



TOWN OF GROTON

173 Main Street
Groton, Massachusetts 01450-1237
Tel: (978) 448-1111
Fax: (978) 448-1115

WETLANDS BYLAW REVIEW COMMITTEE

David Black, Chair
Steven Webber, Vice Chair
Marshall Giguere, Secretary
Peter Cunningham
Robert Pine
Scott Wilson
Alexander Woodle

Meeting Date: February 20, 2014
Location: Town Hall, First Floor Meeting Room, 173 Main Street, Groton
Members: David Black, Marshall Giguere, Robert Pine, Scott Wilson, Peter Cunningham
Others: Art Prest
Handouts: Draft minutes from January 8, 2014; agenda; draft Bylaw changes document

David Black called the meeting to order at 6:30 pm. The Board of Selectmen will sponsor the draft Bylaw. Peter Cunningham will make the motion for the warrant article. David Black will make a presentation to Town Meeting on the proposed Bylaw.

Marshall Giguere moved to approve the January 8, 2014 minutes as presented. Peter Cunningham seconded. Motion carried 5:0 (Alexander Woodle and Steven Webber absent).

David Black announced that the open item before the Committee is whether to include reference to the Groton Water Department (GWD) and the West Groton Water Supply District (WGWSD) in the coordination with other boards section in Chapter 215-4.

Marshall Giguere expressed doubts about referencing the WGWSD as it is a quasi-public corporation. He noted that the jurisdiction of the Conservation Commission and the water entities were mutually exclusive areas. From a procedural standpoint, Marshall Giguere disliked the last minute nature of this proposed change and recommended that the Conservation Commission review the matter in its public meeting before they registered their opinion. Further, he did not think that specific notice to the water entities was necessary in that state statute requires a public notification.

Scott Wilson commented that the key factor for this question is the resource issues. He noted that the Conservation Commission and the GWD and WGWSD have jurisdictionally distinct roles, but these roles interact hydrologically. Scott Wilson further observed that the proposal requires notice, but no other action by the Conservation Commission and such notice facilitates cooperation between Town boards and committees.

Robert Pine said that he can see no reason not to notify these groups since it is happening informally through the form of intent process. Also, he commented that the notice does not bestow authority on the water entities. Art Prest suggested that an alternative may be to leave out the GWD and the WGWSD in the Bylaw and leave notice to the discretion of the Conservation Commission in its regulations.

David Black stated that this paragraph grew out of a desire to cooperate among the boards. If it is a political issue for the Conservation Commission such that it is unwilling to include the two boards, then leave the references out. He suggested that the Wetlands Bylaw Review Committee vote on a motion that approves the draft Bylaw language with the GWD and WGWSD references in, but that if the Conservation Commission declined to support the addition at its February 25th meeting, then the Bylaw proposal will go forward with Wetlands Bylaw Review Committee support without that change. Depending on the outcome of the Conservation Commission's February 25 meeting, a copy of the new proposed Bylaw will be put on file in the Town Clerk's office for public review on February 26.

David Black moved that the Wetlands Bylaw Review Committee support the proposed Bylaw draft as written which includes specific reference to the Groton Water Department and West Groton Water Supply District in the Chapter 215-4 coordination with other boards pending agreement of the Conservation Commission. However, should Conservation Commission not agree to the inclusion of the Groton Water Department and West Groton Water Supply District in the Chapter 215-4, then the Wetlands Bylaw Review Committee approves the Bylaw proposal with the Groton Water Department and West Groton Water Supply District reference stricken. Robert Pine seconded and motion carried 5:0 (Alexander Woodle and Steven Webber absent).

The group discussed the presentation at Spring Town Meeting. As the primary spokesperson, David Black commented that a main point to the townspeople will be that the Committee found that the Bylaw is reasonably crafted and the Town is well served by it. The Bylaw itself is complicated, but the Conservation Agent can guide people through the process. Peter Cunningham will look into scheduling a Board of Selectmen public hearing on the proposed Wetlands Bylaw.

Marshall Giguere moved to adjourn meeting at 7:05 pm. Robert Pine seconded. Motion carried 5:0 (Alexander Woodle and Steven Webber absent).

Notes by Fran Stanley