

**WARRANT AND PROCEEDINGS  
SPECIAL TOWN MEETING  
December 10, 2019**

To either of the Constables of the Town of Boxborough, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Boxborough, who shall be qualified to vote in accord with the provisions of M.G.L. Chapter 51, Section 1, to meet at the Blanchard Memorial School, 493 Massachusetts Avenue, Boxborough, MA on Tuesday, December 10, 2019 at 7:00 p.m. to act on Articles 1 through 6 of this Special Town Meeting Warrant.

**LIST OF ARTICLES**

1. CONSOLIDATED DOUGLAS/GATES AND CAROL HUEBNER EARLY CHILDHOOD PROGRAM ELEMENTARY SCHOOL BUILDING PROJECT
2. UMASS AMHERST: ECONOMIC DEVELOPMENT PLAN
3. POLICE ACADEMY TRAINING & COVERAGE
4. ACQUISITION OF EASEMENTS FOR ROUTE 111 SIDEWALKS
5. PAYMENT OF PRIOR FISCAL YEAR BILLS
6. ZONING BYLAW AUDIT

Moderator John Fallon called the Special Town Meeting to order at 7:02 p.m. There were 168 voters in attendance.

Mr. Fallon made some announcements and reminded everyone that there was a Special Town Election Tuesday, December 17, with only one question on the ballot. Article 1 on the school debt has to pass at both town meeting and the town election. The Select Board and FinCom members were introduced, as well as the new Town employees. He described the Town Meeting process.

Maria Neyland, Select Board Chair, moved that any adjourned sessions of the Special Town Meeting be held on Wednesday, December 11th; and further, that no debate will begin on any new article after 10:30 p.m.

**Action on the motion: Motion carried unanimously.**

Ms. Neyland moved that once final action has been taken on an Article, and the next order of business has been taken up, or the session of the Special Town Meeting has been adjourned, the Article may not again be considered at that Special Town Meeting unless the Moderator determines in his discretion that reconsideration would be in the best interest of the voters.

**Action on the motion: Motion carried by majority vote.**

Members of the School Building Committee and the Acton-Boxborough Regional School Committee and staff were introduced.

**ARTICLE 1 CAPITAL BUDGET – DOUGLAS/GATES ELEMENTARY SCHOOL BUILDING PROJECT**  
(Two-thirds vote required)

Tessa McKinley, Chair of the Acton-Boxborough Regional School Committee, moved that the Town hereby

approves the \$116,028,519.00 borrowing authorized by the Acton-Boxborough Regional School District, for the purpose of paying costs for the design and construction of a new CT Douglas/Paul Gates Elementary School and Carol Huebner Early Childhood Program into a single facility on the Gates School Site located at 75 Spruce St, Acton, including the payment of all costs incidental or related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of the District's School Building Committee; that the Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) forty nine point seven percent (49.7%) of eligible, approved Project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that the approval of the District's borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. Chapter 59, Section 21C (Proposition 2-1/2); and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA.

**Summary:**

*This Article requests voters to approve funds to construct a new "twin" elementary school to replace the existing Douglas and Gates elementary schools and provide additional classrooms for the Carol Huebner Early Childhood Program. This vote is subject to a  $\frac{2}{3}$  vote at the December 10, 2019 Special Town Meeting as well as a majority vote at a subsequent ballot on December 17, 2019 to request a proposition 2  $\frac{1}{2}$  debt exclusion for these funds.*

*The C.T. Douglas Elementary School, opened in 1965, and the Paul P. Gates Elementary School, opened in 1967, are both at or are near the end of their useful lives and in need of replacement. Additionally, the Carol Huebner Early Childhood Program is operated out of the District's Administration Building (the former Merriam School), in a location that is over 60 years old and not accessible to children with disabilities.*

*Community planning for the projects began in 2015 when the District undertook a comprehensive master planning initiative which engaged Dore and Whittier Architects to study all of the District's facilities in order to develop a comprehensive capital plan. Through the master planning process, the District identified several schools in need of major repair or renovation. The highest priority needs were identified at the C.T. Douglas Elementary School as there were concerns for indoor air quality, lack of accessibility, hazardous materials, and significant overcrowding.*

