

## **Explanation of Articles**

### **For Saturday, May 15, 2021 Annual Town Meeting**

Issued April 15<sup>th</sup>, 2021, Revised May 3<sup>rd</sup>, 2021

**Article 1 Town Reports:** This is a standard article to allow any Town Officer, Board, Commission, or Board to make a report on the floor of Town Meeting. It is anticipated this year that the Governance Committee will give a presentation on the Draft Town Charter and address questions, with no action proposed to be taken. In addition, an announcement will be made concerning the creation of a 350<sup>th</sup> Anniversary Celebration Committee.

**Article 2 Bills of Prior Fiscal Year:** This article is necessary to pay bills of prior fiscal years. This requires a 4/5ths vote at Town Meeting. The bills will be paid from free cash. This bill of a prior fiscal year was authorized to be paid at Annual Town Meeting of 2020, however, the State Department of Revenue ultimately rejected the appropriation because of the emergency legislation that moved Town Meeting and allowed some free cash appropriations did not extend to acting on bills of prior years at such a meeting.

#### **The Board of Selectmen and Advisory Board Recommend this Article**

**Article 3 Water Enterprise Fund Transfer:** This article will transfer \$20,000 of free cash into the Water Enterprise Fund to replenish their Emergency Repair/Expense fund. The transfer is necessary to replenish this fund which will be depleted by the end of the present fiscal year.

#### **The Board of Selectmen and Advisory Board Recommend this Article**

**Article 4 Stipend for Elected Officials:** This article is required to set the stipend of elected officials. There is no change except for the Town Clerk's stipend because the Town Clerk is an elected employee of the Town. The proposal would increase the Town Clerk's salary by 2% as is proposed for other town employees.

#### **The Board of Selectmen and Advisory Board Recommend this Article**

**Article 5 Annual Operating Budget:** The most significant changes in this year's budget on the municipal side include reductions in debt service due to excluded debt being retired, an increase due to a reassessment of pension program costs imposed by the County retirement system (\$74,196), additional funding for the fire department mostly for station and on-call coverage (\$16,887), the remaining funding needed to fund the Town Administrator's contract at the 30 hour a week support level (\$15,000), budget increases for a 9<sup>th</sup> police officer (\$125,000), increased requirements for landfill monitoring costs (\$8,000), Town Account support (\$10,000), reductions in expenses for Lowell Technical High School assessments (\$40,874), and additional funding for the Dunstable-Groton School District (\$524,998).

The budget expenses related to the 9<sup>th</sup> police officer are proposed as an override in this budget and are subject to both approval at Town Meeting and at the ballot on May 18, 2021. A detailed budget document will be added to the Town website and linked here in the next few days.

New and existing revenues were insufficient to fund a 9<sup>th</sup> police officer (thus the override) and to support services within the School District, therefore, it is put forth to increase the use of free cash in the FY22 budget to support what is otherwise level services for the Town and the Groton-Dunstable

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School Department request (see Article 6 on free cash usage in the budget). To do this the Town shifted free cash use away from one-time capital expenses and proposes to address those capital expenses through limited borrowings/debt exclusions (see Articles 8 & 9 below). Because the Town has debt retiring in FY21, adding these new debt obligations would have a neutral effect on the tax rate.

The override request to support the 9<sup>th</sup> officer would add \$125,000 to the tax levy. This would have a annual financial impact on the typically assessed residential single family property of \$102 annually (based on the average assessed value of \$490,000).

### **Town Meeting Free Cash Summary**

Starting Balance of Free Cash was \$763,086.

\$65,000 was appropriated at Special Town Meeting in January 2021 for Route 113 Project

This left the Town with \$698,086 going into Annual Town Meeting.

