fire station building on this site. In the aftermath of this site recommendation, the building plan spiraled into a gargantuan 18,550 sq. ft. structure due to the failure of the town to impose any financial or size constraints. In light of these facts, particularly the failure of the New Fire Station Building Committee to assign an economic value to the historical agricultural use of the field, we the people prohibit building on the field on Farms Row if purchased by the Town and move that we seek protection of it under State conservation regulations.*

ARTICLE 11: CITIZENS' PETITION – RESCIND ARTICLE 12 OF 2012 STM

To see if the Town will vote to rescind the action taken under Article 12 of the Spring Town Meeting of April 30, 2012, relative to the acquisition of certain lands from the Lawrence Homestead Trust and other matters, or to amend or modify any aspect or part thereof, or to take any other action relative thereto.

CITIZENS' PETITION

<u>Name</u>	<u>Address</u>	<u>Name</u>	<u>Address</u>
Alix Chace	152 Broadmeadow Road	Rebecca Pine	100 Hollis Street
Lynn Chace	152 Broadmeadow Road	Richard Peterson	141 Hill Road
Marylou O'Connor	85 Farmers Row	John Levin	56 Boston Road
John O'Connor	85 Farmers Row	Natalie Cain	285 Nashua Road
Gloria Titcomb	65 Riverbend Drive	Helene Cahen-Easom	435 Martins Pond Road

Board of Selectmen: *Not Recommended Unanimously*
Finance Committee: *No Position*

Summary: *The article would seek to effectively cancel or make changes to a vote taken at the 2012 Annual Spring Town Meeting in April that: 1. Authorized the Board of Selectmen to acquire certain land on Farmers Row for use as the site of a fire station; 2. Appropriated the sum of \$350,000.00 for the purchase; and 3. Authorized the Selectmen to enter into any agreements necessary to facilitate the acquisition. Several of the possible changes that citizens can advocate through making a motion at the time of consideration of this article are: 1. placing size limitations on any structures built on the land which would require the Town to modify the current design which has the dimensions of 18,550 sq. ft. and is unnecessarily large; 2. excluding the use of the land as a fire station; 3. not authorizing the sum of \$350,000 for the purchase contingent on ownership status of the land if it is still under ownership of a third party and not the Town at the time of the Town Meeting; 4. movement to seek conservation restrictions on the parcel if purchased; 5. or movement to maintain its agricultural use associated with the tax benefits for which such usage status may be eligible under state and local laws. Please note that the land has been in agricultural use as an active haying field under the ownership of the Lawrence Homestead Trust and such usage could continue helping to preserve the open spaces and character of the Town under the ownership of the Town.*

ARTICLE 12: CONNECTION TO TOWN SEWER – FARMERS ROW PARCEL 108-1

To see if the Town will vote to extend the “Groton Center Sewer System”, as established by the vote of the Special Town Meeting of February 6, 1989, under Article 7, to include the property shown on Groton Assessors’ Maps as Lot 108-1-1, 108-1-2, 108-1-3, 108-1-4, and as more particularly shown on the plan entitled “Approval Not Required Plan” by Gale Associates, April 2012 on file in the Town Clerk’s Office, provided that all costs of designing, laying, and construction of the connection and the cost of additional capacity and General Benefits Facility Charges are paid by the owner of the property benefited thereby, or to take any other action relative thereto.

BOARD OF SELECTMEN
BOARD OF SEWER COMMISSIONERS

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *No Position*

Summary: *This article seeks approval to extend the Groton Center Sewer System to include the new Center Fire Station lot on Farmers Row, along with the three adjoining properties between the new lot and the Public Safety Building on Pleasant Street.*

ARTICLE 13: AMEND CHAPTER 218, ZONING, INTENSITY REGULATIONS

To see if the Town will vote to amend the Code of the Town of Groton, Chapter 218 Zoning, as follows, or to take any other action relative thereto:

1. Amend Article IV, Intensity Regulations, §218-20 Schedule of Intensity Regulations, by adding the following entries for the Public Use “P” District as shown in bold italics:

§ 218-20. Schedule of Intensity Regulations.

