



Town of Littleton, Massachusetts
TOWN MEETING REPORT

VOTER INFORMATION

Please bring this with you to the
NOVEMBER 12, 2014
SPECIAL TOWN MEETING

Wednesday, November 12, 2014 at 7:00 PM
Charles Forbes Kaye Gymnasium
Littleton Middle School
55 Russell Street, Littleton, MA 01460

TOWN OF LITTLETON, MASSACHUSETTS

This Town Meeting Report is prepared by the

Office of the Board of Selectmen/Town Administrator
Town of Littleton
Littleton Town Offices
37 Shattuck Street
Littleton, MA 01460

Keith A. Bergman, Town Administrator
Bonnie Holston, Assistant Town Administrator for Finance and Budget

More information is available online at www.littletonma.org

NOVEMBER 12, 2014

SPECIAL TOWN MEETING

ARTICLES

[Financial Articles]

1. Bills of Prior Years *[9/10ths vote required]*
2. FY 2015 Budget Amendments
3. Supplemental FY 2015 Capital Items from Available Funds
 - A. Master Plan Update – supplemental
 - B. Elder & Human Services Needs Assessment
 - C. Fuel Facility Replacement
4. Property Tax Deferral for Seniors
5. Amend FY 2015 Personal Exemption Amounts
6. Appropriation into Community Preservation Fund Recreation Reserve
7. Turf Fields Design - *voter petition*
8. Tax Increment Financing – 3 Distribution Center Circle
9. Amend FY 2015 Revolving Funds: Dog By-law Enforcement

[Other Articles]

10. Town By-law Amendment: Community Preservation Committee
11. Town By-law Amendment: Finance Committee Eligibility Requirements
12. Town By-law Amendment: Boards, Appointed - Residency Requirement
13. Town By-law Amendment: Boards, Appointed – Removal
14. Road Acceptances: New Estate Road and Nagog Hill Road

TOWN OF LITTLETON, MASSACHUSETTS

To the Voters of Littleton:

The Board of Selectmen and its Study Committee to Increase Voter Participation had developed recommendations based on community input, research and other information to improve voter participation in the Town of Littleton.

The Board of Selectmen has continued the practice—as recommended by the Study Committee-- to order articles in the town meeting warrant so that financial articles come first, followed by those requiring a supermajority vote, with all other articles (including routine authorizations and reauthorizations) coming last.

Town Code §41-3. *Town Meeting Report*, was amended by the November 14, 2012 Special Town Meeting and provides that

For every annual and special town meeting, the Board of Selectmen shall mail to each occupied dwelling at least fourteen (14) days prior to said meeting a Town Meeting Report containing the full text of the articles as posted in the warrant; proposed motions and town board recommendations, if any; and concise explanations of each article, including the fiscal impact of any financial articles. The Town Meeting Report for the annual town meeting shall include the Finance Committee's report to the voters

Accordingly, here is the format in which information for each article is presented in this Report:

| |
|---------------------------------|
| ARTICLE # |
| Article Sponsor/Inserter |
| Title of the Article |

Full text of the warrant article as printed in the Town Meeting warrant, as posted.

[Brief explanation of the article.]

Motion proposed by the sponsor, as reviewed by Town Counsel.

Recommendations of Town Boards.

The Board of Selectmen welcomes your feedback about this publication.

— Littleton Board of Selectmen
Joseph Knox, Chairman
James F. Karr
Alexander S. McCurdy
Melissa Hebert
Paul J. Avella

Summary of Fiscal Impact of Financial Articles

The table below lists the titles of all articles in the November 4, 2013 Special Town Meeting warrant, with a **dollar amount** following the title of each of the financial articles.