Other proposed appropriations are as follow:

\$455.00 Bill of Prior Year (Water System)

\$15,000 Stormwater Management Compliance

\$20,000 Transfer to Water Enterprise Fund

\$15,000 Route 113 "Article 97" Mitigation Fund (if needed)

\$62,202 for Groton-Dunstable School Capital Assessment

\$456,342 toward Operating Budget Subsidy

This leaves \$127,087 of Free Cash unused, an amount would still need to be subtracted for the Library Roof

### **The Board of Selectmen and Advisory Board Recommend this Article**

**Article 6 Free Cash Subsidy for Annual Operating Budget:** This article is necessary to appropriate free cash to subsidize the Fiscal Year 2022 operating budget. The free cash appropriation is proposed at \$456,342.

### **The Board of Selectmen and Advisory Board Recommend this Article**

**Article 7 Revolving Fund Amounts:** This article is necessary to set expenditure limits for the Town's revolving funds for Fiscal Year 2022. No changes in appropriation level are changed from the current Fiscal Year. Note: The "Transfer Station" appropriation is for the Town's subscription trash collection program. The reference to Transfer Station is based on what it is called in the bylaw.

### **The Board of Selectmen and Advisory Board Recommend this Article**

**Article 8 Borrowing for Road Department Loader Replacement:** This article will authorize the borrowing of \$154,500 of to replace the Town's 2006 John Deere Loader. This is the cost of replacement after trade-in of the existing loader. The loader is scheduled to be replaced because it is a front-line piece of equipment that supports winter operations that should be replaced due to its current age, condition,

and usage. Keeping the loader longer poses a greater risk that the Town will have this equipment out of service with the need for expensive repairs. The borrowing will be accomplished over a 4-year period at an interest rate of approximately ½%. This is also contingent on a debt exclusion on the ballot being approved by the voters. The debt service would have a financial impact of \$34.30 on the typically assessed single family residential property, however, in this case, the new debt would replace existing debt that is being retired and therefore, the financial impact of approving this change is at least neutral for the coming fiscal year.

**The Board of Selectmen and Advisory Board Recommend this Article**

**Article 9 Borrowing for Fire Department Rescue Truck Replacement:** This article would provide for the replacement of the Fire Department's existing 1999 Rescue Truck. The existing truck is not optimally set up to hold rescue equipment, the truck is aged, although it has relatively low miles. The new truck would be designed to serve as a Rescue Truck and would also replace the Town's existing Breathing Apparatus Compressor (currently a separate piece of equipment in the fire house that needs to be replaced). The cost of replacement is \$190,000. The borrowing would be accomplished over a 4-year period at an interest rate of approximately ½%. This is also contingent on a debt exclusion being approved by the voters. The debt service would have a financial impact of \$39.20 on the typically assessed single family residential property, however, in this case, the new debt would replace existing debt that is being retired and therefore, the financial impact of approving this change is at least neutral for the coming fiscal year.

**The Board of Selectmen and Advisory Board Recommend this Article**

**Article 10 Stormwater Permit Compliance:** This article would appropriate \$15,000 into the Town's Stormwater Management compliance fund. These expenses will pay for stormwater structure inspection fees, permit reporting, and preliminary expenses associated with identifying retrofit opportunities over the next couple fiscal years. These activities are required of the Town as a condition of its Environmental Protection Agency permit.

**The Board of Selectmen and Advisory Board Recommend this Article**

**Article 11 Library Roof Repair/Replacement:** This article would appropriate \$15,000 of free cash to address the library roof. Details regarding the scope of work are being updated by the Trustees. This need was identified at Annual Town Meeting 2020 but was tabled pending confirmation of the scope of work and estimate. One estimate recently received is \$42,600.

**The Board of Selectmen and Advisory Board Defer their Position on this Article Pending More Information**

**Article 12 Groton Dunstable School Capital Appropriation:** This article would appropriate \$64,202 of free cash to fund Dunstable's assessment of the capital projects for the Groton-Dunstable Regional School District. This amount supports the following capital projects:

Description	Project Cost		
	Groton	Dunstable	
MSN HVAC Controls Systems	\$20,000	\$15,526	\$4,474
Replacement of Maintenance Vehicle			
District-Wide Furniture Replacement			
Windows			
SU Replacement of Doors			
Replacement of Windows			
Student Chromebook Lease	\$97,500	\$75,230	\$22,270
Teacher Device Lease	\$50,000	\$38,580	\$11,420
Lab Computer Lease	\$8,500	\$6,559	\$1,941
iPad Lease	\$15,500	\$11,960	\$3,540
Field Repair	\$10,000	\$7,716	\$2,284
Natural Grass Renovations	\$10,000	\$7,716	\$2,284
Door Replacement/Repairs	\$10,000	\$7,716	\$2,284
Fence			
Roof Recoat			
Lawn Mowers	\$60,000	\$46,296	\$13,704
Well Pump			
CPC - Exterior Painting of Swallow Union			
Totals	\$281,500	\$217,298	\$64,202

**The Board of Selectmen and Advisory Board Recommend this Article**

**Article 13 Community Preservation Act (CPA) Administrative Article:** This article is required to address the allocations of funding available from the Community Preservation Act surcharge. The article also provides for allocations to the Administrative, Historic, Community Housing, and Open Space categories as well as the debt for the Ferrari property. The remaining funds will stay in an Undesignated category which can be used toward any of the categories at the discretion of Community Preservation Committee subject to Town Meeting.

The estimated amount of receipts to be appropriated for FY22 is \$400,000 from the local surcharge and State Match. Ten percent is required to be put in each of the Historic, Community Housing, and Open Space/Recreation funds – that is \$40,000 each. Five percent is required to be put in the Administrative Fund – that is \$20,000. Approximately, \$97,000 needs to be appropriated to pay for the principal and interest on the Ferrari land purchase payment. The remaining amount will be appropriated into the Undesignated Fund.

**The Board of Selectmen and Advisory Board Recommend this Article**

**Article 14 CPA McCloon House Appropriation:** This article would appropriate the sum of \$100,000 to be granted to the Dunstable Rural Land Trust for historical preservation work that was completed at the McCloon House at 59 Main Street. Dunstable Rural Land Trust is a non-profit and is therefore eligible to receive a grant of Community Preservation Act funding for historical preservation purposes. In order to make the project eligible for the grant, the Trust must execute a historical preservation restriction on the property in favor of the Town to protect the integrity of this historical resource. If the appropriation is approved at Town Meeting, then the Trust, the Selectmen, and Community Preservation Committee must enter into a grantee agreement that addresses specific parameters. A draft of that agreement can be found here:

<https://www.dunstable-ma.gov/town-meeting/pages/may-2021-annual-town-meeting>

**The Board of Selectmen and Advisory Board Recommend this Article**

**Article 15 CPA High School Stadium Appropriation:** This article would appropriate \$74,268 toward restoration and renovation of the High School Stadium including:

The GDRSD Natural Field Restoration application includes a total replacement and restoration of the stadium high school natural turf field and resolves tree overgrowth at the high school softball field to address the wet field preventing the use of the field.

Project Budget:

- \$275,000 GDRHS Natural Turf Field Restoration
- \$10,000 Fencing

The softball field at the high school has been unusable or cost of the Spring sports season for the past few years. The tree overgrowth does permit enough sunlight to melt snow and dry the field in one corner of the outfield. Contracting with a tree service will expose the field to more sunlight and render the field safe for play.

- \$10,000 Tree Contractor
- \$29,500 Project Contingency 10%

Equipment to maintain GDRSD natural turf fields will be funded with a portion of the GD@Play donation and the remainder will be utilized towards project restoration cost of the GDRHS Stadium Field.

- \$80,000 Equipment (itemized below)
  - \$20,000 Lineal Aerator
  - \$40,000 50 HP Tractor
  - \$10,000 Core Aerator
  - \$10,000 Top Dresser

In summary the total estimated cost of the GDRSD Natural Fields Restoration Plan is \$404,500

-\$100,000 GD@Play Donation

\$304,500 total funds needed

Groton CPC \$230,232

**Dunstable CPC \$74,268**

**The Board of Selectmen Recommends this Article. The Advisory Board Will Defer Their Recommendation on this Article Pending More Information at Town Meeting**

**Article 16 Town Center Overlay District Adoption:** Dunstable Town Center was recognized in 2018 by the U.S. Department of the Interior as a National Register District for its outstanding collection of historic houses, outbuildings, and civic buildings.