District	Minimum Lot Dimensions		Maximum Height		Maximum Lot Coverage (percentage) ³	Minimum Building Setback		
	Area (square feet)	Frontage (feet)	Feet	Stories		Front (feet)	Side (feet)	Rear (feet)
R-A ⁵	80,000 ¹	225 ⁴	35	3	25	50	15	15
R-B ⁵	40,000 ^{1,2}	175 ^{2,4}	35	3	25	50	15	15
B-1 ⁵	40,000 ^{1,2}	175 ²	35	3	25	50	15	15
M-1	40,000 ²	175 ²	35	3	25	50	15	15
C	80,000 ²	225 ²	35	3	25	50	15	15
O	—	—	35	3	25	50	15	15
<i>P</i>	<i>40,000^{1,2}</i>	<i>175²</i>	<i>35</i>	<i>3</i>	<i>25</i>	<i>50</i>	<i>15</i>	<i>15</i>

NOTES:

¹ For planned multifamily/residential development, see § 218-27C. For subsidized elderly housing, see instead § 218-27B. For multifamily use by conversion, see instead § 218-27A. For flexible development, see § 218-26F(1). For hammerhead lots, see § 218-23.1.

² No minimum for nonresidential uses.

³ Includes principal and accessory buildings. See § 218-22 for supplementary regulations.

⁴ Lots shown on a residential compound plan (as described in Chapter 381, Part 1, Subdivision of Land) endorsed by the Planning Board pursuant to the Subdivision Control Law may, upon the grant of a special permit by the Planning Board, reduce lot frontage to 50 feet.

⁵ For dimensions applicable to Town Center Overlay District developments, see § 218-30.2.

PLANNING BOARD

Board of Selectmen: Recommendation Deferred Until Town Meeting
Finance Committee: No Position

Summary: *The Planning Board is proposing an amendment to the Schedule of Intensity Regulations to establish dimensional requirements for the Public Use "P" District.*

ARTICLE 14: REZONE PARCEL 108-1-4 FROM "R-A" TO "PUBLIC USE"

To see if the Town will vote to amend the Zoning Map adopted under Chapter 218, Zoning, of the Code of the Town of Groton by rezoning from Residential-Agricultural (R-A) to Public Use (P) a parcel of land located on Farmers Row, consisting of approximately 2.79 acres, shown as Lot 4 on a plan entitled, "Approval Not Required Plan, Lawrence Homestead Trust, Farmers Row, Groton, MA, Applicant: Town of Groton, 173 Main Street, Groton, Massachusetts," prepared by Gale Associates and Romanelli Associates, Inc., dated April 24, 2012, recorded as Plan 296 of 2012 at the Middlesex South Registry of Deeds, said parcel being shown on Assessors' Map 108 as Parcel 1-4, or take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: Recommended (4 In Favor, 1 Deferred Until Town Meeting)
Finance Committee: No Position

Summary: *The 2012 Spring Town Meeting voted to purchase this parcel on Farmers Row for the purpose of constructing the new Center Fire Station. The land is currently zoned Residential-Agricultural. All municipal buildings are currently on properties that are zoned "Public Use" or "P". The purpose of this article is to rezone the Farmers Row parcel to be consistent with all other municipal properties.*

ARTICLE 15: AMEND CHAPTER 81 OF THE CODE OF THE TOWN OF GROTON

To see if the Town will vote to amend Chapter 81, Town Meetings, of the Code of Groton, by adding the following new section 81-6 so as to incorporate into the Town's general bylaws the authority of the Town Moderator to declare the results of votes requiring, by statute, a two-thirds vote of a town meeting:

§ 81-6 Powers and Duties of the Moderator

The moderator may, without a count being taken, make public declaration of all votes requiring a two thirds vote by statute, and such declaration shall be final unless the ruling of the moderator is immediately contested by seven or more voters.

or take any other action relative thereto.

TOWN CLERK

Board of Selectmen: Recommended Unanimously
Finance Committee: No Position

Summary: *At the April 28, 1997 Town Meeting the Town voted, under the provisions of G.L. c. 39, §15, to authorize the Moderator to declare a two-thirds vote. This article seeks to incorporate the authority given by that vote directly into the Town's Bylaws. Specifically, this*

Bylaw amendment would formalize the authority previously given to the Moderator to declare a two-thirds vote without a count, subject to that ruling being questioned by seven or more voters.