1. Bills of Prior Years - **\$315**
2. FY 2015 Budget Amendments
3. Supplemental FY 2015 Capital Items from Available Funds
 - A. Master Plan Update – supplemental **\$13,612**
 - B. Elder & Human Services Needs Assessment - **\$35,000**
 - C. Fuel Facility Replacement - **\$248,388**
4. Property Tax Deferral for Seniors
5. Amend FY 2015 Personal Exemption Amounts
6. Appropriation into Community Preservation Fund Recreation Reserve
7. Turf Fields Design - *voter petition*
8. Tax Increment Financing – 3 Distribution Center Circle
9. Amend FY 2015 Revolving Funds: Dog By-law Enforcement

Article 2 moves a total of \$61,068 between line items in the FY 2015 operating budget, resulting in no net increase or decrease in the budget's bottom line.

There is \$297,352 available from the unexpended reserve for snow and ice expenses for one-time (i.e., non-operating budget) expenditures by the November 12, 2014 Special Town Meeting. The total snow & ice budget for last year was \$650,000-- \$200,000 from the May 2013 town meeting appropriation for FY 2014; and \$450,000 from the reserve for deficit in FY 2015. As fiscal year's end, June 30, 2014, the Town had expended \$414,720 of that \$650,000 total. After deducting \$62,072 in FEMA reimbursements for snowstorms, a balance of \$297,352 remains to be expended. That \$297,352 balance is proposed to be spent on one-time expenditures in Article 3 for update of the Town's master plan, elder and human services needs assessment, and replacement of the shared fuel facility at 39 Ayer Road.

Amendments to the Community Preservation Act which allow the Town to make local appropriations into the CPA fund to increase the base for state matching funds were adopted by Littleton voters at the November 4, 2013 Special Town Meeting and May 10, 2014 Annual Town Election. The November 12, 2014 Special Town Meeting will be the first opportunity to add local funds to the CPA Fund. Article 6 proposes to appropriate \$200,000 in Fifteen Great Road mitigation funds into the CPA fund for active recreation purposes, for which additional CPA state matching funds are projected to be between \$50,000 and \$70,000.

Article 7 is a voter petitioned article which seeks \$200,000 for turf fields design. The amount moved in the motion is expected to reflect forthcoming recommendations from the Permanent Municipal Building Committee and the Community Preservation Committee. The petitioners are seeking design funding now in order to be able to have bids in hand in May 2015, when they intend to submit a further funding request for construction funding, which is estimated at between \$1.4- and \$2-million.



TOWN OF LITTLETON, MASSACHUSETTS

November 12, 2014 Special Town Meeting

7:00 p.m. *Charles Forbes Kaye Gymnasium, Littleton Middle School*

ARTICLE 1

Board of Selectmen

Bills of Prior Years

[9/10ths vote required]

To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money to pay unpaid bills from prior fiscal years, or to take any other action in relation thereto.

[Article 1 is to pay bills from prior fiscal years, if there are any to be paid.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to raise and appropriate the sum of \$315 to pay the following unpaid bills from prior fiscal years:

| <u>Vendor</u> | <u>Dept.</u> | <u>Amount</u> | <u>Fiscal Year</u> |
|---------------|------------------|---------------|--------------------|
| FX Electric | Public Buildings | \$315 | FY 2014 |

Finance Committee, Board of Selectmen support Article 1.

ARTICLE 2

Board of Selectmen

FY 2015 Budget Amendments

To see if the Town will vote to amend the FY 2015 Operating Budget, as adopted pursuant to Article 4 of the May 5, 2014 Annual Town Meeting, by adjusting budget line items, or to take any other action in relation thereto.

[Article 2 makes adjustments to the Fiscal Year 2015 budget by moving a total of \$61,068 between line items. There is no net increase or decrease in the total budget as a result:

[Line 194 – *decrease of \$61,068*, which reflects the 2% discount provided by Middlesex Retirement as a result of the Town paying in full this past July its retirement assessment due.

[Line 210 – *increase of \$10,000* is requested to fund an unanticipated increase in 911 Dispatch Overtime as a result of a number of staffing turnovers due to resignations. 911 Dispatch Operators must be backfilled when there are vacant shifts in order to provide uninterrupted 24/7 emergency response.