*In April 2016, using information from the master planning process, the District applied to the Massachusetts School Building Authority (MSBA) for acceptance into their CORE program for a potential renovation or replacement of the C.T. Douglas Elementary School. In February 2017, MSBA accepted the ABRSD into their CORE program and invited the District into an eligibility period for a possible new or renovated school. In June 2017, the District established a Regional School Building Committee comprised of citizens from both Acton and Boxborough. In December 2017, both towns approved \$1.3 million for a feasibility study. The MSBA paid \$600,000 of these costs. In 2018, an architect and owner's project manager were hired to begin a feasibility study to determine the best possible solution for the community.*

*From August 2018 through September 2019, the School Building Committee oversaw the completion of a feasibility study conducted by Arrowstreet Architects. The feasibility study examined sixteen possible solutions for either repair or replacement of the C.T. Douglas Elementary School. The feasibility study considered*

renovating or replacing the Douglas School individually, but also considered co-locating this school with either the Gates or Conant schools.

Through the feasibility study, the School Building Committee determined that the most cost-effective solution for the District was to build a “twin” elementary school. The Building Committee considered multiple sites for the new school including the current Douglas, Gates and Conant sites. Through extensive study of the sites, traffic, and wetlands, as well as considerable input from the community which expressed a desire to keep the Douglas Elementary School in West Acton, it was determined that the current Gates site would be the most suitable location for the new Douglas-Gates Elementary School. It was further determined that it would be most cost effective to include nine additional classrooms for the preschool program. This solution will allow the District to address three of its most significant needs in one project, while receiving reimbursement from the MSBA.

The proposed “twin” school has multiple benefits for students and for the citizens of Acton and Boxborough including:

- The school will increase the number of classrooms available to the District and will help the District meet predicted future enrollment needs
- The school will be fully accessible for persons with disabilities and provides:
  - Two elevators
  - Sound amplification in all learning spaces
- The school will feature state-of-the-art educational opportunities for students including:
  - Two dedicated Science, Technology, Engineering, Arts and Mathematics (STEAM) labs
  - A large gymnasium and a second smaller gymnasium that will provide age appropriate access for students of all ages through adult community members
  - A two-story library/media center that can be accessed directly from either of the schools
  - Specialized breakout spaces designed to support students in special education and English Learners
  - A first-floor wing devoted to the preschool, with fully accessible spaces and access to art, music and physical education classes
  - Specially designed, age-appropriate play areas and outdoor learning spaces
  - Dedicated art and music classrooms for each school
- The school is designed to meet “Net Zero” standards for energy efficiency, water use, and construction waste. To achieve this level of sustainability, school design features include:
  - The use of photovoltaic arrays (solar panels) on the roof and over the parking lot designed to produce sufficient energy to offset the building’s energy needs for heating, cooling and electricity
  - The primary heating system for the building uses geothermal wells supplemented by two electric boilers, allowing the school to be both combustion and fossil fuel free
  - A rainwater collection system that will gather rainwater from the roof to be stored in underground tanks for reuse in flushing toilets
  - Building materials from the demolition of the existing schools will be sorted on-site and recycled to the greatest extent possible

The new school is designed to meet the educational needs of students for the next fifty years. Further, the school building committee and District believe that the proposed school is of high value and cost-effective to the citizens of Acton and Boxborough. The building committee, comprised of citizens from each town, prioritized bringing forward a project that was cost-effective, and carefully studied a variety of factors including strategies to shorten the project timeline (thus reducing costs), and opportunities for value engineering aspects of the building to reduce costs while maintaining a strong educational program. Due to the timing of the project in relation to the overall performance of the economy, the District has the opportunity to take advantage of historically low borrowing rates which will in turn keep the costs to taxpayers as low as possible.

