

SPECIAL TOWN MEETING WARRANT

SEPTEMBER 23, 2002

Middlesex:

Commonwealth of Massachusetts

To any Constable in the Town of Groton

Greetings:

In the name of the Commonwealth aforesaid, you are hereby required to notify and warn said inhabitants of said Town qualified to vote on Town affairs to assemble in the Groton Dunstable Middle School Auditorium in said Town on Monday, the twenty-third day of September next, at seven thirty in the evening, to consider all business other than the election of a town officer and on the fifth day of November next at an adjourned session there to give their ballots for one Selectmen; and for the following question: QUESTION 1. Shall the Town of Groton be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bond issued in order to acquire a conservation restriction and associated easements encumbering a portion of the properties known as the Gibbett Hill Property and Angus Property located on Route 40/Lowell Road, Groton, Middlesex County, Massachusetts and designated respectively as Map 116, Parcel 3A on the Town Assessor's Maps and further described in a deed recorded with the Middlesex South District Registry of Deeds in Book 31800, Page 319 (Gibbett Hill Property) and as Map 234, Parcel 1 on the Town Assessors' Maps and further described in a deed recorded with the Middlesex South District Registry of Deeds in Book 31800, Page 319 (Angus Property)?

ARTICLE 1: To see if the Town will vote to approve under Section 218-18E of the Zoning By-Law, the Concept Plan entitled "Hannaford Bros. Concept Plan for Business Development" submitted on May 28, 2002 as amended, for the property situated on Main Street and Mill Street shown on Assessors' Map 110, Parcel 28; Map 216, Parcels 2 and a portion of parcel 1, or take any action thereon.

Sponsored By: BOARD OF SELECTMEN

Board of Selectmen: Recommendation - Support

Planning Board: Recommendation - Support

Finance Committee: Recommendation – Support

Summary: *Passage of this article by 2/3 vote will allow for the development of a 35,600 square foot grocery store on this property as shown on the plans submitted on May 28, 2002, as amended on July 19, 2002.*

ARTICLE 2: To see if the Town will vote to amend Chapter 81, §4A of the code of the Town of Groton by striking the word “Monday” from sentence two, paragraph one and replacing it with the word “Tuesday”, or take any action thereon.

Sponsored By: TOWN CLERK

Board of Selectmen: Recommendation – Support

Finance Committee: Recommendation – No Position

Summary: *This would change town elections from the third Monday following the Spring Annual Town Meeting to the third Tuesday following the Spring Annual Town Meeting.*

ARTICLE 3: To see if the Town will vote to amend the vote taken under Article 40 of the April 29, 2002 Annual Town Meeting by reducing the amount to be transferred from the Excess and Deficiency Fund (Free Cash) for the purpose of affecting the tax rate for the period beginning July 1, 2002, and ending June 30, 2003 from \$1,170,783.00 to \$1,166,742.98 or take any action thereon.

Sponsored By: TOWN ACCOUNTANT

Board of Selectmen: Recommendation – Support

Finance Committee: Recommendation – Support

Summary: *There was \$4,042.02 of free cash used at the Special Town Meeting of Sept. 24, 2001, which was inadvertently left out when calculating the free cash that was available to affect the tax rate. The amount of free cash to affect the tax rate should have been \$1,166,742.98 rather than the amount that was voted of \$1,170,783.00. This article makes the correction.*

ARTICLE 4: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to fund the first year of Groton Communications Officers and Relief Radio Dispatchers Contract, I.B.P.O. Local 522 for FY 03 through FY 05, or take any action thereon.

Sponsored By: BOARD OF SELECTMEN

Board of Selectmen: Recommendation – Support

Finance Committee: Recommendation – Support

Summary: \$6,700.00 Ratifies the three-year contract with the Communications Officers and funds the first year of the contract. They will receive negotiated increases of 3% - 3% - 3.5%.

ARTICLE 5: To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 41, Section 108L, Career Incentive Pay Program for the Police Department or take any action thereon.