[Line 541 – *increase of \$16,068*, which reflects the portion (10 hrs/weekly) of the Director of Elder & Human Services Director's salary previously paid from the MART revolving account. Those revolving funds will be needed to support regional transportation services for the MART program, and moving the full Director Salary to be paid from the General Fund will accomplish that. No staffing levels are changed by this adjustment.

[Line 543 – *increase of \$35,000* is requested in order to adjust the budget to reflect the increased caseload and actual benefit levels for clients of the Veteran's Agent. For FY2014 the actual benefits paid under this line item totaled \$73,316.]

TOWN OF LITTLETON, MASSACHUSETTS

Motion: Moved and seconded by the Board of Selectmen that the Town vote to amend the FY 2014 Operating Budget, as adopted pursuant to Article 4 of the May 5, 2014 Annual Town Meeting, by adjusting budget line items, as follows:

| Budget | Line Item | FY 2015 | | FY 2015 |
|---------------|------------------------------------|---------------------|-------------------|---------------------|
| | | Budget | Adjustment | Adjusted |
| 194 | Employee/Retiree Benefits Expenses | \$5,787,547 | -\$61,068 | \$5,726,395 |
| 210 | Police/Dispatch Wages | 1,618,463 | +10,000 | 1,628,463 |
| 541 | Elder & Human Services Wages | 89,015 | +16,068 | 105,083 |
| 543 | Veteran Benefits | <u>35,000</u> | <u>+35,000</u> | <u>70,000</u> |
| TOTAL | Appropriated Budgets | \$35,902,206 | \$0 | \$35,902,206 |

Finance Committee, Board of Selectmen support Article 2.

ARTICLE 3
Board of Selectmen
Supplemental FY 2015 Capital Items from Available Funds

To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money to be expended by the respective Departments or Officers indicated, for the capital projects and purchases itemized and described, or to take any other action in relation thereto.

A. Master Plan Update - \$50,000, to increase from \$100,000 to \$150,000 the amount appropriated under Article 7, Item VI-C of the May 5, 2014 Annual Town Meeting, to be expended by the Planning Board to update the Town's Master Plan.

B. Elder & Human Services Needs Assessment – \$35,000 to be expended under the direction of the Director of Elder and Human Services to conduct an elder and human services needs assessment.

C. Fuel Facility Replacement – \$212,000 to replace the fuel facility at 39 Ayer Road.

[Article 3 funds three one-time expenses totaling \$297,000, using funds not needed to cover last year's snow and ice expenses. The amounts in the article are adjusted as follows:

[Master Plan Update – an additional \$13,612 would be appropriated for updating the master plan, to address one of the Board of Selectmen's top goals. The Selectmen and Planning Board have established a 12-member Master Plan Update Steering Committee to assist the Planning Board, including preparation of a review/critique of the 2002 master plan document and a proposed scope of services for the update.

[Elder/Human Services Needs Assessment – Another Selectmen's goal is to increase/improve elder and human services. In order to identify the most pressing needs and devise plans to meet them, \$35,000 is requested to undertake a needs assessment. This includes compiling a demographic review of the town's older population, creating and executing a survey of needs, and preparing a set of recommendations on areas in most need of being addressed.

[Fuel Facility Replacement - \$248,388 is requested, to augment \$300,000 from the Electric Light Commissioners, for a total project cost of is \$548,388. needed to replace the 30-year old fueling facility shared by the Town and LELWD at 39 Ayer Road. The new facility will be outfitted with above ground steel double wall tanks, a canopy with fire suppression, computer controlled fuel access, electronic tank inventory monitoring and fuel accounting software. The fuel facility will also be on emergency power generation, so the town can maintain fuel access during extended emergency situations.]