Adopting the Town Center District (TCD) will allow for some small, well controlled changes in the Town Center. With the addition of design guidelines, any new uses allowed by this bylaw will be reviewed through the special permit process prior to any modifications to ensure continuity of design and will provide more protection to our Town Center buildings than we have presently.

Establishing a Town Center District is recommended in both the Dunstable Master Plan and the Rt. 113 Corridor Market Analysis. Encouraging a limited amount of commercial and residential development will offer homeowners and potential home buyers in the TCD new opportunities to invest in the preservation and maintenance of their property and our historic Town Center. It will also help to revitalize the downtown area into a place where people are able to gather and socialize.

We cannot, nor should we want to, keep the Town Center frozen in time. Preservation is best achieved through active usage, not stagnancy.

**The Board of Selectmen, Planning Board, and Advisory Board Recommend this Article**

**Article 17 Various Zoning Bylaw Amendments:** Amending the Zoning Bylaw by eliminating existing Section 6.7.9 which was left blank, renumbering, by removing the word “existing (single family dwellings)” from the Bed and Breakfast establishment section to allow new homes to have a B&B, by removing the serving of only breakfast from Bed and Breakfast establishments allowing for meals to be served to guests, and by removing the sentence that alcohol is prohibited from being served to guests. In Section 20. Definitions, add new 20.4 “Boarding House. See Rooming House”.

**The Board of Selectmen, Planning Board, and Advisory Board Recommend this Article**

**Article 18 Community Housing Zoning Bylaw Amendment:** This amendment makes clear the method by which fractional numbers of units in a subdivision are calculated and includes the option to allow, in those circumstances, the Affordable Housing set aside to be paid as a fee in lieu of providing a housing unit that is restricted as affordable. Any payments made under this section will be added to the Affordable Housing Trust Fund for the benefit of future Affordable Housing needs.

**The Board of Selectmen, Planning Board, and Advisory Board Recommend this Article**

**Article 19 Re-adoption of B-2 Zoning District Map:** This article will replace the Zoning Map for the B-2 Service Business District to one that is clearer. There are no changes to the boundaries of the District.

**The Board of Selectmen, Planning Board, and Advisory Board Recommend this Article**

**Article 20 Re-adoption of Solar Energy Overlay District Map:** This article will replace the Zoning Map for Section 32. Solar Energy Overlay District to one that is clearer. There are no changes to the boundaries of the District.

**The Board of Selectmen, Planning Board, and Advisory Board Recommend this Article**

**Article 21 Extension of Growth Limitations under Zoning Bylaw:** Section 11.8 changing the growth rate limitation lapse date in subsection 11.8.1 from May 10, 2021 to May 12, 2031 to allow the town some control on the number of homes being built in any one year.

**The Board of Selectmen, Planning Board, and Advisory Board Recommend this Article**

**Article 22 Advisory Board Bylaw Amendment:** This amendment to the Advisory Board bylaw would allow the Board to meet with a reduced quorum of three members in instances where there are temporary vacancies that need to be filled. The quorum requirement of four members has been difficult to meet during temporary vacancies but the Board is required to meet jointly with the Selectmen during such circumstances to vote to fill the temporary vacancy.

**The Board of Selectmen and Advisory Board Recommend this Article**

**Article 23 Adoption of Stormwater Management Bylaw on Erosion Control/Post Construction Requirements:** This bylaw amendment is a requirement of our Federal Stormwater permit to address erosion control and post construction conditions of new development in stormwater control areas. More information will be provided in the near future on this article.

