

# Warrant, Summary, and Recommendations

## TOWN OF GROTON



## 2011 SPRING TOWN MEETING

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

Beginning Monday, April 25, 2011 @ 7:00 PM

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Attention – Voters and Taxpayers  
Please bring this Report to Town Meeting

*THE BUDGET HANDOUT FOR ARTICLE 5 IS AVAILABLE  
IN THE BACK OF THE WARRANT*



**The Town of Groton does not discriminate on the basis of disability. Accessible parking spaces are available in the parking lot between the Groton Dunstable Middle School South (Performing Arts Center) and the Florence Roche School. Reserved seating is available for people with disabilities and their companions. Please let us know if you have other accessibility needs so that we may make the necessary accommodations. A signed translation of the Town Meeting will be provided for the hearing impaired upon request by contacting the Town Hall at (978) 448-1105 at least one week prior to the Town Meeting.**

**SPRING TOWN MEETING WARRANT  
APRIL 25, 2011**

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 twenty-fifth day of April, 2011 at Seven O'clock in the evening, to consider all business other than the election of Town Officers and on the seventeenth day of May, 2011 at an adjourned session thereof to give their ballots for:

Vote for One	Board of Assessors	3 Years
Vote for One	Board of Health	3 Years
Vote for Two	Board of Selectmen	3 Years
Vote for One	Commissioner of Trust Funds	3 Years
Vote for One	Groton-Dunstable Regional School Committee	3 Years
Vote for One	Groton Electric Light Commission	3 Years
Vote for Two	Park Commission	3 Years
Vote for Two	Planning Board	3 Years
Vote for One	Sewer Commission	3 Years
Vote for Two	Trustees of the Groton Public Library	3 Years
Vote for One	Water Commission	3 Years

**ARTICLE 1: HEAR REPORTS**

To see if the Town will vote to hear and act on the report of the Board of Selectmen and other Town Officers and Committees, or to take any other action relative thereto.

**BOARD OF SELECTMEN**

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

**Summary:** *To hear reports of Town Boards, Committees and Commissions.*

**ARTICLE 2: APPLY FOR GRANTS**

To see if the Town will vote to authorize the Board of Selectmen to apply for Federal and State Grants for which the Town is or may be eligible and to expend the funds received thereunder, or to take any other action relative thereto.

**BOARD OF SELECTMEN**

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

**Summary:** *To allow the Board of Selectmen to apply for grants that may become available during the year.*

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**ARTICLE 3: ELECTED OFFICIALS' COMPENSATION**

To see if the Town will vote to allow the following compensation for the following elected officials:

Selectman (four)	\$ 760	Town Clerk	\$ 63,000
Board of Selectmen, Chairman	\$ 910	Town Moderator	\$ 65
Board of Assessors, Chairman	\$ 910	Assessor (two)	\$ 760

for the ensuing year, or to take any other action relative thereto.

**BOARD OF SELECTMEN**

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

**Summary:** *To provide compensation for elected officials as proposed by the Town Manager.*

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**ARTICLE 4: WAGE AND CLASSIFICATION SCHEDULE**

To see if the Town will vote to amend and adopt for Fiscal Year 2012 the Town of Groton Wage and Classification schedule as shown in Appendix B of this Warrant, or to take any other action relative thereto.

**BOARD OF SELECTMEN**  
**TOWN MANAGER**

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

**Summary:** *This article proposes no wage and salary classification adjustment for FY 2012 for employees covered by the Personnel Bylaw.*





**Item #6 - Rough Mower**

**\$10,200**

**Pool & Golf Center**

**Summary:** *This request is to replace a mower that is inoperable and not repairable. This essential mower is used to regularly cut the "rough" adjacent to the fairways. The amount requested would be for the first year payment on a five (5) year lease.*

**Board of Selectmen: Recommended Unanimously**

**Finance Committee: Recommended (4 In Favor, 1 Against)**

**Item #7 - Forestry 2 Conversion**

**\$25,000**

**Fire Department**

**Summary:** *This vehicle is a 1968 Dodge Power Wagon, manual shift transmission and is difficult to get replacement parts for repairs. This forestry unit is a vehicle that not only needs to respond to brush fires off road, but is also used during "bad/severe" weather, as well as assisting the Highway Department for clearing road debris when chain saws are needed. In an effort to save money, the Fire Department will be converting a former ambulance to a forestry truck at a substantial savings.*

**Board of Selectmen: Recommended Unanimously**

**Finance Committee: Recommended Unanimously**

**Item #8 - 4X4 Pick-Up Truck**

**\$36,000**

**Fire Department**

**Summary:** *The Fire Department would like to purchase a ¾ ton pick-up truck. This pick-up will be used as a general utility truck for the Fire Department. The need came to light after the recent "floods" & "brush fires". It was very difficult get in and out of the woods with additional personnel, water and supplies during the brush fires. During the floods with dozens of cellar pump-outs, the Fire Department needed to use fire apparatus for this purpose. The Fire Department used to have a couple of "used" excess town vehicles in the past to use but these have been "scrapped" and "disposed of" and there is not currently a utility pick-up for department use.*

**Board of Selectmen: Recommended Unanimously**

**Finance Committee: Recommended Unanimously**

or to take any other action relative thereto.