ARTICLE 16: ESTABLISH AFFORDABLE HOUSING REVOLVING FUND

To see if the Town will vote to establish, under the authority of the Town Manager, a revolving account under Massachusetts General Laws, Chapter 44, §53E½ for the revenue and expenses related to marketing and monitoring Affordable Housing units, said revenue, in the form of receipts and fees, to be credited to said account and expended by the Town Manager for this purpose, with the maximum amount in said account not to exceed \$50,000 for Fiscal Year 2013, or to take any other action relative thereto.

TOWN MANAGER

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *Recommended Unanimously*

Summary: *A revolving fund is a tool used by cities and towns to allow a particular department or board to account for its revenues and expenses for particular programs separately from the General Fund. Program expenses can be directly offset by related revenue taken in, and expenditure of those monies requires no additional appropriation. Revolving funds must be authorized annually by Town Meeting at which time spending limits are established. This particular fund will utilize revenue collected in connection with land development for the purpose of promoting occupancy of affordable housing units as they become available. The funds will be spent largely on marketing and monitoring functions.*

ARTICLE 17: LAND ACQUISITION – CHICOPEE ROW

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum or sums of money for the acquisition by gift, negotiated purchase or eminent domain of a parcel of land of approximately 49 +/- acres owned by Susan Walker and shown on Assessors' Map 225, as Parcel 55 and approximately 59 +/- acres owned by Marjorie Cox and shown on Assessors' Map 225, as Parcel 54, both parcels to be managed and controlled by the Conservation Commission of the Town of Groton in accordance with Chapter 40, Section 8C for conservation and passive recreation purposes; to transfer a sum or sums of money from the Conservation Fund therefor in advance of a Massachusetts Local Acquisitions for Natural Diversity (LAND) Program grant, with said proceeds to be returned to the Conservation Fund; that the Town Manager or Board of Selectmen be authorized to file on behalf of the Town of Groton any and all applications deemed necessary under the Self-Help Act (M.G.L. Chapter 132A, Section 11) or any other applications for funds in any way connected with the scope of this acquisition, and the Town Manager and the Board of Selectmen and the Conservation Commission be authorized, as they deem appropriate, to enter into all agreements and execute any and all instruments, including the conveyance of a perpetual

conservation restriction in accordance with M.G.L. Chapter 184 as required by Section 12(a) of Chapter 44B, as may be necessary on behalf of the Town Groton to effect said purchase, which conservation restriction may be granted to the Groton Conservation Trust or any other organization qualified and willing to hold such a restriction, or to take any other action relative thereto.

CONSERVATION COMMISSION

Board of Selectmen: *No Recommendation (2 Against, 3 Deferred Until Town Meeting)*
Finance Committee: *Recommendation Deferred Until Town Meeting*

Summary: *Applying for a state grant will enable the Town to leverage funds already set aside in the Conservation Fund for the acquisition of conservation land. This land has frontage on Chicopee Row and is across the street from Williams Barn Sorhaug Woods and is contiguous to McLain's Woods and Watson Way Conservation Areas (Town-owned) and Fitch-Woods (Groton Conservation Trust). At one time, these parcels were proposed for a new high school, but the presence of rare species and multiple vernal pools made the land an unsuitable site. Protecting large tracts of contiguous open space ensures a diversity of wildlife and habitats for generations of Groton residents. The negotiated purchase price for this property is \$716,000.*

ARTICLE 18: FUNDING TO DESIGN THE REPLACEMENT OF FITCH'S BRIDGE

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum or sums of money for all professional design services, including surveying, engineering and permitting, related to the construction of a new pedestrian, equestrian and bicycle (non-vehicular) bridge over the Nashua River at the location of the current Fitch's Bridge that will connect Fitch's Bridge Road and Pepperell Road, or to take any other action relative thereto.