Sponsored By: BOARD OF SELECTMEN

Board of Selectmen: Recommendation – Support

Finance Committee: Recommendation – Support

Summary: Adoption of this section (otherwise known as the Quinn Bill) will increase a Police Officer's base pay by 10% for an Associate's degree, 20% for a Bachelor's Degree and 25% for a Master's Degree providing that the courses are approved by the Board of Higher Education. 50% of the increase is reimbursable by the Commonwealth, and if it is not funded by the Commonwealth, the Town is not responsible for providing the Commonwealth's percentage. Police Officers who qualify for the Quinn bill will no longer receive career incentive pay of \$1,750 per year for an Associate's Degree, \$2,500 per year for a Bachelor's Degree or \$3,200 per year for a Master's Degree. The base pay for Police Officers for the fiscal year beginning July, 2002, ranges from \$35,026 - \$47,059.

ARTICLE 6: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to fund the first year of the Groton Police Patrolmen's Association contract, for FY 03 through FY 05, or take any action thereon.

Sponsored By: BOARD OF SELECTMEN

Board of Selectmen: Recommendation – Support

Finance Committee: Recommendation – Support

Summary: \$41,721.00 Ratifies the three-year contract with the Police Patrolmen's Association and funds the first year of the contract. They will receive negotiated increases of 2% - 2% - 4%.

ARTICLE 7: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to fund the Highway, Transfer Station and Water Local R1-90 contract for FY 02, or take any action thereon.

Sponsored By: BOARD OF SELECTMEN

Board of Selectmen: Recommendation – Support

Finance Committee: Recommendation – Support

Summary: *Total of \$18,933.00 - Funds the FY 02 Highway (\$13,818.00); Transfer Station (\$2,063.00) and Water Department (\$3,052.00) Local R1-90 contract retroactively with a negotiated increase of 3.5%.*

ARTICLE 8: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to fund the first year of the Highway, Transfer Station and Water Local R1-90 contract for FY 03-05, or take any action thereon.

Sponsored By: BOARD OF SELECTMEN

Board of Selectmen: Recommendation – Support

Finance Committee: Recommendation – Support

Summary: *Total of \$35,750.00 - Ratifies the three-year contract with the Highway (\$17,500.00); Transfer Station (\$5,250.00) and Water Department (\$13,000.00) Local R1-40 and funds the first year of the contract. They will receive negotiated increases of 3% - 3% - 3.5%.*

ARTICLE 9: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the purpose of paying unpaid bills for Fiscal Year 2002 or take any action thereon.

Sponsored By: BOARD OF HEALTH

Board of Selectmen: Recommendation – Not Applicable

Finance Committee: Recommendation – Not Applicable

Summary: *This article will be indefinitely postponed.*

ARTICLE 10: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for survey services and materials related to the Groton/Pepperell boundary line, or take any action thereon.

Sponsored By: BOARD OF SELECTMEN

Board of Selectmen: Recommendation – Support

Finance Committee: Recommendation – Support

Summary: *Mass Highway, at Groton and Pepperell's request, surveyed the Town line. An engineer is need to calculate the bound staking of the corners based on the coordinate information provided by Mass Highway to set a drill hole in bounds and to provide a plan showing the corners, bearing and distances on the Town line. Groton's share is \$2,400.*

ARTICLE 11: To see if the Town will vote to transfer a sum of money from the Landfill Capping Account to be used to create a Park in West Groton on a parcel of land shown on Assessors' Map 101, Parcel 13, or take any action thereon.

Sponsored By: BOARD OF SELECTMEN

Board of Selectmen: Recommendation – Support

Finance Committee: Recommendation – Support

Summary: *\$25,000 – The Town had a grant with a matching gift for the dredging of the West Groton Pond and creation of a park across from Sherwin's Store. The permitting for the dredging was combined with the landfill capping permitting, as the dredged materials were to be used for the landfill cap. This permitting was paid for out of the grant/gift account. In order to create the Park, money from the Landfill Capping Account needs to be transferred.*

ARTICLE 12: To see if the Town will vote to authorize the Board of Selectmen to grant a permanent, nonexclusive right of way easement to the Squannacook Sportsman's Club, Inc. or its successors and assignees, in, along and upon the parcel of land described below, being a portion of the Town land described in a deed recorded with the Middlesex South District Registry of Deeds in Book 26500, Page 378, for the sole purpose of access, by foot and motor vehicle, to the property of the Squannacook Sportsman's Club, Inc. or its successors and assignees described in a deed recorded with the Middlesex South Registry of Deeds in Book 12054, Page 155, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate. The right of way parcel is described as follows:

The right of way easement shall be over the existing, improved way located on the property of the Town of Groton described below and shall be limited to the boundaries of the existing, improved way now located thereon:

A certain parcel of land located off West Groton Road, in Groton, Middlesex County, Massachusetts described as "Parcel I" in a deed to the Town of Groton from North Middlesex Savings Bank recorded with the Middlesex South District Registry of Deeds on July 17, 1996, in Book 26500, Page 378,

Or take any action thereon.