**The Board of Selectmen and Advisory Board Recommend this Article**

**Article 24 “Drew” Property Acquisition:** The Town proposes to purchase a portion of Assessor’s Parcel 12-116-0, containing 1 acre, more or less, shown on a sketch plan labeled “Drew Property” on file with the Town Clerk. The property is being purchased to create a needed trail access and already established parking area for the abutting 48-acre Emery Woods property currently owned by the Town. The price is \$27,500, which is based on an appraisal of this parcel as of March 10, 2017. The funds will be paid from the Town’s Timber Fund. A link to the plan is here:

[https://www.dunstable-ma.gov/sites/g/files/vyhlif4361/f/uploads/drew\\_plan.pdf](https://www.dunstable-ma.gov/sites/g/files/vyhlif4361/f/uploads/drew_plan.pdf)

The purchase of the property will also serve as the needed substitution of land by the Town for impacts from the Route 113 Project and possible adjustment of land at the Town Common between the Town and the Evangelical Church.

**The Board of Selectmen and Advisory Board Recommend this Article**

**Article 25 Timber Fund Transfer:** This article would transfer the remaining balance (approximately \$17,330 at the time of writing) of the Town’s Timber Fund into the Conservation Fund. Conservation Funds can be spent without further Town Meeting approval.

**The Board of Selectmen and Advisory Board Recommend this Article**

**Article 26 Chapter 90 Appropriation:** This article is required annually as a housekeeping measure to address the Town’s use of its Chapter 90 funds which are primarily designated to address road maintenance. The Town anticipates receiving approximately \$185,000 in Chapter 90 Funds for Fiscal Year 2022.

**The Board of Selectmen and Advisory Board Recommend this Article**

**Article 27 Route 113 “Layout”:** This article is necessary to accept a portion of Main Street to as an official public way to support the Route 113 project. Although the Town has record of this being a public way already, because the Route 113 project is being paid for with Federal Highway Administration funding they are requiring a different form of acceptance pursuant to their regulations, this includes the vote by the Roads Commission and Town Meeting. A link to the layout plans can be found here:

[https://www.dunstable-ma.gov/sites/g/files/vyhlf4361/f/uploads/608603\\_lo2021\\_layoutplan\\_-\\_town\\_submission.pdf](https://www.dunstable-ma.gov/sites/g/files/vyhlf4361/f/uploads/608603_lo2021_layoutplan_-_town_submission.pdf)

[https://www.dunstable-ma.gov/sites/g/files/vyhlf4361/f/uploads/608603\\_easeementplans\\_-\\_town\\_submission.pdf](https://www.dunstable-ma.gov/sites/g/files/vyhlf4361/f/uploads/608603_easeementplans_-_town_submission.pdf)

**The Board of Selectmen and Advisory Board Recommend this Article**

**Article 28 Article 97 Mitigation:** The Route 113 Project will have an impact on small segments of property along the corridor that are specially protected by Statute known as “Article 97”. In addition, Town Meeting previously enabled the partial transfer of property rights (approximately 8,000 sf) at the Town Common from the Town to the Evangelical Church by sale, license, lease, or easement. Although this has not yet occurred, this also considered an Article 97 impact. Article 24 of this Town Meeting Warrant is intended to address both Article 97 impacts, however, if Article 24 does not pass, the Town will still need to address Article 97 impacts so that at least the Route 113 Project can move forward (time critical). If needed, under Article 28, the Town would seek to appropriate a sum of money (being determined) to an Article 97 Impact Fund.

**The Board of Selectmen and Advisory Board Recommend this Article**

**Article 29 Bear Hill Road:** This was a previously approved subdivision that has been completed. The Town needs to accept the road as a public way so that it can provide services and count the road in its inventory for the purposes of receiving State Chapter 90 Road Aid money.

**The Board of Selectmen and Advisory Board Recommend this Article**

**Article 30 Town Clerk position change:** The Governance Committee has been meeting and will be socializing a draft Charter to address aspects of the form of government. One of their recommendations is to convert the Town Clerk position from elected to appointed. However, the Clerk’s term expires in May of 2022 and the Board of Selectmen would like to address this legislative change before the expiration of the term so that the next Town Clerk can be appointed. If Town Meeting approves this article and the legislature approves the change, there will be no effect on the current Town Clerk’s term of office. It is only the next Town Clerk that will be appointed. The Town Clerk’s position is the last elected department head position in the Town.

**The Board of Selectmen and Advisory Board Recommend this Article**