**TOWN MANAGER**

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**ARTICLE 7: NVTSDC – CREATE STABILIZATION FUND**

To see if the Town will vote to approve the Nashoba Valley Technical School District Committee's vote on December 14, 2010 to establish a Stabilization Fund, pursuant to Section 16G½ of Chapter 71 of the Massachusetts General Laws, said Stabilization Fund to be invested and to retain its own interest earnings as provided by law, and to set up an operational line item for the transfer of available monies into said Stabilization Fund, or to take any other action relative thereto.

**BOARD OF SELECTMEN  
NVTSD COMMITTEE**

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

**Summary:** *The Nashoba Valley Regional Technical School Committee at its December 14th 2010 meeting, in accordance with Massachusetts General Laws Chapter 71, Section 16G½, voted by a majority of all the members of the Regional District School Committee to establish a Stabilization Fund. Chapter 71, Section 16G½ also requires the approval of a majority of the local appropriating authorities (Town Meetings) of the member municipalities. The primary purpose of a stabilization fund is to give the Nashoba Valley Technical Regional School District a method to have money available for unexpected capital expenses (such as building repairs) and to avoid the need for further borrowing by member municipalities. Today, existing Excess and Deficiency (E&D) funds cannot be used for capital expenses.*

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**ARTICLE 8: STORMWATER MANAGEMENT REVOLVING FUND**

To see if the Town will vote to renew the revolving account under Chapter 44, §53E½ of the General Laws for the purpose of utilizing receipts and fees received under Chapter 198 of the Code of the Town of Groton, Stormwater Management - Low Impact Development, said receipts and fees to be credited to said account and expended by the Earth Removal Stormwater Advisory Committee for administration, oversight and review activities under Chapter 198, with the maximum amount to be expended in said account not to exceed \$10,000 for Fiscal Year 2012, or to take any other action relative thereto.

**STORMWATER ADVISORY COMMITTEE**

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

**Summary:** *This article reauthorizes the use of the revolving fund for technical review and processing of applications submitted under Chapter 198, Stormwater Management - Low Impact Development.*

**ARTICLE 9: CONSERVATION COMMISSION REVOLVING FUND**

To see if the Town will vote to renew the revolving account under Massachusetts General Laws, Chapter 44, § 53E½ for the purpose of utilizing receipts and fees received for agricultural or silvicultural activities conducted on Town-owned conservation land under the care and custody of the Conservation Commission, said receipts and fees to be credited to said account and expended by the Conservation Commission for oversight and management of conservation lands owned by the Town, with the maximum amount in said account not to exceed \$25,000 for Fiscal Year 2012, or to take any other action relative thereto.

**CONSERVATION COMMISSION**

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

**Summary:** *This article reauthorizes the use of the revolving fund (established in 2007) for the management of conservation land in Groton. Reauthorization allows for reduced fees for management of conservation lands in Groton.*

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**ARTICLE 10: ACCEPT LAW INCREASING REAL ESTATE TAX EXEMPTION**

To see if the Town will vote to accept the provisions of Section 4, Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, to allow an additional property tax exemption for Fiscal Year 2012 for those persons who qualify for property tax exemptions under Massachusetts General Laws, Chapter 59, Section 5, not to exceed \$1,000, or to take any other action relative thereto.

**BOARD OF ASSESSORS**

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

**Summary:** *This article is geared toward elderly persons, blind persons and veterans with service connected disabilities. It would increase the exemption under state statute up to 100% of the exemption.*

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**ARTICLE 11: UPDATE WATER RESOURCES PROTECTION DISTRICT MAP**

To see if the Town will vote to amend Chapter 218, Zoning, of the Code of the Town of Groton, Section 218-30, Water Resource Protection Overlay Districts, by striking out paragraph C, which reads as follows:

- C. The Water Resource Protection Districts are herein established as overlay districts. The Water Resource Protection Districts are described on a map with district boundary lines prepared by Applied Geographics, Inc. entitled "Water Resource Protection Districts, Town of Groton," dated February 21, 2008. All maps are hereby made a part of this Zoning By-Law and are on file in the Office of the Town Clerk.

And inserting in its place a new paragraph C as follows:

- C. The Water Resource Protection Districts are herein established as overlay districts. The Water Resource Protection Districts are described on a map with district boundary lines prepared by Applied Geographics, Inc. entitled "Water Resource Protection Districts, Town of Groton," dated March 1, 2011. All maps are hereby made a part of this Zoning By-Law and are on file in the Office of the Town Clerk.

or to take any other action relative thereto.

### **PLANNING BOARD**

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

**Summary:** *This article updates the 2008 Water Resource District Map with a new Water Resource Protection District Map to include the new Zone II around the Shattuck Wells #1 and #2, as required by the Department of Environmental Protection Drinking Water Program.*

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### **ARTICLE 12: AMEND ZONING BYLAW – TOWN CENTER OVERLAY DISTRICT**

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

1. In Article V, Special Regulations, by deleting the text of Section 218-30.2 for the existing Station Avenue Overlay District and replacing it with a new overlay district as described on a map with district boundary lines prepared by Applied Geographics, Inc. entitled "Town Center Overlay District, Town of Groton, Massachusetts" dated March 1, 2011, and accompanying text entitled, "Chapter 218 Zoning, Section 218-30.2 Town Center Overlay District," a copy of the map and text of the proposed "Town Center Overlay District" being on file in the Office of the Town Clerk.
2. In Article II, Use Districts, §218-8 Classes of districts, by replacing "(5) Station Avenue Overlay District" in Paragraph E., Overlay districts, with "(5) Town Center Overlay District."
3. In Article II, Use Districts, §218-9 Location of districts, by amending the Town of Groton Zoning Map by replacing the Station Avenue Overlay District with the Town Center Overlay District and adopting new district boundary lines as shown on a map prepared by Applied Geographics, Inc. entitled "Town Center Overlay District, Town of Groton, Massachusetts" dated March 1, 2011.
4. In Article III, Use Regulations, §218-12 Intention of districts, by replacing Paragraph I (SAOD) with a new paragraph to read as follows:

TCOD – The Town Center Overlay District is intended to promote a socially and economically vibrant town center by enabling development, by special permit, of a mixture of civic, residential and commercial uses consistent with the Town's Comprehensive Plan and the Design Guidelines for the District.

5. In Article III, Use Regulations, §218-13 Schedule of Use Regulations, by replacing note no. 10 with the following note no. 10 applicable to the R-A, R-B, B-1 and P Districts:

<sup>10</sup> For additional uses which may be permitted in those portions of the R-A, R-B, B-1 and P Districts which underlie the Town Center Overlay District, see §218-30.2.

6. In Article IV, Intensity Regulations, §218-20 Schedule of Intensity Regulations, by replacing note 5 applicable to the R-A, R-B, B-1 and P Districts with the following new note:

<sup>5</sup> For Dimensions applicable to Town Center Overlay District Developments, see §218-30.2.

7. In Article IV, Intensity Regulations, §218-22 General Provisions, Paragraph E Density, by changing the phrase “except as provided in §218-26F(2), Cluster development, §218-27, Multifamily use, or §218-30.2 Station Avenue Overlay District” to read:

“except as provided in §218-26F(2), Cluster development, §218-27, Multifamily use, or §218-30.2 Town Center Overlay District.”

8. In Article IV, Intensity Regulations, §218-22 General Provisions, Paragraph H Modification of front building setback, by replacing the “except” phrase at the beginning of the first sentence with the new phrase:

“Except as may be permitted pursuant to §21-30.2 Town Center Overlay District,”

9. In Article V, Special Regulations, §218-26.1 Major residential development, Paragraph C Special permit required, by replacing the “except” phrase at the beginning of the first sentence with the phrase

“Except for a Town Center Overlay District Development under §218-30.2,”

or to take any other action relative thereto.

**BOARD OF SELECTMEN  
PLANNING BOARD**

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

**Summary:** *This article proposes amendment of the previously adopted Station Avenue Overlay District to include property located at 134 Main Street and to change the name of the district to the Town Center Overlay District. The purpose of the Town Center Overlay District is to promote a socially and economically vibrant Town Center by enabling commercial and residential development that is consistent with the Town's Master Plan and the design guidelines for the district.*

**ARTICLE 13: 134 MAIN STREET – PRIORITY DEVELOPMENT SITE**

To see if the Town will vote to approve the filing of a Priority Development Site Amendment Application with the Massachusetts Permit Regulatory Office for the designation of land at 134 Main Street, shown on Assessors' Map 113 as Parcel 9, to be added to the existing Station Avenue Priority Development Site, pursuant to Massachusetts General Laws Chapter 43D, and that the Priority Development Site be designated as the "Town Center Priority Development Site", or to take any other action relative thereto.

**BOARD OF SELECTMEN  
PLANNING BOARD**

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

**Summary:** *This article proposes to amend the Station Avenue Priority Development Site, designated in October 2007, by adding the property at 134 Main Street and by changing the name to the Town Center Priority Development Site. The designation enables development projects to apply for expedited permitting.*

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**ARTICLE 14: COMMUNITY PRESERVATION COMMITTEE FUNDING ACCOUNTS**

To see if the Town will vote to make the following appropriations from the Community Preservation Fund:

Allocation of Community Preservation Funds to the following sub accounts:

CPC Operating Expenses:	\$ 34,250
Open Space Reserve:	\$ 68,500
Historic Resource Reserve:	\$ 68,500
Community Housing Reserve:	\$ 68,500
Unallocated Reserve:	\$479,500

or to take any other action relative thereto.

**COMMUNITY PRESERVATION COMMITTEE**

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

**Summary:** *This is an accounting procedure that is necessary to ensure the Community Preservation Committee will have access to the funds raised during Fiscal Year 2012. None of these funds will be spent without additional approval at Town Meeting.*

**ARTICLE 15: COMMUNITY PRESERVATION FUNDING RECOMMENDATIONS**

To see if the Town will vote to adopt and approve the recommendations of the Community Preservation Committee for Fiscal Year 2012, and vote to implement such recommendations by appropriating a sum or sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws, and by authorizing the Board of Selectmen, with the approval of the Community Preservation Committee, to acquire, by purchase, gift or eminent domain such real property interests in the name of the Town, or enforceable by the Town, including real property interests in the form of permanent affordable housing restrictions and historical preservation restrictions that will meet the requirements of Chapter 184 of the General Laws, as may be necessary or proper to carry out the foregoing, or to take any other action relative thereto.