GREENWAY COMMITTEE

Board of Selectmen: *No Recommendation (2 Against, 3 Deferred Until Town Meeting)*
Finance Committee: *Not Recommended Unanimously*

Summary: *Fitch's Bridge, spanning the Nashua River between a public right of way in Groton and Pepperell Road in West Groton, is over 115 years old, has deteriorated significantly, and is closed for use. The Greenway Committee looked at numerous options to create a new pedestrian, equestrian, and bicycle connection in that location. The most cost-effective is the removal of the existing bridge and replacement with a prefabricated bridge. This article, if approved, will authorize survey, engineering design, and permitting of the new bridge (estimated engineering cost is \$100,000) with the intent of requesting in the near future construction funding, with the total project costs (engineering & construction) between \$650,000 to \$850,000.*

ARTICLE 19: ACCEPT QUAIL RIDGE ROAD AS A PUBLIC WAY

To see if the Town will vote to accept as a public way, Quail Ridge Road, as shown on a plan entitled "Rocky Hill Definitive Subdivision Road As-Built of Quail Ridge Road in Groton, Massachusetts" prepared by R. Wilson & Associates, Inc. dated December 30, 2010, and recorded with the Middlesex South District Registry of Deeds, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *No Position*

Summary: *To accept Quail Ridge Road as a public way.*

ARTICLE 20: ACCEPT A PORTION OF ROBIN HILL ROAD AS A PUBLIC WAY

To see if the Town will vote to accept as a public way, a portion of Robin Hill Road from its intersection with Boston Road to Station 3 + 75, as shown on a plan entitled "Rocky Hill Definitive Subdivision Road As-Built of Robin Hill Road in Groton, Massachusetts" prepared by R. Wilson & Associates, Inc. dated August 15, 2011, and recorded with the Middlesex South District Registry of Deeds, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *No Position*

Summary: *To accept a portion of Robin Hill Road as a public way.*

ARTICLE 21: ACCEPT FOREST DRIVE AS A PUBLIC WAY

To see if the Town will vote to accept as a public way, Forest Drive, as shown on a plan entitled "As Built Plan and Profile of Forest Drive in Groton, Massachusetts prepared for Robert Lacombe" prepared by Stamski and McNary, Inc. dated December 20, 2001, and recorded with the Middlesex South District Registry of Deeds, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: *Recommended Unanimously*
Finance Committee: *No Position*

Summary: *To accept Forest Drive as a public way.*

ARTICLE 22: ACCEPT WINDING WAY AS A PUBLIC WAY

To see if the Town will vote to accept as a public way, Winding Way, as shown on a plan entitled "As Built Plan and Profile of Winding Way in Groton, Massachusetts prepared for Robert Lacombe" prepared by Stamski and McNary, Inc. dated December 20, 2001, and recorded with the Middlesex South District Registry of Deeds, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: Recommended Unanimously
Finance Committee: No Position

Summary: *To accept Winding Way as a public way.*

ARTICLE 23: ACCEPT PAUGUS TRAIL AS A PUBLIC WAY

To see if the Town will vote to accept as a public way, Paugus Trail, as shown on a plan entitled "As Built Plan and Profile of Paugus Trail in Groton, Massachusetts prepared for Robert Lacombe" prepared by Stamski and McNary, Inc. dated December 20, 2001, and recorded with the Middlesex South District Registry of Deeds, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: Recommended Unanimously
Finance Committee: No Position

Summary: *To accept Paugus Trail as a public way.*

ARTICLE 24: CITIZEN'S PETITION – ZONING AMENDMENT

To see if the Town will vote to amend the Code of the Town of Groton, Chapter 218 Zoning, as follows:

1. Amend §218-4 Definitions by adding the following new definition to Section 218-4 Definitions:

AGRICULTURAL LABOR HOUSING – A structure or building constructed or used for labor for commercial agriculture as its primary purpose.

2. Amend Section 218-13 Schedule of Use Regulations by deleting the following uses in the Agricultural, Floricultural and Horticultural Section:

	R-A	R-B	B-1	M-1	C	O	P
The raising or keeping of horses, goats, sheep, cattle and not over 15 pigs or poultry or maintenance of dog kennels or riding stables	Y	Y	Y	Y	SP	SP	Y
A. Barns or stables for breeding, boarding, hiring or sale of animals	SP	SP	SP	SP	N	N	SP
Roadside stand for sale of principally local farm produce raised in the Town, set back at least 50 feet from the street line, and provided that space for customers' cars is available off the right-of-way of the street and is so arranged as not to permit backing of automobiles onto any public or traveled way	SP	SP	SP	SP	N	SP	SP

