

Warrant, Summary, and Recommendations

TOWN OF GROTON



2015 FALL TOWN MEETING

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

Beginning Monday, October 19, 2015 @ 7:00 PM

Attention – Voters and Taxpayers

Please bring this Report to Town Meeting



Town Meeting Access for Voters with Disabilities

Parking – Universally accessible parking spaces are available in the parking lot in front of the Groton Dunstable Middle School South. There is a ramp providing access from the parking lot to the front door of the Middle School.

Wheelchair Accessible & Companion Seating – Wheelchair spaces, seating for people with mobility issues and companion seats are available in the center aisle on both sides of the auditorium.

Sign Language – A Sign Language Interpreter will be provided for the hearing impaired, upon request, at least one week prior to the meeting.

Speaking at Town Meeting – There will be volunteers available to bring hand-held microphones to voters who have mobility issues or cannot stand in line and wait at the microphones.

Restrooms – Accessible restrooms are available near the entrance to the auditorium.

Transportation to Town Meeting - The Council on Aging van will be available to Groton residents attending Town Meetings at no charge. All riders will be at the meeting prior to the start. However, the van will depart the school at 10 PM regardless of the status of the meeting. The van is wheelchair accessible. Your reservation can be made by calling the Senior Center at 978-448-1170. Seats will be filled on a first come, first serve basis.

Questions or concerns - If you or a member of your household has questions or would like to request a sign language interpreter, please contact ADA Coordinator Michelle Collette at Town Hall at 978 448-1105 at least one week before the Town Meeting.

**FALL TOWN MEETING WARRANT
OCTOBER 19, 2015**

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 nineteenth day of October, 2015 at Seven O'clock in the evening, to consider the following:

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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: *Recommendation Deferred Until Town Meeting*
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 2016 TOWN OPERATING BUDGET

To see if the Town will vote to amend the Fiscal Year 2016 Operating Budget as adopted under Article 8 of the April 27, 2015 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 2016, or to take any other action relative thereto.

**FINANCE COMMITTEE
BOARD OF SELECTMEN
TOWN MANAGER**

Board of Selectmen: *See Town Manager's Report in Back of Warrant for Recommendations*
Finance Committee: *See Town Manager's Report in Back of Warrant for Recommendations*

Summary: *The Fiscal Year 2016 Town Operating Budget was approved at the 2015 Spring Town Meeting in April, 2015. 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 2016 Operating Budget. Please see the Town Manager's Report contained in the back of this Warrant for an explanation outlining the 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 (6 In Favor, 1 Abstained – Pease)*

Summary: *The Fund has a balance of \$129,646. 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. 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 \$1.64 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: 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, 2015, or to take any other action relative thereto.

BOARD OF SELECTMEN

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

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 2016 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.*

ARTICLE 6: EXTEND FOUR CORNERS SEWER DISTRICT

To see if the Town will vote to extend the “Four Corners Sewer District”, as established by the vote under Article 12 of the 2015 Spring Town Meeting, to include the property shown on Groton Assessors’ Maps as Lot 120-2-40 and more particularly shown as Lot 1C-5 on the plan entitled “Rocky Hill Subdivision Lay Out Plan” by R. Wilson and Associates, dated April 20, 2005, a copy of which is on file in the Town Clerk’s Office, provided that all costs of designing, laying, and construction of the connection and any General Benefits Facility Charge are paid by the owner of the property benefited thereby, or to take any other action relative thereto.

BOARD OF SELECTMEN

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

Summary: *When the Spring Town Meeting voted to create the Four Corners Sewer District, it also approved funding for the submission of a MassWorks Development Grant to pay for the construction. During the compilation of the Town’s Grant Application, it was determined that adding a housing component would make the application more viable. To that end, the Town had previously approved a 55 and Older Development on the parcel referenced in this Warrant Article. Adding this parcel to the Four Corners Sewer District enhances the Town’s Grant application. The Developer of this Housing Development has agreed to pay all cost associated with adding this parcel to the District in a Public/Private Partnership that will also enhance the Town’s Grant Application. This article seeks to amend the original district by adding this parcel.*

ARTICLE 7: TRANSFER MONEY TO 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 2016 Water Department Operating Budget, or to take any other action relative thereto.

BOARD OF WATER COMMISSIONERS

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

Summary: *This Article requests funding from the Water Enterprise Fund Surplus to the Fiscal Year 2016 Water Department’s General Expense for Engineering Services related to the Electrical Upgrades and Pump and Motor Improvements at the Whitney Pond Well. The final amount needed will be presented to the Fall Town Meeting.*

ARTICLE 8: AMEND GROTON CENTER SEWER SYSTEM MAP

To see if the Town will vote to approve amendments to the plan entitled "Town of Groton Sewer System" showing the Groton Center Sewer System, which was established by a vote of the Special Town Meeting of February 6, 1989 under Article 7, which plan is referred to in section 190-3 of the Groton Code, or to take any other action relative thereto.