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Motion: Moved and seconded by the Board of Selectmen that the Town vote to raise and appropriate the sum of \$297,000 to fund the projects listed in Article 3 as follows: Master Plan Update, \$13,612; Elder & Human Services Needs Assessment, \$35,000; and Fuel Facility Replacement, \$248,388.

Finance Committee, Board of Selectmen, Planning Board, Council on Aging support Article 3.

ARTICLE 4
Board of Selectmen / Council on Aging
Property Tax Deferral for Seniors

To see if the Town will vote to increase the gross receipts that seniors may have in the prior calendar year to be eligible to defer property taxes under G.L. c. 59 § 5, Clause 41A from \$20,000 to \$55,000 (100% of the amount established annually by the Commissioner of Revenue as the income limit for single seniors who are not heads of households to qualify for the “circuit breaker” state income tax credit for the preceding state tax year), with such increase to be effective for deferrals granted for taxes assessed for the fiscal year beginning on July 1, 2014; and further, to vote to reduce the rate of interest that accrues on property taxes deferred by eligible seniors under G.L. c. 59, § 5, Clause 41A from 8% to 1%, with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2014. If the property is transferred or the taxpayer dies before the account is paid, however, interest accrues at the 16% per year rate provided in G.L. c. 60, § 62 for ordinary tax title accounts from twelve months after the date of sale or death until payment is made; or to take any other action in relation thereto.

[Article 4 increases income eligibility from \$20,000 to \$50,000, and decreases the interest rate from 8% to 1%, for the program allowing qualifying senior citizens to defer property taxes. The Tax Deferral Program allows qualifying elderly to defer payment of property taxes (up to 50% of a home's value). Owed taxes will be repaid, with interest, at the time the property is sold. The Town is being asked to raise the income limit from \$20,000 to \$50,000 and to reduce the interest from 8% to 1%. The estimated annual cost of \$35,000 would ultimately be repaid in full, at 1% interest. This change would become effective as of July 1, 2015.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 4 as printed in the warrant, with the following change: “July 1, 2014” to read “July 1, 2015.”

Finance Committee, Board of Selectmen, Council on Aging support Article 4.

ARTICLE 5
Board of Selectmen
Amend FY 2015 Personal Exemption Amounts

To see if the Town will vote to amend its vote under Article 23 of the May 5, 2014 Annual Town Meeting to increase the personal exemption amounts therein from twenty percent (20%) to fifty percent (50%), so that said article reads as follows: “to accept Chapter 73 of the Acts and Resolves of 1986, as amended by Chapter 126 of the Acts and Resolves of 1988, and under the provisions thereof to grant additional real estate tax exemptions for fiscal year 2015 to those persons who otherwise qualify for an exemption under Clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37A or 41C of section 5 of Chapter 59 of the General Laws (elderly persons, disabled veterans, or blind persons), in an amount equal to twenty fifty percent (2050%) of said exemption,” or to take any other action in relation thereto.

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[Article 5 increases from 20% to 50% the personal exemption amounts for qualifying elderly persons, disabled veterans, and blind persons. The Town has previously voted annually, since 2001, to grant an additional 20%. The estimated impact of increasing these exemption limits is \$9,025 annually to the allowance for abatement accounts, and has been determined to be manageable based on prior year activity.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 5 as printed in the warrant.

Finance Committee, Board of Selectmen, Council on Aging support Article 5.

ARTICLE 6

Board of Selectmen / Planning Board

Appropriation into Community Preservation Fund Recreation Reserve

To see if the Town will vote, pursuant to MGL C.44B,§3b½, to appropriate/transfer to the Community Preservation Fund Recreation Reserve the following sums totaling \$200,000 for active recreation purposes, which appropriations also increase the base for CPA state matching funds:

- (1) the sum of \$100,000 from The Orchards Subdivision Mitigation Reserve for Appropriation, said sum having been donated by the developer of The Orchards subdivision as an alternative means of addressing the Planning Board's concerns regarding the nature of the open space associated with the Orchards development; and
- (2) the sum of \$100,000 from the Fifteen Great Road Mitigation Reserve for Appropriation, said sum having been donated by the developer of the Village Green development at 15 Great Road; or to take any other action in relation thereto.