And by inserting the following uses in the Agricultural, Floricultural and Horticultural Section:

	R-A	R-B	B-1	M-1	C	O	P
Agricultural Labor Housing	Y	Y	Y	Y	Y	Y	Y
The raising or keeping of horses, goats, sheep, cattle, pigs, poultry or other domesticated animals for food and other agricultural purposes	Y	Y	Y	Y	Y	Y	Y
Riding stables	Y	Y	Y	Y	Y	Y	Y
Barns or stables for breeding, boarding, hiring or sale of animals	Y	Y	Y	Y	Y	Y	Y
Roadside stand for sale of principally local farm produce raised in the Town, set back at least 50 feet from the street line, and provided that space for customers' cars is available off the right-of-way of the street and is so arranged as not to permit backing of automobiles onto any public or traveled way	Y	Y	Y	Y	Y	Y	Y
Dog Kennels	Y	Y	Y	Y	SP	SP	Y

3. Amend Section 218-13 Schedule of Use Regulations by deleting the following use in the Business Section:

	R-A	R-B	B-1	M-1	C	O	P
Commercial greenhouse	SP	SP	Y	Y	Y	Y	N

And by inserting the following use in the Business Section:

	R-A	R-B	B-1	M-1	C	O	P
Commercial greenhouse	Y	Y	Y	Y	Y	Y	Y

or to take another action relative thereto.

CITIZENS' PETITION

<u>Name</u>	<u>Address</u>	<u>Name</u>	<u>Address</u>
George Moore	39 Pepperell Road	Jennifer Derouin	80 Jenkins Road
Julia Moore	39 Pepperell Road	Alison Enright	15 Heritage Lane
Margaret Moore	39 Pepperell Road	Michelle Collette	43 Windmill Hill Road
James Lavalley	40B Candice Lane	Paula Martin	88 Jenkins Road
Janet Shea	13 Pepperell Road	Denise Goyea	245 Lowell Road

Board of Selectmen: *Recommendation Deferred Until Town Meeting*
Finance Committee: *No Position*

Summary: *Current Town Bylaws, particularly the schedule of use which regulates what activities are allowed in which town zones, require special permits for many agricultural activities. The proposed amendment would remove this permitting requirement as these activities are actually allowed by right both by Massachusetts State Law and by our Town Right to Farm Bylaw. The amendment also makes specific mention of agricultural labor housing which is allowed by right to house workers in commercial agricultural operations. By clarifying these sections, there should be reduced work and frustration both by Town Hall and by Farmers.*

ARTICLE 25: OFFSET THE TAX RATE

To see if the Town will vote to transfer a sum of money from the General Excess and Deficiency Fund (Free Cash) or from other available funds for the purpose of affecting the tax rate for the period beginning July 1, 2012, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: *Recommendation Deferred Until Town Meeting*
Finance Committee: *Recommendation Deferred Until Town Meeting*

Summary: *The intent of this article is to use a portion of Free Cash or General Stabilization Fund monies as a funding source for the FY 2013 Budget in order to lower the amount of money required to be raised from taxes or to balance a deficit budget. The amount of Free Cash and General Stabilization Fund monies available for appropriation will be provided at Town Meeting.*

Hereof fail not and make return of your doings to the Town Clerk on or before time of said meeting.

Given under our hands this 24th Day of September in the year of our Lord Two Thousand Twelve.

Stuart M. Schulman

Stuart M. Schulman, Chairman

Peter S. Cunningham

Peter S. Cunningham, Vice Chairman

John G. Petropoulos

John G. Petropoulos, Clerk

Joshua A. Degen

Joshua A. Degen, Member

Anna Eliot

Anna Eliot, Member

OFFICERS RETURN

Groton, Middlesex

Pursuant to the within Warrant, I have this day notified the Inhabitants to assemble at the time, place, and for the purpose mentioned as within directed. Personally posted by Constable.

