

**BOARD OF SELECTMEN
OCTOBER 17, 2005
REGULAR SESSION MINUTES
“UNAPPROVED”**

Present: George F. Dillon, Jr., Chair; John L. Saball, Vice Chair; Robert W. Nordblom, Clerk; Peter S. Cunningham, Member; Mihran Keoseian, Member; Administrative Office Jean E. Kitchen; and Kathleen Newell, Office Assistant

The meeting opened at 7:06 P.M.

Employee Recognition – Erica Belanger, 10 Years of Service, Groton Public Library

Mr. Dillon presented Ms. Belanger with a service pin and thanked her for years of service.

Earth Removal Exemption, 245 Lowell Road, Assessors Map/Parcel 234/1

Earth Removal Inspector Michelle Collette and Ms. Meredith Scarlet were present for this portion of the meeting.

Ms. Collette stated that the property was known as Gibbet Hill 2 and Angus Hill Farm and is currently known as Scarlet Hill Farm and the material to be removed is from the riding arena and septic. Mr. Dillon reviewed the correspondence received. Ms. Collette stated that the Earth Removal Advisory Committee had requested revised calculations as the initial request had been for 1800 cubic yards. Ms. Collette stated that the ERAC would recommend a portion of the total 3700 cubic yards, somewhere between 2000 and 2500 cubic yards.

Mr. Saball moved to approve a Certificate of Exemption to the Earth Removal By-Law, Chapter 134, Section 10, for Meredith Scarlet for the removal of up to 2500 cubic yards of loam located at 245 Lowell Road, shown on Assessors Maps/Parcel 234/, to include the following conditions:

1. *No operating on site before 8:00 AM or after 4:00 PM.*
2. *Material taken off site limited to 9:00 AM to 3:00 PM.*
3. *The roadway must be cleaned at the end of the workday.*
4. *No operating on weekends or holidays.*
5. *Applicant shall notify the Earth Removal Inspector prior to commencement of activity.*
6. *Slope of stockpiles not to exceed 2:1*
7. *Appropriate dust control measures to be undertaken.*
8. *Applicant shall provide the Earth Removal Inspector with calculations verifying the amount of material in stockpile prior to the removal of any material from the site.*
9. *A crushed stone construction access shall be installed at the interior end of the paved portion of driveway to prevent tracking silt onto Lowell Road.*

Seconded by Mr. Nordblom. Unanimous vote.

Ms. Collette asked to give an update Groton Residential Gardens stating that she had gone and viewed the retention basin which was full and the outlet structures were underwater. Ms. Collette stated that the site is fenced and she entered via 10 Anthony Drive which was flooded and in danger of house flooding. Ms. Collette stated after contacting various people, Ken from ProCon responded and stopped the immediate threat of flooding. Ms. Collette stated that the problem needs to be corrected and there is the possibility of requiring a redesign of the system. Mr. Dillon stated that that system was supposed to be the final design. Ms. Collette stated that the pond is at final grade. Mr. Cunningham stated that the developer needs to be held responsible. Ms. Collette stated that the Board is holding a \$127,000 bond for Mill Run Plaza and Groton Residential Gardens and she would suggest that the Board not entertain reducing the bond. Mr. Keoseian suggested sending a consensus to the Planning Board to be able to do what needs to be done to get this project working correctly. Mr. Saball commended Ms. Collette and asked if the design was acceptable prior to this storm. Ms. Collette stated that there have been many problems with this project. Mr. Dillon asked if the project had been checked for meeting specifications. Ms. Collette stated that the developer had not submitted as-built plans for that portion of the site and there is no engineer certification.

Ms. Kitchen asked if there were any restrictions that could be applied to granting of building or occupancy permits.

Ms. Collette stated that was always and option. Mr. Nordblom asked when the Planning Board would be addressing the issue. Ms. Collette stated it would be on the agenda on Thursday at 9:45 p.m.

Chapter 40B Policy and Procedures for Board of Selectmen

Mr. Dillon asked if other boards had reviewed the policy changes. Ms. Kitchen stated that most of the power of Chapter 40B lies with the Zoning Board of Appeals, but there are some areas before the HCDC sends its letter. Ms. Kitchen stated that the HCDC mandates that the developer come before the Board of Selectmen, but not what they must bring with them.

Mr. Cunningham noted that #7 related to deed restrictions and with the current problem, that needs to be monitored pretty closely working with the ZBA to maintain the affordable units. Mr. Schulman stated that the ZBA decision stated the units will be affordable forever, but it is not always done and can be lost in the monitoring. Mr. Dillon noted that not all were a matter of monitoring, but in how the restrictions were written.

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Attorney Robert Collins RE: Armstrong Common

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OTHER BUSINESS

Appointment – Election Worker – Alberta Erickson

Mr. Saball moved to appoint Alberta Erickson as an Election Worker for the one-year term to expire June 30, 2006. Seconded by Mr. Nordblom. Unanimous vote.

One-Day Liquor License – The Barn at Gibbet Hill

Mr. Saball moved to approve a One-Day Wine and Malt License for Jeremy Webber on behalf of the Barn at Gibbet Hill on Saturday, October 22, 2005 from 2:00 p.m. to 6:00 p.m. Seconded by Mr. Nordblom. Unanimous vote.

Minutes

Mr. Saball moved to approve the Regular Session Minutes of September 19, 2005, as amended. Seconded by Mr. Nordblom. Unanimous vote.

ADMINISTRATIVE OFFICER REPORT

Ms. Kitchen stated that

SELECTMEN LIAISON UPDATE

Mr. Saball moved to adjourned at 9:50 p.m. Seconded by Mr. Cunningham. 4 in favor, 1 absent (Nordblom).

Approved: _____
Robert W. Nordblom, Clerk

respectfully submitted,
Kathleen Newell
Office Assistant

Date Approved: November 14, 2005