BOARD OF SEWER COMMISSIONERS

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

Summary: *This article is to approve minor changes/corrections to the Groton Center Sewer District Map that from time to time requires clarification. This article does not seek to add any new parcels to the District.*

ARTICLE 9: EXTEND SEWER SYSTEM TO INCLUDE 122 OLD AYER ROAD

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 Assessors' Lot 222-55 (122 Old Ayer Rd), such extension to be only for the exclusive use of the property currently shown on Groton Assessors' Maps as Lot 222-55, which is proposed to be used and occupied by Indian Hill Music, Inc., and on the condition that, and only for as long as said property is used as a music education and performance center by Indian Hill Music, Inc. or its successors or assigns; otherwise, the system extension shall terminate and be null and void; and provided that all costs of designing, laying, and construction of the extension and any associated connection and the cost of additional capacity and the proportionate share of any 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 SELECTMEN

Board of Selectmen: *Recommended (4 In Favor, 1 Abstained - Schulman)*
Finance Committee: *No Position*

Summary: *This article requests authorization from the Town Meeting to extend the Center Sewer System to include 122 Old Ayer Road in order to provide for Indian Hill Music's use. This extension, if approved, will provide sewer capacity for the exclusive use of Indian Hill Music. Should Indian Hill Music not relocate to this location, the extension of the Center Sewer System will be rescinded.*

ARTICLE 10: CENTRAL MASSACHUSETTS MOSQUITO CONTROL PROJECT

To see if the Town will vote to become a member of the Central Massachusetts Mosquito Control Project for a minimum of three (3) years, pursuant to Massachusetts General Laws Chapter 252, Section 5A, Chapter 583 of the Acts of 1973 and any other enabling authority, or take any other action relative thereto.

BOARD OF HEALTH

Board of Selectmen: *Recommended (2 In Favor, 1 Against – Petropoulos, 2 Abstained – Eliot, Schulman)*
Finance Committee: *Recommended (4 In Favor, 3 Against – Green, Robertson, Bacon)*

Summary: *The Central Massachusetts Mosquito Control Project (CMMCP) is a mosquito control project established by legislative act, Chapter 583 of the Acts of 1973. It operates under an assessment procedure and provides a year-round program of mosquito control in 39 cities and towns in both Middlesex and Worcester counties. Services offered include larval and adult mosquito surveillance, larval and adult mosquito control, public education, ditch cleaning and maintenance and research/control efficacy. The program is tailored to meet the specific needs of the member cities and towns, and residents can opt out of any part of the program. Spraying is done at residents' request. It is anticipated that the Town will be assessed an annual fee of \$73,000 on our Cherry Sheet for a minimum of three (3) years for a total of \$219,000.*

ARTICLE 11: AMEND SECTION 218-9 OF THE ZONING BYLAW

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

by striking out Section 218-9, Location of Districts, which reads as follows:

§218-9 Location of districts. Said districts are located and bounded as shown on a map entitled "Town of Groton, Massachusetts — Zoning Map," dated August 22, 2014, on file in the office of the Town Clerk. Said map, with the boundaries of the districts and all explanatory matter thereon, is hereby made a part of this chapter.

And inserting in its place:

§218-9 Location of districts. Said districts are located and bounded as shown on a map entitled "Town of Groton, Massachusetts — Zoning Map," as most recently amended by Town Meeting, on file in the office of the Town Clerk. Said map, with the boundaries of the districts and all explanatory matter thereon, is hereby made a part of this chapter.

or to take any other action relative thereto.

PLANNING BOARD

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

Summary: *The proposed amendment changes the reference to the Zoning Map by removing the revision date and by replacing it with, “as most recently amended by Town Meeting.” The Zoning Map is revised whenever a property is rezoned by a 2/3 vote of Town Meeting, so the reference to Town Meeting vote will be more accurate.*

ARTICLE 12: AMEND SECTION 218-23 OF THE ZONING BYLAW

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

by deleting Section 218-23, “Off-street Parking and Loading,” in its entirety and inserting in its place a new Section 218-23, “Off-street Parking and Loading,” a copy of which is on file in the office of the Town Clerk.

or to take any other action relative thereto.

PLANNING BOARD

Board of Selectmen: *Recommendation Deferred Until Town Meeting*

Finance Committee: *No Position*

Planning Board: *Recommendation Deferred Until Town Meeting*

Summary: *The proposed amendment is a result of the Comprehensive Master Plan, Phase II Implementation, non-residential zoning provisions. The amendment to the parking requirements establishes minimum and maximum number of parking spaces per use and gross floor area (GFA). The Planning Board will continue to have the ability to waive parking requirements based upon special circumstances.*

ARTICLE 13: AMEND THE ZONING BYLAW OF THE TOWN OF GROTON

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

by deleting item (2) of paragraph F in Section 218-25.1, “Personal Wireless Services Facilities,” which reads as follows:

(2) Any extension, addition of cells or construction of a new or a replacement personal wireless services facility or accessory structures, buildings or equipment shall require the issuance of a new special permit under this chapter or an amendment to a special permit previously issued under this Chapter.