[Amendments to the Community Preservation Act-- which allow the Town to make local appropriations into the CPA fund to increase the base for state matching funds-- were adopted by Littleton voters at the November 4, 2013 Special Town Meeting and May 10, 2014 Annual Town Election. Article 6 proposes to appropriate into the CPA fund for recreation purposes some \$200,000 in mitigation funds from the developer of 15 Great Road. The resulting additional CPA state matching funds are projected to be between \$50,000 (if 25%) and \$70,000 (if 35%). The first \$100,000, from a payment made on April 11, 2013, is restricted to active recreation use. The second \$100,000 is from a total payment of \$250,000 made on January 30, 2014 which had no use restrictions.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 6 as printed in the warrant.

Finance Committee, Board of Selectmen, Planning Board support Article 6.

ARTICLE 7

Voter Petition

Turf Fields Design

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow the sum of \$200,000 to be expended by the Permanent Municipal Building Committee, as directed by Town Meeting, for the purpose of funding the design construction of two turf fields at the Littleton High School and the Alumni Field; or to take any other action in relation thereto.

[Article 7 is a petitioned article requested by more than 100 registered voters. The amount in the motion will reflect the Permanent Municipal Building Committee's review of proposals

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received from two engineering firms: Gale Associates' was \$89,005; Green International's, \$192,500. A funding request is pending before the Community Preservation Committee, whose favorable recommendation is required for town meeting to be able to expend CPA funds. [Design funding is sought now in order to be able to have bids in hand in for the May 2015 Town Meeting and a further funding request for between \$1.4- and \$2-million for construction. Construction funding would require 2/3's approval of borrowing by Town Meeting, and approval of a debt exclusion ballot question at the May 2015 Annual Town Election.]

Motion: To be made at Town Meeting.

Finance Committee does not support Article 7. Board of Selectmen, Community Preservation Committee, School Committee, Park & Recreation Commission recommendations forthcoming.

ARTICLE 8
Board of Selectmen
Tax Increment Financing – 3 Distribution Center Circle

To see if the Town will vote, pursuant to M.G.L. c.40, §59, and M.G.L. c.23A, §3E and §3F, to: (a) approve a Tax Increment Financing ("TIF") Agreement between the Town, Potpourri Group, Inc. and the parent holding company, PHI Acquisitions, Inc., and MA Littleton Land LLC, for property containing approximately 51.82 acres located at 3 Distribution Center Circle, as shown on Assessors Map R21, Parcel 9-1, which TIF Agreement provides for real estate tax exemptions and approve a Certified Project application submission to the Massachusetts Economic Assistance Coordinating Council (EACC); and (b) authorize the Board of Selectmen to execute the TIF Agreement, and approve submission to the EACC of the TIF Agreement and Certified Project application, all relating to the project as described in the TIF Agreement, and any necessary documents relating thereto, and to take such other actions as are necessary or appropriate to obtain approval of the TIF Agreement and Certified Project application, and related submissions and to take such other actions as necessary or appropriate to implement those documents; or to take any other action in relation thereto.

[Article 7 would authorize the Board of Selectmen to approve a Tax Increment Financing (TIF) agreement with Potpourri Group, Inc., its parent holding company, and its prospective landlord at 3 Distribution Center Circle.

[TIF is a jobs growth program which Littleton has used to provide discounts on the property tax for the improved value of the property, which then qualifies the company for an investment tax credit from the State for jobs created. Littleton voters have authorized the Selectmen to approve three TIF agreements thus far— 550 King Street (IBM), 151 Taylor (Curtiss-Wright), and 53 Ayer Road (FIBA Technologies).