Sponsored By: BOARD OF SELECTMEN

Board of Selectmen: Recommendation – Support

Finance Committee: Recommendation – No Position

Summary: *The Squannacook Sportsman’s Club that is next to the Senior Center, accesses their property over the Senior Center driveway. It was discovered that the Sportsman’s Club did not have an easement to use this driveway. This article grants an easement from the Town to the owner of the Sportsman’s Club property to use this driveway to access this property.*

ARTICLE 13: To see if the Town will vote to appropriate from the Stabilization Fund an additional sum of money to fund vacation and sick leave buy backs for employees taking early retirement under the Early Retirement Incentive (ERI), or take any action thereon.

Sponsored By: TOWN ACCOUNTANT

Board of Selectmen: Recommendation – 2 Support, 1 Abstained

Finance Committee: Recommendation – Support

Summary: *The original appropriation of \$90,000 was based on two fewer participants and an estimated cut-off date of September 30, 2002. The law stipulated December 31, 2002, as the final retirement date. As a result, \$26,000.00 is needed. Any amount not expended for this will revert to the Stabilization Fund.*

ARTICLE: 14: To see if the Town will authorize the Board of Selectmen to acquire by purchase, gift, or otherwise and to accept the deed of a conservation restriction and associated easements encumbering a portion of the parcels of land described below, known as the Gibbet Hill Property and Angus Property, currently owned by Gibbet Hill Farm, LLC, upon such terms and conditions as the Board shall determine to be appropriate, for conservation, open space, passive recreation and view shed purposes, and that said land be conveyed to said Town of Groton under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, and as it may hereafter be amended and other Massachusetts statutes relating to Conservation, to be managed and controlled by the Conservation Commission of the Town of Groton, said parcels of land being described as follows:

GIBBET HILL PROPERTY:

The parcel of land with the buildings and improvements thereon located on Route 40/Lowell Road, Groton, Middlesex County, Massachusetts and designated as Map 116, Parcel 3A on the Town Assessors’ Maps and further described in a deed recorded with the Middlesex South District Registry of Deeds in Book 31800, Page 319.

ANGUS PROPERTY:

The parcel of land with the buildings and improvements thereon located on Route 40/Lowell Road, Groton, Middlesex County, Massachusetts and designated as Map 234, Parcel 1 on the Town Assessors' Maps and further described in a deed recorded with the Middlesex South District Registry of Deeds in Book 31800, Page 319, and further to see if the Town will vote to a) raise, appropriate, transfer from available funds, accept gifts or borrow a sum of money for this purpose and any expenses related thereto; b) to authorize the Town Treasurer with the approval of the Board of Selectmen in order to meet such appropriation to borrow a sum of money under Chapter 44, Section 7 of the General Laws as amended or any other enabling authority, and to issue bonds or notes therefore provided that the amount authorized to be borrowed hereunder shall be contingent upon the vote at the Town election to exempt from the provisions of Proposition 2½, so called, the amount required to satisfy the obligations, including principal and interest, under the bonds; c) and that the Board of Selectmen and the Conservation Commission be authorized to file on behalf of the Town of Groton any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts under the Self-Help Act (Chapter 132A, Section 11) and/or any other federal or state grants and/or reimbursements in any way connected with the scope of this Article; and d) to authorize the Board of Selectmen and Conservation Commission to take all actions, enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Groton to effect said purchase, or to take any action thereon.