**CPC Proposal A: Housing Trust Fund: \$412,000**

**Summary:** *The Groton Affordable Housing Trust Fund is requesting \$412,000 in Community Preservation Commission Funds to support the preservation and creation of affordable housing (for persons earning up to 80% of area median income for the Lowell Metropolitan Statistical Area (MSA)) in the Town of Groton. CPC funding would permit the Trust to act upon the powers granted to them by MGL Chapter 44 Section 55C and the Declaration of Trust. Specifically, the Trust anticipates partnering with developers in order to create the maximum number of community housing units feasible for individual projects. All funds will be expended under the permitted uses and activities of Chapter 44B of the Massachusetts General Laws (Community Preservation Act). Funding from the Community Preservation Committee will allow the Groton Affordable Housing Trust to work quickly and flexibly to support the preservation and creation of housing as projects arise. The first development partnership the Trust plans to pursue with this funding is direct support of a private development team seeking to redevelop 134 Main Street to include both housing and commercial uses. This financial assistance will allow the developer to leverage additional funding. The Town expects to enter into a Revenue Sharing Agreement which will allow for reimbursement to the Trust Fund upon project completion or for a period thereafter.*

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

**CPC Proposal B: Conservation Fund: \$75,000**

**Summary:** *The Conservation Fund has been used by the Conservation Commission to purchase Conservation Restrictions and Agricultural Preservation Restrictions, and to purchase conservation land outright within the Town of Groton. Placing CPA funds into the Conservation Land Fund makes them instantly available to the Conservation Commission for acquiring open space that may be available for purchase for only a short period of time.*

**Board of Selectmen: Not Recommended (4 Against, 1 In Favor)**  
**Finance Committee: Not Recommended Unanimously**

**CPC Proposal C: Historic Records Preservation – Phase IV \$50,000**

**Summary:** *The purpose of this request is to protect and restore additional volumes of the Town's historic documents. This project was started several years ago. To date, approximately 44 volumes have been restored. This request is for the preservation of 26 volumes. These are the remaining volumes from the "master list" that was developed under Phase I of this project in 2007.*

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

**CPC Proposal D: Prescott School Reuse Feasibility Assessment \$25,350**

**Summary:** *The Prescott Reuse Committee was appointed by the Board of Selectmen to study the need for and feasibility of potential reuses of the Prescott School and report its findings to the Board of Selectmen. Among the various tasks assigned to the Committee are the assessment of potential uses, preparation of cost estimates associated with use options, and determination of the demand for uses and the development potential of the property.*

*The Prescott School Reuse Committee has undertaken an assessment of the property and potential uses, however, it does not possess the technical expertise to assess the economic and physical character of the building to accommodate those uses. Therefore, the Committee is seeking CPA Funding Assistance to complete its task.*

**Board of Selectmen: Not Recommended (4 Against, 1 Abstain)**  
**Finance Committee: Recommendation Deferred Until Town Meeting**

**CPC Proposal E: Rehabilitation of Governor Boutwell House \$176,525**

**Summary:** *The Groton Historical Society, a private 501(c)(3) non-profit organization established in 1984, houses its headquarters in the historic 1851 Governor George S. Boutwell house. It is seeking a CPA Preservation Grant for the major rehabilitation of the plumbing, electricity and structural work to the house. This project request was triggered by two separate catastrophic events in 2010 which put the physical property and material culture of Groton's past at great risk. Both of these incidents involved the failure of water pipes which caused major damage to the house and its interior fabric and brought to the Society's attention dire infrastructure problems. These must be remedied if this property, now on the National Register of Historic Places, and the collection it houses, are to survive for future generations of citizens.*

**Board of Selectmen: Recommended (4 In Favor, 1 Abstain)**  
**Finance Committee: Recommended (4 In Favor, 2 Abstain)**

**COMMUNITY PRESERVATION COMMITTEE**

**ARTICLE 16: DEBT SERVICE FOR SURRENDEN FARMS**

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum or sums of money, pursuant to Massachusetts General Laws, Chapter 44B, Section 5 for debt service for Fiscal Year 2012 for the Surrenden Farm Land Acquisition, as authorized under Article 1 of the April 24, 2006 Special Town Meeting, or to take any other action relative thereto.

**COMMUNITY PRESERVATION COMMITTEE**

**Board of Selectmen: Recommended Unanimously**  
**Finance Committee: Recommended (5 In Favor, 1 Against)**

**Summary:** This article appropriates the debt payments for the Surrenden Farms Land Purchase. Funding for this article will come from Community Preservation Funds. The anticipated debt service for Fiscal Year 2012 is \$488,763.

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**ARTICLE 17: TAX TITLE LAND TO THE CONSERVATION COMMISSION**

To see if the Town will vote to transfer the care and custody of the following parcels of property obtained through tax title foreclosure to the Conservation Commission, to be held for conservation purposes in accordance with M.G.L. c. 40, §8C:

	<b>Square Ft</b>	<b>Map ID</b>	<b>Former Owner</b>	<b>Road</b>	<b>Tax Acct</b>	<b>Assessed Value</b>	<b>Yr Decree Issued</b>
<b>1</b>	9,583	124-67	Nathan Isbitsky	Whitewood	\$289.00	13,000	1986
<b>2</b>	34,602	125-127	James Sheedy	Chestnut	\$161.14	16,500	1958
<b>3</b>	2,000	125-128	Felix Benoit	Chestnut	\$14.34	6,100	1965
<b>4</b>	3,200	129-103	Margaret Levine	Lost Lake Dr.	\$ 25.54	7,600	1958
<b>5</b>	12,800	129-176	Unknown Owner	Baby Beach	\$1,747.40	19,100	2003
<b>6</b>	6,700	129-186	Katherine Brennan	Boathouse	\$ 20,968.07	11,400	2008

or to take any other action relative thereto.