*The total project cost is \$117,328,519. This includes the \$1.3M feasibility study funding that was already approved and reimbursed from the state. Of the remaining \$116 million, the MSBA will reimburse \$38 million, and the District will be responsible for \$78 million. The Acton share of these costs will be \$66.3 million and the Boxborough share will be \$11.7 million. The tax impact on an average single family home is estimated to be \$452 - \$509 per year in Acton, and \$314 - \$354 per year in Boxborough.*

*This project solves multiple problems with one cost-effective solution that will provide students of Acton and Boxborough with continued access to high quality facilities and safe learning environments for the next fifty years.*

**Acton-Boxborough Regional School Committee recommends (10-0):**

Mary Brolin, Chair of the Acton-Boxborough Regional School District Building Committee, made a presentation in favor of the motion. The Acton-Boxborough Regional School Committee recognizes the need for this project and supports the work that the School Building Committee has done to date in partnership with MSBA. This project will allow over 1,000 students to move to an appropriate facility that will meet their educational needs well into the future. The Douglas and Gates elementary schools were built in 1965 and 1967, respectively. In the intervening 50 years our population has grown and education and building codes have changed. These schools were originally built for 270 to 300 students but currently enroll almost 400 students each. The new building would allow us to support the educational program, and address space concerns, accessibility, efficiency and environmental quality. The Carol Huebner Early Childhood Program, is housed partially in the administration building on Charter Road. This building was built over 60 years ago in 1957 and, like Douglas and Gates, lacks adequate accessibility and appropriate educational and outdoor play spaces. We recognize that a single building is a fiscally responsible choice. Consolidating these three separate educational programs, has the added benefit of increasing operational efficiency with shared common spaces. The new building will be fully accessible and ADA compliant and prioritizes energy efficiency and renewable energy sources. We believe this project will benefit Acton and Boxborough by allowing students to be educated in a school that will meet their educational needs well into the future.

**Acton-Boxborough Regional School Building Committee recommends (17-0):**

The Acton-Boxborough School Building Committee unanimously supports this project. During the feasibility study, we explored 16 renovation/addition and new build options, including a renovation/addition to the current Douglas building, building a single school building to replace Douglas, and siting a twin school on the Douglas, Conant or Gates properties. Ultimately, the site characteristics, in combination with significant community support for a location in West Acton, resulted in our recommendation for a new twin school building on the Gates property that will house the CT Douglas and Paul P. Gates elementary schools, as well as the Carol Huebner Early Childhood Program. The building is designed to meet the educational needs of 990 elementary and 130 preschool students, and will be fully accessible and ADA compliant.

We have partnered with the Massachusetts School Building Authority (MSBA) to ensure a comprehensive design. Further, MSBA will reimburse approximately \$38 million for the project, reducing the cost to taxpayers. By building a twin school, we address the needs of more students with a shorter overall construction time, which simultaneously supports students and brings financial efficiencies to the taxpayers. We have designed a net zero energy building that uses a hybrid system of geothermal wells and two electric boilers for heating, resulting in zero hydrocarbon emissions. Electric use will be offset with electricity generated through photovoltaics (solar panels) over the parking lot and on the roof of the building. Rainwater will be collected to use in flushing of the toilets to work toward net zero water use and the construction process builds in net zero waste standards. Overall, the project will allow us to bring a higher quality education to our students and result in an energy efficient building that is designed to serve our community for the next fifty years.

**Select Board recommends (4-0):**

For the reasons stated above the Select Board recommends unanimously.