Sponsored By: BOARD OF SELECTMEN

Board of Selectmen: Recommendation – Support

Finance Committee: Recommendation – 5 Support, 2 Not Support, 1 Abstained

Summary: *\$3 million will be combined with private and state funding to purchase a conservation restriction on Gibbett Hill and Angus Hill contingent upon a debt exclusion. The Webbers will own the land. Provisions in the easement would grant public access.*

ARTICLE 15: To see if the Town will vote to authorize the Board of Selectmen to grant conservation restrictions encumbering all or a portion of the parcels of land described below to the Commonwealth of Massachusetts, by and through its Department of Environmental Management, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate. The parcels of land over which the conservation restrictions are to be granted are described as follows:

1. The parcel of land with the buildings and improvements thereon located off Pepperell Road, Groton, Middlesex County, Massachusetts described in a deed to the Town of Groton from David L. Norris recorded with the Middlesex South District Registry of Deeds on July 25, 2000, in Book 31639 at Page 361;

2. The parcel of land located on Townsend Road, Groton, Middlesex County, Massachusetts described in a deed to the Town of Groton from Meredith C. Bissell and others recorded with the Middlesex South District Registry of Deeds on June 27, 2000, in Book 31647 at Page 218,

Or take any action thereon.

Sponsored By: BOARD OF SELECTMEN

Board of Selectmen: Recommendation – Support

Finance Committee: Recommendation – 4 Support, 4 Not Support

Summary: *This article will put a Conversation Restriction on the Town-owned Norris (50 acres) and Bissell (42 acres) property that is located on the throne. The Conservation Restriction will be held by the Commonwealth of Massachusetts, Department of Environmental Management.*

ARTICLE 16: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to purchase the property adjacent to Station Avenue and shown on Assessors' Map 113, Parcels 53 and 54, or take any action thereon.

Sponsored By: BOARD OF SELECTION

Board of Selectmen: Recommendation – At Town Meeting

Finance Committee: Recommendation – Not Support

Summary: *To purchase property that abuts the Groton Electric Light Department (GELD), not to exceed \$130,000. This property will be sold, at a future Town Meeting, to the Community Development Corporation (CDC) that is created to develop the GELD/Station Avenue site.*

ARTICLE 17: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for a Project Evaluation Report (PER) to conduct long-term planning for Sewer System needs for West Groton, Lost Lake and areas abutting the Sewer District and for determining the extent and location of infiltration and inflow within the existing sewer system; to determine whether the appropriation shall be raised by borrowing from the State Revolving Loan Program or otherwise; and to authorize the Board of Selectmen and/or the Sewer Commission to apply for loans and grants for said project and to execute all documents and take all actions necessary to carry out the project or take any action thereon.

Sponsored By: SEWER COMMISSION

Board of Selectmen: Recommendation – Support

Finance Committee: Recommendation – 5 Support, 2 Not Support

Summary: *\$330,000. The PER will be comprised of two phases: Phase I - \$175,000; Spring, 2003, infiltration and inflow (I/I) investigation as part of a Capacity Management Plan that will include flow monitoring, flow isolation, TV inspection of problematic sewer lines, a manhole inspection program,*

smoke testing and installation of groundwater monitoring devices; the cost to be equally split between taxpayers and ratepayers. Phase II - \$155,000: Long-term planning for wastewater collection, treatment and disposal. The program will focus on finding solutions for West Groton, Lost Lake and the area adjacent to the Sewer District. The State Revolving Loan Program significantly reduces borrowing costs and would be repaid over a 10- or 20-year period. This cost would be paid for by the taxpayer.

ARTICLE 18: To see if the Town will vote to amend the Personnel Bylaw Wage and Salary Classification Schedule, effective July 1, 2002, by adding the following:

Town Accountant/Finance Director – Grade 14

Water Dept. Inspector/Auto Cad – Grade 9

Or take any action thereon.

Sponsored By: BOARD OF SELECTMEN

Board of Selectmen: Recommendation – At Town Meeting

Finance Committee: Recommendation – No Position

Summary: *This article amends the wage and classification schedule by the following: creates an Accountant/Finance Director position, which will be funded in Article 20 and creates a Water Department Inspector/Auto Cad position. The Water Department obtained the funding for this position at the 2002 Annual Town Meeting.*

ARTICLE 19: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be added to the Assessors' Wage Account or take any action thereon.

Sponsored By: BOARD OF ASSESSORS

Board of Selectmen: Recommendation – At Town Meeting

Finance Committee: Recommendation – 2 Support, 4 Not Support, 1 Abstained

Summary: *\$8,457.00 - To fund an additional part-time clerical position for the Assessors' Office.*

ARTICLE 20: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money to be added to the Town Accountant salary account, or take any action thereon.