Constable

Date Duly Posted

REPORT OF THE CENTER FIRE STATION BUILDING COMMITTEE TO THE 2012 FALL TOWN MEETING

OCTOBER 15, 2012

The Center Fire Station Building Committee is pleased to provide this report to the October 15, 2012 Fall Town Meeting to update the Town Meeting on what has transpired with the proposed new Center Fire Station since the April 30, 2012 Spring Town Meeting. The Spring Town Meeting voted to purchase a parcel of land on Farmers Row, part of the land owned by the Lawrence Homestead Trust, as the location to construct a new Center Fire Station. In addition, the Town appropriated \$800,000 to finalize the design and put the project out to bid. The third step in the process will be to acquire construction bids for Town Meeting consideration. This third step in this process will result in having "bids in hand" for the actual construction funding. Town Meeting will be informed of the exact costs and financial impact of the Station when considering its vote.

Originally, the Committee had stated that the optimal program space for the combined Fire and EMS Building was 21,000 square feet and at Spring Town Meeting the Committee demonstrated that it was pared down to 18,550 square feet in size with the help of National experts and the Town's Fire Department. The Committee also estimated the cost would be between \$6.9 million and \$7.5 million (please note that the \$800,000 appropriated for design is included in this estimate) to construct. It is the Town's intent to construct this station and pay for the debt service within the levy limit. The Town would not be seeking an override of Proposition 2½ to pay for the new Station.

The Building Committee and its Architect, Dore and Whittier, has spent the last several months since Town Meeting finalizing the design based on the Town Meeting approval of the land acquisition and preliminary fire program. The Building Committee has held pre-application meetings with several permit granting Boards, seeking input on the design and determining a way to proceed in obtaining the various approvals needed to move forward with this project. The Committee has met several times with the Historic Districts Commission, Planning Board and Conservation Commission. In addition, the Committee held a site walk at the approved location with the various Boards. A Public Hearing was held on August 6, 2012 to update the public on the progress of the project and to receive input on the proposed design.

The Building Committee has interviewed and hired an Owners Project Manager (OPM), as required by the State's procurement process. The OPM is the Town's "eyes and ears", looking out for the Town's interest when reviewing architectural and design documents. Our OPM, Architectural Consulting Group, LLC, is an MCPPO Certified Owners Project Manager, with experience in fire station construction and other public facilities.

It is extremely important to point out that the Building Committee has not changed the programming of this building and has kept the size relatively constant at 18,780 square feet. The reason for the increase in size is the refinement of the programming of the floor plan from preliminary design to schematic design to final design. Various adjustments in the layout of the station have been made during this process based on input from the Public, Historic Districts Commission and Planning Board.

The Building Committee has continuously sought ways to limit the impact of the new Center Fire Station on the neighborhood, as well as the overall cost of the project. The Architect continues

to refine the design of the building and estimate the cost of the project based on current economic conditions. The current anticipated budget for this project is as follows:

Estimated Site and Building Construction Cost:	\$5,522,743 or \$294 per sf.
Estimated Design Contingency:	\$ 441,819 or 8%
Anticipated Escalation to Feb 2013 Start Date:	\$ 119,291 or 3%
Estimated Construction Contingency:	\$ 276,137 or 5%
Basic Services (Architect, Structural Engineer):	\$ 690,343
Add Services (Technology, Civil, Landscape, etc.)	\$ 118,796
Other Professional Services (Permitting and Site Survey)	\$ 72,500
Owners Direct Cost (OPM, FF&E, CoW, Testing, etc.)	<u>\$ 450,000</u>
Total Anticipated Cost	\$7,691,629

It is important to note that the figures above contain a "Design Contingency" that represents 8% of the estimated construction cost. If the Building Committees stays on track with the current plan and do not substantially change, grow or shrink the design, it is likely that this will not be spent. The OPM has a history of reducing project costs by an amount equal to or greater than their fee.

The Committee is solidly on track with the expectations presented to the Spring Town Meeting. There have been no unanticipated costs or design changes, nor has there been any reason to believe that there are any permitting obstacles ahead. The Committee has filed all of the necessary permit applications with the Planning Board, Earth Removal Stormwater Management Committee, Historic Districts Commission and Conservation Commission. The Committee anticipates going out to bid in early December with bids due the week before Christmas. The Board of Selectmen anticipates calling a Special Town Meeting in January 2013 to present the bid results to the Town and seek the necessary construction funding to complete the project.