And inserting in its place Items (2) and (3) to read as follows:

(2) Any extension in height of an existing tower, expansion of a base station, or construction of a new or a replacement personal wireless services tower shall require the issuance of a new special permit under this chapter or an amendment to a special permit previously issued under this chapter.

(3) Any eligible facilities request, defined in 47 U.S.C. Section 1455(a) as a request for modification of an existing wireless tower or base station that involves: (A) collocation of new transmission equipment; (B) removal of transmission equipment; or (C) replacement of transmission equipment; shall be subject to Minor Site Plan Review by the Land Use Director and Building Commissioner. (Refer to § 218-25C(1) Minor Site Plan Review.)

And by adding the word “Modifications” to the title of paragraph F, so that it reads as follows:

“Approval of special permit applications; Modifications.”

or to take any other action relative thereto.

PLANNING BOARD

Board of Selectmen: *Recommendation Deferred Until Town Meeting*

Finance Committee: *No Position*

Planning Board: *Recommendation Deferred Until Town Meeting*

Summary: *The proposed amendment will bring the Zoning Bylaw into compliance with the most recent amendment to the Federal Telecommunications Act of 1996 and applicable FCC regulations. Collocation and replacing equipment on an existing tower or within existing base stations will no longer require a special permit from the Planning Board. The changes will be subject to Minor Site Plan Review by the Land Use Director and Building Commissioner.*

ARTICLE 14: *AMEND THE ZONING BYLAW OF THE TOWN OF GROTON*

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

1. in Section 218-26, Flexible Development, by deleting item (1) of Paragraph D, Procedures, which reads as follows:

D. Procedures. Flexible development may be authorized upon the issuance of a special permit by the Planning Board. An application for flexible development shall be filed in accordance with the rules and regulations of the Planning Board.

(1) Where the flexible development is a subdivision of land, a development plan conforming to the requirements for a preliminary plan as set forth in the Subdivision Rules and Regulations of the Planning Board. Final engineering details regarding flexible development may be provided during the course of definitive plan review. In the event that the flexible development does not involve the subdivision of land, the development plan shall conform to the requirements for the applicable plan as set forth in such rules and regulations.

And by inserting in its place the following:

D. Procedures. Flexible development may be authorized upon the issuance of a special permit by the Planning Board. An application for flexible development shall be filed in accordance with the rules and regulations of the Planning Board.

(1) Where the flexible development is a subdivision of land, a development plan conforming to the requirements for a definitive plan as set forth in the Subdivision Rules and Regulations of the Planning Board shall be submitted to the Planning Board. The special permit application shall be submitted concurrently with the application for approval of a definitive plan. In the event that the flexible development does not involve the subdivision of land, the development plan shall conform to the requirements for a definitive plan as set forth in the Subdivision Rules and Regulations.

2. Adding the following items to Paragraph F of Section 218-26, Modification of lot requirements:

4) Lot frontage. The minimum frontage of any lot shall not be less than 40 ft.

5) Individual lot area. The minimum area of any individual lot shall not be less than 10,000 square feet.

or to take any other action relative thereto.

PLANNING BOARD

Board of Selectmen: *Recommendation Deferred Until Town Meeting*

Finance Committee: *No Position*

Planning Board: *Recommendation Deferred Until Town Meeting*

Summary: *The proposed amendment will change the submission requirements for special permits for Flexible Development plans. At the present time, special permit plans are submitted with preliminary subdivision plans. The amendment will require submission of special permit plans with definitive subdivision plans when more engineering data is available. The amendment also reestablishes minimum lot frontage and lot area requirements in Flexible Developments.*

ARTICLE 15: AMEND CHAPTER 196 "SIGNS" OF THE GROTON CODE

To see if the Town will vote to amend Chapter 196, "Signs," of the Town of Groton Code by deleting Chapter 196 in its entirety and inserting in its place a new Chapter 196, "Signs," a copy of which is on file in the office of the Town Clerk, or to take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen: *Recommended Unanimously*

Finance Committee: *No Position*

Sign Committee: *Recommended Unanimously*

Summary: *In 2010, Town Meeting amended Chapter 196 by completely overhauling the Sign Bylaw and providing a new bylaw that allowed greater flexibility for businesses and residents, while still maintaining the important qualities of the former Sign Bylaw. The new bylaw has been in existence for five years and has been very successful. That said, after a complete review of Chapter 196, the Sign Committee is recommending minor amendments to the Sign Bylaw to address issues that have arisen over the past five years with the implementation of the new bylaw. The Sign Committee will provide a complete report to the 2015 Fall 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 29th Day of September in the year of our Lord Two Thousand Fifteen.

John G. Petropoulos
John G. Petropoulos, Chairman

Anna Eliot
Anna Eliot, Vice Chairman

Stuart M. Schulman
Stuart M. Schulman, 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