Sponsored By: BOARD OF SELECTMEN

Board of Selectmen: Recommendation – At Town Meeting

Finance Committee: Recommendation – 2 Support, 5 Not Support

Summary: *\$12,000.00 - To fund an Accountant/Finance Director position by combining the Town Accountant salary with these additional funds.*

ARTICLE 21: To see if the Town will vote to accept as a public way the following private way as laid out by the Board of Selectmen:

Allen's Trail shown on an as-built plan and profile, dated August 10, 2002 entitled "As-Built Plan and Profile – Allen's Trail, Baddacook Woods, Lowell Road, Groton MA" prepared for Sandalwood Associates by Meisner Brem Corporation, copies of which are on file in the office of the Town Clerk, or take any action thereon.

Sponsored By: BOARD OF SELECTMEN

Board of Selectmen: Recommendation – Support

Planning Board: Recommendation – Support

Finance Committee: Recommendation – No Position

Summary: *To accept Allen's Trail as a public way.*

ARTICLE 22: To see if the Town will vote to increase the number of members to be elected to

the Board of Selectmen from three (3) members to five (5) members, said increase to occur at the Annual Town Election, 2003, by the election of two additional members, the two candidates receiving the highest number of votes to serve a term of three years and and the candidate receiving the third highest number to serve a term of two years, thereafter all members of the Board to be elected serve a three year term, or take any action thereon.

Sponsored By: PETITION BY WILLIAM T. MILLER AND OTHERS

Board of Selectmen: Recommendation – SEE BELOW

Finance Committee: Recommendation – SEE BELOW

Summary: *To change the number of the Board of Selectmen from 3 to 5 members. This article will be indefinitely postponed, as the correct wording to change the number of Selectmen is in the next article.*

ARTICLE 23: To see if the Town will vote to petition the General Court for a special act increasing the membership of the Board of Selectmen from three to five members, such increase to be effective starting with the 2003 Annual Town Election, and providing for election of two additional members at that election, with the candidate receiving the highest number of votes to serve a term of two years and the candidate receiving the next highest number of votes to serve a term of one year; thereafter all members of the Board of Selectmen to serve terms of three years such special act to include language that it shall

not be effective unless and until it is accepted by the voters of the Town at an election; or take any action thereon.

Sponsored By: BOARD OF SELECTMEN

Board of Selectmen: Recommendation – 2 Not Support, 1 Support

Finance Committee: Recommendation – 3 Support, 4 Not Support

Summary: *This article is for a home rule petition to change the composition of the Board of Selectmen from 3 to 5 members. The home rule petition will contain language that it shall not be effective until it is accepted at a ballot question.*

ARTICLE 24: To see if the Town will vote to approve under Section 218-27 of the Groton Zoning By-Law, the Concept Plan for Residential Development submitted by the Groton Land Foundation, Inc., for property owned by Brooks Orchard, LLC, located off Orchard Lane in Groton, (new Assessors Map 232, Lot Number 30, former Assessors' Map, Parcel K-32-0), shown on a plan entitled "Brooks Orchard Concept Plan," prepared by Pine and Swallow Associates, Inc., dated August, 2002, a copy of which is on file with the Town Clerk, or take any action thereon.

Sponsored By: BOARD OF SELECTMEN

Board of Selectmen: Recommendation – 2 Support, 1 Abstained

Planning Board: Recommendation - Support

Finance Committee: Recommendation – Support

Summary: *This article would allow for limited development of up to eighteen units of housing on a portion of the 190-acre Brooks Orchard property while permanently protecting the remaining property.*

ARTICLE 25: To see if the Town will vote to authorize the Selectmen, on behalf of the Water Department, to expend a sum of money for the purchase of a portion of land shown on Assessors' Map 232, Parcel 30, for the construction of an underground water storage tank, or take any action thereon.

Sponsored By: WATER COMMISSIONERS

Board of Selectmen: Recommendation – 2 Support, 1 Abstained

Finance Committee: Recommendation – Support

Summary: *The Water Commissioners propose the purchase of land on Chestnut Hill for the construction of a new concrete water storage tank. The storage tank is part of the Water Department's Capital Improvements program that was identified and approved at the 2002 Annual Town Meeting.*

ARTICLE 26: To see if the Town will vote to authorize the Selectmen, on behalf of the Water Department, to transfer from Water Department Surplus a sum of money for the purchase of a portion of the following described land and/or the development rights therein, and/or the water rights therein, said property shown on Assessors' Map 243, Parcel 31, for a future ground water well, or take any action thereon.