There has indeed been continued discussion about the use of the field as the site for the Station. The Committee has done its best to continue to answer those questions and provide the information that led to the recommendation that was made to, and accepted by, the Spring Town Meeting. The Committee will have the chance to review some of those items at Town Meeting, but can confidently say to the residents that the project is on track to bring in the Station described on time and on budget. The Building Committee urges residents to continue to attend upcoming meetings of the Building Committee and various permit granting Boards. Meetings are posted with at least a 48 hour weekday notice. The Building Committee meets regularly every second Friday at 9:00 AM. Each of the permitting boards meets on a regular schedule. In addition, the Town website, www.townofgroton.org is continually updated with pertinent information concerning this project.

Respectfully submitted,

Center Fire Station Building Committee

Jeremy Januskiewicz, Chairman
Susan Daly, Vice Chairman
Michael Bouchard, Clerk
Halsey Platt, Member

Lynwood Prest, Member
Steven Webber, Member
Donald Black, Member

WHAT IS THE TOWN REPORT AND WHEN IS IT ISSUED?

The Town Report is a detailed statement of receipts and expenditures for the previous calendar year, as well as other information and data pertinent to the year. A town by law requires that the town report be distributed among taxpayers of the town at least three days before spring Town Meeting.

WHAT IS A TOWN MEETING WARRANT?

The warrant, sometimes referred to as a “warning” to voters, is a list of budget items and/or articles proposed to be acted upon by voters at a Town Meeting and sets the date/time of meeting.

WHAT IS AN ARTICLE?

An Article is a proposal, which is to be acted upon at Town Meeting, as set forth in the warrant.

HOW DOES AN ARTICLE DIFFER FROM A MOTION?

An article outlines the subject area for consideration by the meeting. A motion states a specific action proposed under the article. Sometimes the wording of the motion is very similar to the article, sometimes it is different. To be in order, a motion must be within the scope of the article.

WHO MAY MAKE A MOTION?

Any registered voter in attendance may make a motion. The Moderator may require all motions in writing.

WHAT ARE THE REQUIREMENTS FOR AN ARTICLE TO BE INCLUDED IN THE WARRANT?

Articles are inserted by a vote of the Board of Selectmen. Voters can petition to include an article. For an Annual Town Meeting, an article must be supported by the signatures of 10 registered voters, and, for a Special Town Meeting, by 100 signatures.

WHAT ARE THE PROCEDURES AN INDIVIDUAL, GROUP OR ORGANIZATION MUST FOLLOW TO INCLUDE AN ARTICLE ON THE WARRANT?

No particular form is required, only that the necessary signatures and address of registered voters petitioning for the article are affixed or attached to it. The article must concern a subject that the Town Meeting can lawfully consider and vote upon.

MUST THE INDIVIDUAL, GROUP OR ORGANIZATION SUPPORT AND PRESENT THE ARTICLE AT THE TOWN MEETING?

While it is not necessary that those who petitioned for an article present it, it is desirable, since the article may be dismissed if no one makes the motion to present said article.

HOW IS A “STANDARD” ARTICLE WORDED?

“To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$xxx.xxx or some other sum to be used {INSERT purpose of expenditure}, or take action in relations thereto.”

This wording permits flexibility in the actual motion, which begins with: “I move that the Town vote to...” The phrase, “or take any action in relation thereto,” is deleted from the actual motion, when presented.

WHICH OF THE VARIOUS TOWN BOARDS, COMMITTEES, AND/OR OFFICIALS MUST BE PRESENT AT THE TOWN MEETING?

All boards, committees and officials should be present at Town Meeting. However, any person’s absence will not invalidate the action taken by voters at the meeting. Town bylaw prohibits any Town Committees from separately meeting while Town Meeting is in progress.

WHAT ROLE DOES THE TOWN MODERATOR PERFORM?

The Town Moderator conducts the meeting and makes rulings concerning questions of procedure. He/she declares the results of all votes taken at the Town Meeting.

WHAT IS THE ROLE OF THESE BOARDS RELATIVE TO TOWN MEETING?

Town Manager/Board of Selectmen: Prepares the warrant for the Town Meeting and is available at the Town Meeting to explain and answer questions concerning the various articles inserted by them in the warrant. The Selectmen also introduce the main motion.

Finance Committee: Reports upon and makes recommendations on the proposed annual budget and all financial articles in the warrant.