[The Potpourri Group is a catalog call center/ warehouse business looking to relocate to Littleton to a new 450,000-square foot building which would be constructed by and leased from property owner Littleton Land LLC (Condyne). Some \$49-million is proposed to be invested at to construct (\$35-million) and equip (\$14-million) the facility. Potpourri Group currently employs 227 in other towns, but would relocate them to a larger site here, and add 130 jobs (for a total of 357).

[The terms of the proposed TIF agreement are currently under negotiation between the Town, the company, and the landlord.]

Motion: To be made at Town Meeting.

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Finance Committee, Board of Selectmen, Planning Board, Economic Development Committee
recommendations forthcoming.

ARTICLE 9
Board of Selectmen
Amend FY 2015 Revolving Funds: Dog By-law Enforcement

To see if the Town will vote to amend its vote under May 5, 2014 Annual Town Meeting Article 3, FY 2015 Revolving Funds, so that Item (2), Dog By-law Enforcement: reads as follows: “to allow receipts from dog license fees and fines to be segregated into a special account; and with funds therefrom, up to a limit ~~\$5,000~~ of \$12,000 annually, to be expended for costs associated with by-law enforcement, under the direction of the ~~Town Clerk~~ *Chief of Police*”; or to take any other action in relation thereto.

[On July 14, 2014, the Board of Selectmen signed an intermunicipal agreement with the Town of Boxborough for provision of animal control officer services at \$1,000 per month. This article would fully fund that agreement for one year. Some \$13,000 in dog license revenues are received annually.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 9 as printed in the warrant.

Finance Committee, Board of Selectmen support Article 9.

ARTICLE 10
Board of Selectmen
Town By-law Amendment: Community Preservation Committee

To see if the Town will vote to amend Town Code Chapter 14, “Community Preservation Committee By-law,” so that the second sentence of §14-1, “Membership of the Committee,” reads as follows:

The composition of the Committee, the appointing authority and the term of office for the Committee members shall be as follows: one member of the Conservation Commission as designated by said Commission; one member of the Historical Commission as designated by said Commission; one member of the Planning Board as designated by said Board; one member of the Park and Recreation Commissioners, as designated by said Commissioners; one member of the Littleton Housing Authority as designated by said Authority; *one member of the Finance Committee as designated by said Committee*; and ~~four~~ three individuals to be appointed by the Board of Selectmen.

or to take any other action in relation thereto.

[Article 10 adds the Finance Committee as a sixth board represented on the nine-member Community Preservation Committee (CPC). The Community Preservation Act requires membership by the five board currently represented on Littleton’s CPC, and allows up to four more members appointed by the Selectmen, for a total of nine. Adding a seat for FinCom would reduce the Selectmen’s appointments from four to three members on CPC.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 10 as printed in the warrant.

Finance Committee, Board of Selectmen support Article 10.

ARTICLE 11

Board of Selectmen

Town By-law Amendment: Finance Committee Eligibility Requirements

To see if the Town will vote to amend the Town Code Chapter 13, “Committees”, Article I, “Finance Committee,” so that Section 13-3, “Eligibility for appointment,” reads as follows:

No one shall be eligible for appointment to the Finance Committee who, at the time of his/her appointment, *is not a resident of the town*, is an elected officer of the town or an appointed officer with power to incur expense chargeable against appropriated funds; ~~provided, however, that nothing herein shall make the Town Council ineligible for such appointment~~. If a member, during his/her term, becomes ineligible for appointment to the Finance Committee, his/her place shall become vacant.

or to take any other action in relation thereto.

[Article 11 establishes a residency requirement for members of the Finance Committee and removes an exception allowing a non-resident Town Counsel to serve on FinCom.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 11 as printed in the warrant.

Board of Selectmen supports Article 11.

