

GROTON CONSERVATION COMMISSION

Open Session Minutes

April 4, 2009

Chairman Marshall Giguere called the meeting to order at 11:00 a.m. in the 1st floor conference room in Town Hall. Members Wayne Addy, Bruce Easom, Peter Morrison, and David Pitkin were also present.

Chairman M. Giguere discussed the proposed letter to the Board of Selectmen concerning funding a potential shortfall in making the Surrenden Farm bond payment. P. Morrison suggested a slight wording change adding "as long as funds are available". P. Morrison made a motion, seconded by B. Eason to add the proposed change. The motion passed unanimously.

There being no further business for the open session, a motion by P. Morrison, seconded by B. Eason, and a roll call vote of W. Addy, P. Morrison, B. Eason, D. Pitkin, and M. Giguere, it was

VOTED: to enter Executive Session.

The Commission returned to Open Session to discuss the Gale property at 40 Lowell Rd. (DEP# 169-1006). Member Morrison announced that he was uncertain how to vote on the Gale proposal. He further expressed his concern that the Commission had mandated a burdensome and unaffordable project on the Gales. Chairman Giguere asked if Mr. Morrison could comment on whether the Gales intended to construct the project themselves, or was the plan intended to make the lot into a "buildable" lot as advertised?

Mr. Morrison responded in the later, but continued that the project as designed was costly in time and design effort and would cost over \$160,000.00 to construct and he feared that all the Commission had accomplished was to bankrupt a nice old couple who were depending on the sale of the property for their retirement. Chairman Giguere responded that the Gales had been advised at several points in the process that the project was extremely difficult and possibly un-doable. Mr. Morrison said that, "yes, what the Commission had done was legal, but possibly not moral."

Chairman Giguere noted that it is the proponent that controls the hearing process, not the Commission, and they could have closed at any time, but instead they chose to continue to address the Commission's questions in order to finesse the design to something that might be acceptable to the Commission. It was the Gales' choice to continue to pursue the project.

There seemed to be general agreement with this by other members. Mr. Morrison again reiterated that the Commission may be legally correct, but morally wrong. Chairman Giguere noted that it was for the Commission to vote on the proposal, either up or down at the next meeting. With no other comments from Commissioners, upon a motion by B. Eason, seconded by D. Pitkin, it was

VOTED: to close the public meeting at 11:55a.m.

Respectfully submitted,

Wayne Addy
Clerk

Approved as amended 6/9/09.