**Finance Committee recommends (4-0):**

Gary Kushner, Chair of the Finance Committee, gave the FinCom recommendation. The replacement of the old Douglas elementary school is long overdue and in badly need of replacement. The benefit to Boxborough is the support to the AB Regional school district and for the Boxborough students attending the Douglas school (children in K-3 and future students). The proposed project is to replace two aging schools with a twin school. By replacing the two schools with a twin school we speed up the replacement of the Gates school by at least 5 years and this lowers the financial impact to the two towns due to inflation of building expenses and the sharing of infrastructure. Boxborough's ~15% student assessment means that in the first year Boxborough's share will be between \$314 and \$354 (30-year bond vs. 25-year bond) at a conservative 3% interest rate for a median priced house of \$610,000 or \$0.58 per \$1,000 for a 25-year bond and \$0.52 per \$1000 for a 30-year bond. The total cost of the project cannot exceed \$117,328,519 with \$1,300,000 already appropriated and spent on the initial design. The Massachusetts School Building Authority (MSBA) on October 30th approved an estimated maximum facilities grant of \$36,728,824 not including any funds for potentially eligible owner's or construction contingency expenditures. If the MSBA determines additional reimbursement for eligible owner's or construction contingency, then the total could increase to \$38,018,861. The region would then fund the remaining approximately \$78,009,658 at approximately an 85% Acton and 15% Boxborough. The actual split between the two towns is based on a 3-year rolling average of Boxborough vs. Acton students in the school system as defined in the AB Regional agreement. It should be noted that in 5 years there will be a reduction of \$92 per median priced house for the RJ Grey school project as it completes its 25-year bond life. The actual bonding timeframe (25 vs. 30 years) decision is made by the Region's Treasurer when the bond paperwork submittal occurs in the February-March 2020 timeframe.

The Town should note that the FinCom cannot provide a final number due to the number of approximations including the Boxborough school population, interest rates in February/March 2020, the MSBA final funding level and the term of the bond.

There are costs to the two towns for building a twin school including the non-reimbursed second office and the nine (9) integrated pre-school classrooms. Along with the education plan which drove many aspects of the design there were also decisions regarding sustainability of the building. The Building committee went with a slightly more expensive HVAC system using geothermal with two electric boilers at an additional cost of \$3.2M, but this leads to zero hydrocarbon emissions and does have a payback period. It should be noted that the actual cost of the geothermal system will not be known until the Regions starts to dig the first wells. Once the first wells are dug then we know how many wells will actually be needed. The building is planned to be net-zero energy with photovoltaics on the roof and above the parking lot and net-zero water by capturing rainwater and storing in a 20,000-gallon tank where gray water can be used (e.g. bathroom flushing).

**Sustainability Committee Recommends.** Larry Grossman, member of the Sustainability Committee, spoke on behalf of the Committee in favor of the school project. They strongly support the carbon neutrality goal of the project. Mr. Grossman stressed that there were very few buildings that met this standard for water, heat, and energy. He also commended the use of net zero construction standards.

**Discussion:**

Jackson Royal, Old Harvard Rd., was in favor of the school but had a couple of questions. Why have two separate administrations? Will Boxborough students be going to that school? Why should we pay for a school in Acton? Marie Altieri, Deputy Superintendent, responded to the question. She said that 450-500 is ideal maximum for one principal and that 68 Boxborough students attend Acton schools now.

Heather Fleming, Stow Rd, said she had not made up her mind yet. She noted that the League of Women Voters recommended a yes vote and she read their statement in favor.

Kurt Marden, Old Harvard Rd., said there are a lot of costs to be borne by residents. Taxes are already increasing. The commercial tax base is eroding. The town needs a new fire station in the near future. He noted that the school has a year to come up with a cheaper solution and Boxborough could know more the cost.

Jeanne Kangas, Hill Rd., was in support of the article but didn't like how the funding was set up. Doesn't like that it's a Prop 2 ½ override, which will allow more spending by raising the levy limit. She pointed out that Boxborough could fund this without an override.

George Elenbaas, Middle Road, voted against regionalization. Not happy that the school is in Acton. He asked what happens if Boxborough says "no" and Acton said "yes". Mary Brolin said we would have a year to bring it back to Boxborough. Could call a district wide vote but that is discretionary. She said that the region is paying \$2.4M on Blanchard capital items.

George Krusen, Depot Rd., asked about the population graph. The graph indicated we are in a low point and it's all growth from here. How was that calculated? Ms. Altieri said school populations are cyclical and they are already seeing signs of increase.

Jennifer Campbell, Patch Hill Rd., spoke in favor. The study has taken 4 years of planning. The Douglas School is in dire straits. We are a region and Boxborough will benefit from this new school.

Ling Chen, 1155 Burroughs Rd., asked if the \$38M is tied to any conditions. No.

Andrew Gruskay, Daniel's Way, asked about the sewer project in West Acton—what is the impact? Mary said the school building project members were neutral on the sewers. School has a septic system design in case sewer article fails.