**CONSERVATION COMMISSION**

**Board of Selectmen: Recommended Unanimously**  
**Finance Committee: Recommended (3 In Favor, 2 Against)**

**Summary:** *These parcels were foreclosed for nonpayment of taxes and are now Town Tax Possessions. The transfer vote will permanently remove these parcels from the tax rolls and assure that no development occurs. Parcel 1 is a small wooded parcel adjacent to Martins' Pond Brook. Parcel 2 includes wetlands bordering Martins' Pond Brook. Parcel 3 is adjacent to Parcel 2 and also in wetlands. Parcel 4 is surrounded on three sides by protected conservation land. Parcel 5 includes frontage on the "pork barrel" downstream from the Lost Lake/Knops Pond dam and is adjacent to protected conservation land. Parcel 6 has frontage on a kettle hole adjacent to Lost Lake Drive.*

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**ARTICLE 18: SKYFIELDS DRIVE – CONNECTION TO TOWN SEWER**

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, and as shown most recently on the plan approved under Article 14 of the Annual Town Meeting of April 25, 2005, to include the following parcels:

<u>Assessors Parcel</u>	<u>Name</u>	<u>Address</u>
222-8	Moynihan, Richard	31 Skyfields Drive
222-12	Polhemus, Richard	36 Skyfields Drive
235-48	Deuger, Mark	60 Skyfields Drive
235-47	Russell, Earl	98 Skyfields Drive
235-42	Foster, Robert	103 Skyfields Drive
235-43	McGuire, John	113 Skyfields Drive
222-11	Hurd Katherine	116 Skyfields Drive
222-13	Hurd, Katherine	116 Skyfields Drive
235-44	Moulton, David	129 Skyfields Drive
222-10	Temple Realty Trust	130 Skyfields Drive

provided that all costs of designing, laying, and construction of the extension and any associated connection and the cost of additional capacity and the property owner's proportionate share of the general benefit facilities, and all other costs associated therewith, are paid by the owner of the property benefited thereby, whether by the assessment of betterments or otherwise, or to take any other action relative thereto.

**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 on Skyfields Drive to include ten (10) specific parcels for the purpose of allowing those properties to connect to the Town Sewer System.*

**ARTICLE 19: TRANSFER OF LAND – SO-CALLED BROWN LOAF PROPERTY**

To see if the Town will vote to transfer the care and custody of all or a portion of the so-called Brown Loaf property, shown on Assessors’ Map 234 as parcels 4 and 18.1, from the Board of Selectmen to the Conservation Commission for conservation purposes, said transfer to take effect only upon the filing with the Town Clerk of the Board of Selectmen’s written determination that such property is no longer needed by the Board of Selectmen for general municipal purposes, or to take any other action relative thereto.

**BOARD OF SELECTMEN**

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

**Summary:** *The site of a former gravel operation, this land has been investigated for a number of municipal uses since its original purchase in 1999. Because of access limitations, significant natural resource constraints, and a major power line easement, the site was rejected for the re-location of the Groton Electric buildings, new high school, and for affordable housing. Wetlands and floodplain associated with Martins Pond Brook, as well as beaver ponds and 6 vernal pools, provide significant ecosystem services in the form of the protection of Zone 3 of the Baddacook and Whitney public water wells and important wildlife corridors. The land has also been identified by the Commonwealth of Massachusetts as having rare species core habitat of state-wide importance. Conserving this site affords the Town an opportunity to prevent the fragmentation of critical habitat thereby maintaining viable plant and animal populations.*



**ARTICLE 20: CITIZENS’ PETITION – CONNECTION TO TOWN SEWER**

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, and as shown most recently on the plan approved under Article 14 of the Annual Town Meeting of April 25, 2005, to include the property shown on Assessors’ Lot 114-13 (14 Old Ayer Road), but only for the exclusive use of Lawrence Academy, provided that all costs of designing, laying, and construction of the extension and any associated connection and the cost of additional capacity and the property owner’s proportionate share of the general benefit facilities, and all other costs associated therewith, are paid by the owner of the property benefited thereby, whether by the assessment of betterments, or otherwise, or to take any other action relative thereto.

**CITIZENS’ PETITION**

<u>Name</u>	<u>Address</u>
Beverly Rodrigues	5 Balsam Walk
Cynthia Bostick	30 Temple Drive
Megan Simon	12 Powderhouse Road
Valerie Templeton	222 Chicopee Row
Katie Quist	12 Powderhouse Road

Edward Mitchell  
Susan Hughes  
D. Scott Wiggins  
Jerry Wooding  
Jennifer O'Connor

61 Powderhouse Road  
62 Watson Road  
36 Main Street  
23 Common Street  
42 Powderhouse Road

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

**Summary: (This summary was submitted by the Petitioners):** *Lawrence Academy is in possession of two properties along Old Ayer Road. They are identified as Parcels 114-12 and 114-13 on the Town "GIS" mapping system located at 14 Old Ayer Road. Currently only parcel 114-12 is included in the Groton Center Sewer District. The Lawrence Academy Board of Trustees is currently updating the LA campus master plan. Preliminary indications are that parcel 114-13 will be used as athletic fields. Lawrence Academy is requesting the sewer district be extended to include parcel 114-13 so that LA would be able to have a small bathroom facility on that parcel to serve the athletic fields. The School has already secured the necessary sewer capacity from the Town through previous agreements. This connection would not represent a change to any existing agreements between the School and the Town.*