Planning Board: Makes recommendations upon those articles that are within their area of responsibility, such as zoning amendments and street acceptances, and are available to answer questions that might arise concerning their planning functions.

Town Clerk: Keeper of the Town Meeting record, including votes and minutes.

Town Counsel: Answers questions concerning legal matters that may arise during the course of the Town Meeting.

Town of Groton

A CITIZENS GUIDE TO TOWN MEETING

Town of Groton, Massachusetts

This Town Meeting guide includes answers to frequently asked questions concerning the Town Meeting process.

The answers are, of necessity, brief. More information can be found by consulting the By-Laws of the Town of Groton, General Laws of the Commonwealth of Massachusetts and the publication *Town Meeting Time: A Handbook of Parliamentary Law*.



Town Manager/Selectmen Tel: 978-448-1111

Town Meeting Guide

WHAT IS A TOWN MEETING?

Town Meeting is the occasion when the voters of the town assemble to vote and act upon the various articles contained in the warrant. The Town Moderator presides/regulate over the Meeting.

HOW OFTEN DOES GROTON HAVE A TOWN MEETING?

There is one spring annual and one fall annual Town Meeting. Special Town Meetings may be called as needed, either by the Board of Selectmen, or upon petition of 200 registered voters in town.

WHO MAY ATTEND TOWN MEETING?

Any person may attend a Town Meeting, but only registered voters of the Town of Groton may vote. Non-voting attendees are seated in the sections reserved for them, as determined by the Town Moderator.

WHEN IS THE TOWN MEETING CALLED TO ORDER?

The Town Moderator calls the meeting to order at the time specified on the warrant. He/she may recess the meeting briefly to allow attendees to be seated.

WHAT ARE THE VOTING PROCEDURES AT TOWN MEETING?

Ordinarily, voice votes are taken. If the Town Moderator deems the voice vote to be to close to call, or if seven (7) or more voters can challenge his/her call, then tellers will take a hand count or standing vote. Secret votes also may be taken by ballot, upon proper motion.

MAY A VOTER EFFECTIVELY CAST A VOTE IN HIS OR HER ABSENCE, SIMILAR TO AN ABSENTEE BALLOT?

No, a voter must be present to vote.

RULES OF ORDER: These are general points, proposals and motions, listed here in no particular order. You may make any of them at any time, except when a motion to adjourn is pending. This information is only a guideline. The Town Moderator decides all questions of order and may advise you whether your motion is in order.

You want to:	You say:	May you interrupt speaker to make motion?	Is the motion debatable?	Can this motion be amended?	What vote is required?
Amend a motion <i>If a voter knows in advance that he/she will offer a motion to amend, the voter is urged to consult the moderator prior to the meeting to ensure the proposed amendment is properly worded and in order.</i>	"I move the main motion be amended by striking the words [insert section to be deleted] and inserting the words [insert new wording]"	No	Yes	Yes	Majority
Consider something out of its scheduled order	"I move we advance (or postpone) Article # __ until after Article # __."	No	Yes	Yes	Majority
Question the vote	"I question the vote."	Yes	No	No	Polled vote is mandatory when at least 7 voters question
Have a secret ballot	"I move for a secret ballot."	No	Yes	Yes	Majority
Request information	"Mr./Ms. Moderator, Point of information"	If urgent and to the point	No	No	None. Moderator decides
Object to an error in procedure	"Mr./Ms. Moderator, Point of Order."	Yes	No	No	None, Moderator decides
Register a complaint	"Mr./Ms. Moderator Point of Privilege."	Yes	N/A	N/A	None, Moderator decides
Reconsider an article already disposed of if you have new information and you voted on the prevailing side	"I move we reconsider our action relative to Article #."	No	Yes, if original motion was debatable	No	2/3 Majority Per Town ByLaw
Adjourn the meeting to a subsequent date and time	"I move we adjourn this meeting until (specify time, date and location)."	No	Yes	Yes	Majority
Call for a vote on the motion	When called on by the moderator and without offering any comment on the motion, state: "I move the question"	No	No	No	Because a motion to move the question suppresses debate, a 2/3 majority is required.

NOTES

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Board of Selectmen
173 Main Street
Groton, MA 01450

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