Becky Neville, Middle Rd., moved the question.

**Motion to vote now passed by 2/3 majority.**

Mr. Fallon called for a standing vote and tellers, who had previously been sworn, conducted the count.

**Action on Article 1: Motion passed by 2/3 majority.      145 yes              9 no**

**ARTICLE 2              ECONOMIC DEVELOPMENT STUDY**  
(Majority vote required)

Richard Guzzardi, Chair of the Economic Development Committee, moved that the Town vote to appropriate the sum of Twenty Five Thousand Dollars (\$25,000) from Free Cash for the purpose of continued study of the economic environment in Boxborough, including detailed analysis, market feasibility and community feedback, resulting in the delivery of study reports outlining pertinent real estate and business trends and analysis of potential redevelopment/development scenarios for consideration by the Town, including all costs incidental and related thereto.

**Summary:**

*The Boxborough 2030 Master Plan was written in part to identify how residents believe the town should be best developed in the years to come, including building on our existing assets. One of the most consistent themes to*

*emerge was the need to encourage economic development while preserving our local character. A number of goals, strategies and actions were determined, including the creation of a long-term vision for the town's commercial areas, prioritizing enhanced quality of life over an expanded commercial tax base, the formation of an Economic Development Committee (EDC), and developing a 10-15 year Economic Development Plan under the guidance of the EDC.*

*In order to help the town determine a clear path forward, the EDC engaged with the University of Massachusetts Amherst's Center for Economic Development, Department of Landscape Architecture and Regional Planning (LARP) for assistance. UMASS proposed an Economic Development Study to be held over a period of twelve (12) months from September 2019 - August 2020 with a total anticipated cost of \$25,000.*

*The EDC wasn't able to finalize the UMASS proposal prior to the May 2019 Annual Town Meeting, however UMASS was able to structure the study into two phases understanding that full funding wouldn't come until the study received approval at Special Town Meeting. The town was able to fund expenses for Phase I with \$2,000 from available funds, and the study was launched in September 2019. The \$25,000 requested in this warrant article includes \$23,000 to be paid to UMASS Amherst, Center for Economic Development for Phase II of the study, and \$2,000 in expenses incurred by the town in carrying out and supporting the study work. By moving forward with Phase I utilizing available funds, the Town was able to take advantage of the UMASS LARP 2nd Year Student Studio Class, which is only run during the Fall semester from September - December. This was important, as there is no cost assessed to the town for the students' or professor's time spent as part of the studio program.*

*As such, the study was proposed in two phases, as follows:*

*Phase I performed by the LARP 2nd year graduate students from September - December 2019 will result in the delivery of an Existing Conditions Report and presentation to the town in December 2019. The Existing Conditions Report will supplement the work already begun through the Boxborough 2030 Master Plan, and will focus specifically on present economic development conditions and needs. The following tasks were performed under Phase I:*

- Reviewed recent town and regional plans, reports, survey results, and related documents including data and notes from past meetings and charrettes.*
- Conducted site visits and in-person interviews with key town personnel and stakeholders.*
- Collected and analyzed the data relevant for understanding the potential market and demand for office, retail and other commercial space in the region.*
- Conducted a commercial/industrial build-out analysis.*
- Reviewed zoning codes and other regulations as they pertain specifically to economic development.*
- Prepared and summarized several 'best-practice' case studies to profile revitalized suburban office parks and town center/commons-style developments in similar communities.*

*The final results of Phase I will be included in a presentation to the town in December, along with delivery of an Existing Conditions Report with potential development scenarios for the town to consider.*

*Phase II of the UMASS study will be conducted from January - August 2020 by paid staff, faculty and graduate students at the UMASS Center for Economic Development and will build on the Existing Conditions Report. This will include an in-depth market feasibility and long-term trends study relative to the economic potential and what is viable for Boxborough. Phase II will focus on an in-depth assessment of the potential scenarios, along with recommendations addressing current regulations, potential locations, physical site conditions and other factors. Phase II will involve the following tasks:*

- Provide a detailed analysis of long-term trends for the suburban office and non-office commercial real estate market, including factors underlying changing business and household location preferences with*