**ARTICLE 21: CITIZENS' PETITION – DISCONTINUE OR RELOCATE A WAY**

To see if the Town will vote to discontinue as a public way and/or relocate the entire way that lies between Parcels 1738 and 1739 as shown on a plan entitled "Lost Lake" that was recorded on February 17, 1926 with the Middlesex South District Registry of Deeds as Plan 844 (B of 4) and to authorize the Board of Selectmen to convey all and whatever rights, title and interests the Town and the public may hold in said way to Phillip DeFreitas and Carolyn DeFreitas and/or to relocate said way, on such terms and conditions and for such consideration as the Selectmen deem appropriate. Said way is part of the parcel identified in the Assessors records as Map 129, Lot 196, or to take any other action relative thereto.

**CITIZENS' PETITION**

<u>Name</u>	<u>Address</u>
Phillip DeFreitas	47 Boathouse Road
Carolyn DeFreitas	47 Boathouse Road
Tasha Roberts-Coombs	77 Boathouse Road
William Coombs	77 Boathouse Road
Susan Burgess Curley	91 Boathouse Road
Patricia Simmons-Mavilia	101 Boathouse Road
Cheryl Duffy	90 Boathouse Road
Thomas Duffy	90 Boathouse Road
Mark Silva	29 Boathouse Road
Evelyn Silva	29B Boathouse Road

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

**Summary: (This summary was submitted by the Petitioners):** *The original plan for Lost Lake shows a series of paper “public” streets that run from Boathouse Road to Lost Lake. Most were never built or used. This article authorizes the Board of Selectmen to extinguish or move one of them. Phillip and Carolyn DeFreitas’s house, built in the 1930’s, sits on a paper street; moving or removing the paper street removes a cloud on their title.*

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**ARTICLE 22: CITIZENS’ PETITION – ZONING AMENDMENT – SOLAR FACILITIES**

To see if the Town will vote to amend Chapter 218, Zoning, of the Code of the Town of Groton, by amending Sections 214-4 Definitions, 218-13 Schedule of Use Regulations, and 218-16 Site Plan Review, and adding a new Section 218-25.3 entitled “Large-Scale Ground-Mounted Solar Photovoltaic Facilities”, a copy of which is on file in the Office of the Town Clerk, or to take any other action relative thereto.

**CITIZENS’ PETITION**

<u>Name</u>	<u>Address</u>
Steven Webber	48 Hemlock Park Drive
Nancy Webber	48 Hemlock Park Drive
Julie Vaughn	52 Chestnut Hill Road
John Smigelski	150 Mill Street
Laurie Smigelski	150 Mill Street
Brian Alcott	157 Mill Street
Stacey Waterman	15 Shepley Street
Alice MacGregor	40 Hemlock Park Drive
Rena Swezey	60 Island Road
Michelle Collette	43 Windmill Hill Road

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

**Summary: (This summary was submitted by the Petitioners):** *This article proposes a change to Groton's zoning to allow solar panels to be deployed in Groton. Without explicitly allowing something, Groton's zoning does not allow it. This bylaw enables the deployment of both ground-based and roof-mounted systems.*

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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 4<sup>th</sup> Day of April in the year of our Lord Two Thousand Eleven.

Stuart M. Schulman

Stuart M. Schulman, Chairman

Anna Eliot

Anna Eliot, Vice-Chairman

George F. Dillon, Jr.

George F. Dillon, Jr., Clerk

Peter S. Cunningham

Peter S. Cunningham, Member

Joshua A. Degen

Joshua A. Degen, 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

**Warrant, Summary, and Recommendations**

**TOWN OF GROTON**



**SPECIAL TOWN MEETING**

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

**Beginning Monday, April 25, 2011 @ 8:00 PM**

**SPECIAL TOWN MEETING WARRANT  
APRIL 25, 2011**

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 twenty-fifth day of April, 2011 at Eight O'clock in the evening, to consider the following:

**ARTICLE 1:                   CURRENT YEAR LINE ITEM TRANSFERS**

To see if the Town will vote to transfer certain sums of money within the Fiscal Year 2011 budget, 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:**    *To transfer money within the Fiscal Year 2011 Budget should the need arise. A handout explaining any necessary transfer will be available at Town Meeting.*

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**ARTICLE 2:                   TRANSFER WITHIN WATER ENTERPRISE FUND**

To see if the Town will vote to authorize the Groton Water Department to transfer a sum or sums of money from the Water Enterprise Fund Surplus to the Fiscal Year 2011 Water Department Budget, or to take any other action relative thereto.

**BOARD OF WATER COMMISSIONERS**

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

**Summary:**    *This article allows the Water Department to transfer money from its surplus account to cover any deficit in the Fiscal Year 2011 budget. More information will be provided at Town Meeting to explain any transfer requested under this article.*

**ARTICLE 3: TRANSFER WITHIN SEWER ENTERPRISE FUND**

To see if the Town will vote to transfer a sum or sums of money from the Sewer Enterprise Fund Surplus to the Fiscal Year 2011 Sewer Enterprise Department budget, or to take any other action relative thereto.