Sponsored By: **WATER COMMISSIONERS**

Board of Selectmen: **Recommendation – At Town Meeting**

Finance Committee: **Recommendation – Support**

Summary: *To purchase land from the New England Forestry Foundation for the future installation and expansion of the ground water resources. This article will be funded from Water Department surplus or borrowing.*

ARTICLE 27: To see if the Town will vote to amend Chapter 218 of the Code of the Town of Groton, §218-26 Open Space Residential Development, by striking out in its entirety sub-section 218-26F(2) Cluster Development and by inserting in its place the following new sub-section 218-26F(2) Cluster Development (the proposed additions are shown in italics):

“(2) Cluster development. Any parcel may be divided into lots and such lots may be built upon for residential or permitted accessory use under the following alternative requirements. The Planning Board may authorize modification of lot size, shape, frontage, setbacks and other bulk requirements for lots within an open space residential development, subject to the following limitations:

(a) Lot frontage. The minimum frontage of any lot shall not be less than 100 feet. Lots having reduced area or frontage shall have frontage on the subdivision road and not on an existing street.

(b) Lot area. The minimum area of any lot shall be not less than 30,000 square feet for the first dwelling unit plus 15,000 square feet for each additional dwelling unit, whether attached or detached, on the lot. More than one dwelling unit may be located on a lot. *No more than 10% of each lot's area shall be subject to protection under the Wetlands Protection Act, MGL C. 131, §40.*

(c) Access. All within the open space residential - development providing access must be constructed in conformance with Chapter 346, Subdivision of Land, adopted by the Planning Board. A shared driveway shall serve no more than ten dwelling units. The centerlines of such shared driveways must be separated by not less than 200 feet. *The Planning Board may waive*

these requirements if it determines that an alternative arrangement will better promote the purposes of this section.

(d) Design of development. Cluster developments shall be designed to promote the sensitive siting of buildings and to preserve the appearance of Groton's scenic landscape.

[1] Dwelling units. Not more than four dwelling units shall be contained in a single structure. No fewer than 50% of the total dwelling units shall be detached single-family unless, in the opinion of the Planning Board, the size and topography of the parcel warrants waiving this percentage.

[2] Setbacks. No principal structure shall be located within 100 feet of an existing street or within 75 feet of the property lines of the parcel to be developed. A buffer of a minimum of 50 feet from an existing street and from the property lines of the parcel shall be left in its natural state or suitably landscaped to provide adequate screening.

[3] Parking areas for multifamily structures. Each multifamily structure shall be served by a parking area which shall be screened from public ways by building location, grading, fencing or plantings. Such parking area(s) shall contain a total of two spaces per dwelling unit in the structure plus two additional spaces, unless waived by the Planning Board.

[4] Building height. No structure shall exceed 35 feet in height or 2½ stories, whichever is less.

(e) Mandatory open space. All wetland areas as defined in the Wetlands Protection Act, MGL C. 131, §40, but excluding wetland areas within the road right-of-way as depicted on the development plan *and those included in lots as provided in §218-26(2)(b)*, and a minimum of 35% of the total upland area of the parcel shall be preserved as open land in accordance with Subsection D, Open space.

(f) Affordable housing requirements. For every ten dwelling units proposed under the provisions of this subsection, one additional unit, within the development, shall be made available for a minimum of 30 years via sale, lease or deed restrictions at terms affordable to persons or families qualifying as low or moderate income as defined by the Executive Office of Communities and Development of the Commonwealth. Such additional unit shall not count toward the calculation of the basic number of units. Such units shall be subject to the approval of the Planning Board and the Board of Health. In lieu of providing the affordable units, the applicant may negotiate an agreed upon payment equal to 1.5 times the fair market value of the applicable number of such units with the Planning Board in consultation with the Groton Housing Authority.”

Or take any action thereon.

Sponsored By: PLANNING BOARD

Board of Selectmen: Recommendation – At Town Meeting

Finance Committee: Recommendation – No Position

Summary: *Passage by 2/3 vote, the proposed zoning amendment will change the existing cluster provisions to allow more units on a shared driveway and less than 200 feet between driveways if the*

Planning Board grants a waiver. The amendment also allows that up to 10% of the lot area to be wetlands.