ARTICLE 12

Board of Selectmen

Town By-law Amendment: Boards, Appointed - Residency Requirement

To see if the Town will vote to amend the Town Code by adding a new Chapter 7, “Boards, Appointed,” and Section 1, “Residency Requirement,” to read as follows:

7.1 Residency Requirement - Except as otherwise provided by state law or regulation, a person shall not be a member of an appointed town board, committee or commission established by statute or vote of town meeting unless he or she is a resident of the town of Littleton.

or to take any other action in relation thereto.

[Article 12 adds a local residency requirement for members of all appointed town boards established either by statute or vote of town meeting. The exception where state law or regulation provides otherwise is meant to address situations like the School Building Committee, where the Massachusetts School Building Authority had required that Littleton’s superintendent of schools and building principal serve on the school building committee for the Russell Street School project. The residency requirement is not meant to extend to committees of indefinite term established by vote of the Board of Selectmen, which often include appointed Town officers who are not also Littleton residents.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 12 as printed in the warrant.

Board of Selectmen supports Article 12.

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ARTICLE 13
Board of Selectmen
Town By-law Amendment: Boards, Appointed - Removal

To see if the Town will vote to amend the Town Code by adding a new Section 2, "Removal," to read as follows:

7.2 Removal – Any appointed member of a town board, committee or commission established by statute or vote of town meeting may be removed for cause by the appointing authority upon written charges and after a public hearing.

or to take any other action in relation thereto.

[Article 13 amends the Town by-laws to allow appointed board members to be removed by their appointing authority for cause. This language is modeled after statutory language in MGL C.40A,§12 which applies only to removal of a member of a zoning board of appeals.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 13 as printed in the warrant.

Board of Selectmen supports Article 13.

ARTICLE 14
Board of Selectmen / Planning Board
Road Acceptances: New Estate Road and Nagog Hill Road

To see if the Town will vote as follows:

Whereas, New Estate Road and Nagog Hill Road were both constructed prior to 1846; and

Whereas, both roads serve as primary roads in Littleton; and

Whereas, the Town has provided continuous and regular maintenance of both roads, and treated them as public ways in all respects; and

Whereas, despite a review of Town records, Town Meeting votes to accept New Estate Road and Nagog Hill Road have not been identified; and

Whereas, in order accept state grant funds needed to upgrade both roads, the Town must demonstrate that both roads are public ways.

Therefore, shall the Town vote:

- (1) to accept, as a Town way, the layout by the Board of Selectmen of the way known as "New Estate Road", and to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain the land, rights, and easements therein for drainage, utility, or other purposes, all as shown on a plan entitled, "Street Acceptance Plan of New Estate Road, Littleton, Massachusetts", dated September 4, 2014 and prepared by Green International Affiliates, Inc., and to name said street "New Estate Road";
- (2) to accept, as a Town way, the layout by the Board of Selectmen of the way known as "Nagog Hill Road", and to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain the land, rights, and easements therein for drainage, utility, or other purposes, all as shown on a plan entitled, "Street Acceptance Plan of Nagog Hill Road, Littleton, Massachusetts", dated September 4, 2014 and prepared by Green International Affiliates, Inc., and to name said street "Nagog Hill Road";

or to take any other action in relation thereto.

[Article 14 would formally accept both New Estate Road and Nagog Hill Road as public ways. Both were constructed prior to 1846, and the Town has treated them as public ways in all

TOWN OF LITTLETON, MASSACHUSETTS

respects since then, providing continuous and regular maintenance. However, the Town has not been able to identify prior votes of town meeting which formally accepted these roads, but desires to do so now by affirming the layouts as they exist in recorded deeds and plans of all of the abutting properties. In the coming months, the Town would continue to work with abutters as plans for improvements of these roadways are developed. Those improvement plans may require further adjustments to these roadway layouts, which could be brought to the May 2015 Annual Town Meeting for approval.]

Motion: Moved and seconded by the Board of Selectmen that the Town vote to approve Article 14 as printed in the warrant.

Board of Selectmen, Planning Board support Article 14.

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Board of Selectmen
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