**BOARD OF SEWER COMMISSIONERS**

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

**Summary:** *This article allows the Sewer Department to transfer money from its surplus account to cover any deficit in the Fiscal Year 2011 budget. More information will be provided at Town Meeting to explain any transfer requested under this article.*

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**ARTICLE 4: 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: *Recommendation Deferred Until Town Meeting***  
**Finance Committee: *Recommendation Deferred Until Town Meeting***

**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.*

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**ARTICLE 5: AMEND VOTE UNDER ARTICLE 20 OF THE 2010 FALL TOWN MEETING, TRANSFER OF LAND BETWEEN TOWN AND LIGHT DEPARTMENT**

To see if the Town will vote to amend the vote taken under Article 20 of the warrant for the 2010 Fall Town Meeting by approving and authorizing the transfer of custody of the following Town land to the Groton Electric Light Department for the purpose of sale, lease or other conveyance or transfer to the Groton Electric Cooperative or other eligible entity: a portion of Assessors' parcel 113-53 and a portion of Assessors' parcel 113-54; and to authorize the Board of Selectmen and the Board of Electric Light Commissioners to execute, on behalf of the Town and Electric Light Department, all documents necessary to accomplish such conveyance or transfer, or to take any other action relative thereto.

**BOARD OF SELECTMEN  
ELECTRIC LIGHT COMMISSIONERS**

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

**Summary:** *The previous Town Meeting vote authorized a land swap between the Town and the Groton Electric Light Department in connection with the building of a new office and garage facilities. The Groton Electric Light Department filed Articles of Organization with the Secretary of the Commonwealth on February 15, 2011 pursuant to MGL Chapter 164, Section 47C. to form an Electric Light Cooperative. The Cooperative will be overseeing the design and construction of the new Electric Light Department facilities and a transfer vote reflecting the involvement of the Groton Electric Cooperative is therefore required.*

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**ARTICLE 6: PURCHASE MAIN STREET PARCELS FROM ROMAN CATHOLIC CHURCH**

To see if the Town will vote to authorize the Board of Selectmen to acquire from the Roman Catholic Archbishop of Boston, by gift, purchase, or eminent domain, for general municipal purposes, including, without limitation, for use as a fire station, the following three (3) parcels of land located on Main Street: (a) a parcel located at 279 Main Street, shown on Assessors Map 112 as Parcel 60, described in a deed recorded with the Middlesex South District Registry of Deeds in Book 3649, Page 136, (b) a parcel located at 279 Main Street, shown on Assessors Map 112 as Parcel 61, described in a deed recorded in Book 3119, Page 208, and (c) a parcel located at 279 Main Street, shown on Assessors Map 112 as Parcel 62, described in a deed recorded in Book 10317, Page 127, containing 1 acre, more or less, in the aggregate, and to raise and appropriate, transfer from available funds, or borrow, or any combination of the foregoing, a sum or sums of money for such acquisition and costs related thereto, and further to authorize the Board of Selectmen to enter into all agreements and execute on behalf of the Town any and all instruments as may be necessary or convenient to effectuate the purpose of this article, 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 Board of Selectmen and Town Manager have been working with the Roman Catholic Archbishop of Boston to purchase the three lots on Main Street that were the former home of the Sacred Heart Church. The agreed to purchase price is \$475,000.*

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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 4<sup>th</sup> Day of April in the year of our Lord Two Thousand Eleven.

Stuart M. Schulman

Stuart M. Schulman, Chairman

Anna Eliot

Anna Eliot, Vice-Chairman

George F. Dillon, Jr.

George F. Dillon, Jr., Clerk

Peter S. Cunningham

Peter S. Cunningham, Member

Joshua A. Degen

Joshua A. Degen, 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

# **BUDGET MESSAGE FROM THE TOWN MANAGER**

## **TOWN OF GROTON FISCAL YEAR 2012**

Pursuant to Article 6 of the Charter of the Town of Groton, Massachusetts, the Finance Committee, Board of Selectmen and Town Manager are pleased to submit for your consideration the Proposed Fiscal Year 2012 Operating Budget for the Town of Groton. This was a very challenging budget to develop. The Town is continuing to see a decrease in revenues from the Commonwealth of Massachusetts. While the Commonwealth has yet to issue the "Cherry Sheets" for Fiscal Year 2012, we would expect to see a further decrease in State Aid in the next fiscal year. The economy continues to be sluggish with very little sign that we are coming out of the economic conditions that have been negatively impacting revenues over the past two (2) fiscal years. While revenues are exceeding what had been taken in during the same period last year at both the State and local level, the Federal stimulus money that was used to balance last year's budget will not be available in Fiscal Year 2012. However, not all the news is bad. Fortunately for the Town of Groton, we have seen an increase in building permit fees and recycling revenues. While we do not expect major increases in these areas in the next fiscal year, we believe we will maintain the same revenues that have been received thus far in Fiscal Year 2011.

All Departments, Boards, Committees and Commissions were directed to submit budgets that maintain the excellent services our residents currently enjoy and expect. Similar to the last two (2) years, the proposed Fiscal Year 2012 Operating Budget is a "Maintenance Budget". There are no substantive reductions in services for Fiscal Year 2012. Another important consideration in developing this budget was to address action taken at the 2010 Fall Town Meeting. A decision was made at that Meeting to use one hundred thousand (\$100,000) dollars in "Free Cash" to offset the Fiscal Year 2011 Operating Budget, thus offsetting some of the increase in Property Taxes in Fiscal Year 2011. The Finance Committee, Board of Selectmen and I have made the conscious decision to keep the Proposed Operating Budget for Fiscal Year 2012 one hundred thousand (\$100,000) dollars under the levy limit to maintain this reduction.

Fiscal Year 2012 is the final year of a three (3) year contract with the Communications Union. The contract, settled in Fiscal Year 2010, calls for a two (2%) percent Cost of Living Adjustment (COLA) in Fiscal Year 2012. I am pleased to report that the Town has settled a new one (1) year contract with the SEIU Local 888, Town and Library Employees Union. The settled agreement does not call for a COLA in Fiscal Year 2012. In addition, the Town has reached a tentative agreement on a one (1) year contract with the SEIU DPW Union that also does not call for a COLA in Fiscal Year 2012. This Agreement is subject to ratification by the Union and Board of Selectmen. We will provide an update at Town Meeting on the status of the Agreement. The Town is also in active negotiations with the Police Patrolmen's Union on a new Agreement. We will provide the Town with any status change at Town Meeting. Finally, with regard to Bylaw employees, we are not recommending any COLA for Fiscal Year 2012. The Wage and Classification Schedule remain unchanged in Fiscal Year 2012.

The following chart is a breakdown of the proposed municipal budget by function (due to the fact that Fiscal Year 2011 is the first full year of the Golf & Pool Center operating as a Town Department and the Budget approved was for only eight (8) months, we have not included this budget in the following chart. It would be very difficult to compare the eight (8) months of Fiscal Year 2011 with a full fiscal year. We would expect to see a better history and a full comparison when we present our Fiscal Year 2013 budget):

<u>Function</u>	<u>FY 2011 Appropriation</u>	<u>FY 2012 Proposed</u>	<u>Dollar Change</u>	<u>Percent Change</u>
General Government	\$ 1,540,967	\$ 1,572,840	\$ 31,873	2.07%
Land Use Departments	\$ 362,441	\$ 373,528	\$ 11,087	3.06%
Protection of Persons & Property	\$ 2,669,222	\$ 2,657,966	\$(11,256)	-0.42%
Department of Public Works	\$ 1,867,052	\$ 1,894,629	\$ 27,577	1.48%
Library and Citizens Services	\$ 881,230	\$ 914,991	\$ 33,761	3.84%
Debt Service (within Levy Only)	\$ 210,402	\$ 197,292	\$(13,110)	-6.23%
Employee Benefits	\$ 2,720,801	\$ 2,996,922	\$276,121	10.15%
<b>Municipal Government Total</b>	<b>\$10,252,115</b>	<b>\$10,608,168</b>	<b>\$356,053</b>	<b>3.48%</b>

As we did last year, we believe it is important to commend all Municipal Departments, Boards, Committees and Commissions for their efforts in providing solid budgets that maintain services while keeping spending to an absolute minimum. When you take out the increase in Employee Benefit Costs, the overall Municipal Budget increased only \$79,932, or 1.07%, of which \$78,751 is for Step and Contractual Salary Increases. A 1.07% increase in spending is in line with our economic constraints, including reduced state aid.

The total Proposed Fiscal Year 2012 Proposed Operating Budget, including Regional School Assessments and excluded debt, is \$28,488,783 or an increase of 0.46%. When you take into consideration the proposed Capital Budget and additional appropriations raised on the recap sheet, the total proposed budget is \$29,351,837. The Fiscal Year 2011 Tax Rate has been certified at \$16.38. Based on the proposed Budget, the estimated Tax Rate in Fiscal Year 2012 is \$16.50, or an increase of \$0.12. In Fiscal Year 2011, the average Tax Bill in the Town of Groton (based on a home valued at \$400,000) is \$6,552. Under this proposed budget, that same homeowner can expect a tax bill of \$6,600 or an increase of \$48. The following chart shows a comparison between Fiscal Year 2011 and Fiscal Year 2012:

	<b><u>Actual FY 2011</u></b>	<b><u>Proposed FY 2012</u></b>	<b><u>Dollar Change</u></b>	<b><u>Percent Change</u></b>
Levy Limit	\$22,100,969	\$22,919,718	\$818,749	3.71%*
Tax Rate On Levy Limit	\$14.68	\$15.07	\$0.39	2.66%
Average Tax Bill	\$5,872	\$6,028	\$156	2.66%
Excluded Debt	\$2,558,668	\$2,173,295	\$(385,373)	-15.07%
Tax Rate On Excluded Debt	\$1.70	\$1.43	\$(0.27)	-15.89%
Average Tax Bill	\$680	\$572	\$(108.00)	-15.89%
Final Levy Limit	\$24,659,637	\$25,093,013	\$433,376	1.76%
Final Tax Rate	\$16.38	\$16.50	\$0.12	0.74%
Average Tax Bill	\$6,552	\$6,600	\$48	0.74%

I would like to take this opportunity to thank the Board of Selectmen and Finance Committee and all of the Departments, Boards, Committees and Commissions for their outstanding work and cooperation in assisting in the preparation of the Proposed Operating Budget. In addition, the outstanding support and cooperation by Superintendent of Schools Joseph Mastrocola and the Groton Dunstable Regional School District Committee was extremely important in developing a budget that allowed us to maintain services for our residents.

Respectfully submitted,

*Mark W. Haddad*  
Groton Town Manager