

**Minutes Meeting of July 6, 2005** – Squannacook Hills, Groton Gardens Final Review

Members Present: Jay Prager, Chase Duffy, Stuart Schulman, Cindy Maxwell, Bob Cadle, Mark Mulligan (GG)

The Chair reconvened the SH hearing and read several memos into the record, one of which is from JNEI, and asked Bill Maher to explain.

Mr. Maher said that he knows little about SH and has brought a letter from John Schmid, but is here for Groton Gardens.

The Chair then read the letter from JNEI, John Schmid, into the record. The letter states that if used properly, the listed septic system will pose no problems, even to the proposed wells. The Chairman said that it feels fairly conclusive that it is okay.

Mrs. Duffy noted concerned about how to keep the condo assoc. in line so that proper monitoring takes place.

David Kelly, engineer for applicant, has agreed to install two monitoring wells down river that will be monitored by DEP. If catastrophic failure occurs, then there will be a pump system that turns them into tight tank systems which are pumped out about every three days. In a letter to JNEI, Defresne-Henry said that if a catastrophic event occurred and one full day's worth of effluent found its way into the river, it would represent only one-third of one-percent of the river's total daily low flow, which is insignificant. They concluded that the project would have no adverse effect on the proposed new well. He said that given the amount of monitoring and inspections done by Microfast, everything will be known as soon as it is happening.

Mrs. Duffy asked how many more BOH people would need to be hired to monitor the system.

Mr. Kelly said that none would be because it is not a big deal and will be taken care of by the condo assoc. He stressed that there is nothing the town needs to do.

Mrs. Duffy asked about the hassle to the condo association.

The Chairman noted that they are paying for these services.

Mrs. Duffy said that complicated septic system monitoring could affect affordability.

Atty. Deschenes said that all condo fees are pro rated for affordable units and needs State approval.

Mr. Cadle asked JNEI for a definition of a nitrogen sensitive area and noted that the PB has voted unanimously that this is a sensitive area.

Mr. Maher said that DEP has certain guidelines but noted that towns can have even stricter ones, stressing that he is not familiar with Groton standards for treatments.

Of note: Mr. Maher is here for Groton Garden final plan review and not SH.

Savos Danos explained what a nitrogen sensitive area means, noting that there is an extended contribution to a public well. He said that when the proponent began the proposal it was in Zone 3 and it is now possibly a Zone 2 area. He said that a nitrogen sensitive area would be Zone 2.

Mr. Prager said that one letter said that this is a Zone 3 and not a Zone 2.

Mr. Danos said that it is then not a nitrogen sensitive area.

The Chairman asked the PB about it.

Mrs. Perkins said that there is some disagreement about what zone it is in. She noted that the PB voted about it some time ago and she said that she can't remember specifics.

Discussion ensued regarding how close a site needs to be to be in Zone 2.

Mr. Kelly said that it is at least 3000 feet away.

Dr. Horowitz, BOH, said that it seems to be proved that this is not a Zone 2 site but noted that the BOH is meeting with the PB because of this project and another, to get some sort of protocol in writing. She said that coming into density, she would reiterate that there should be separate primary and secondary reserves, noting that this would eliminate one building of 4 units. She also said that it seems that West Groton Water is saying that the river should be able to handle catastrophic failure but stressed that there is no proof and suggests reducing density.

Discussion ensued regarding zones and this project is or is not in Zone 2.

Mr. Danos said that the interim wellhead protection area for a proposed well is a ½ mile radius around the well. He cautioned that the Board shouldn't play with speculating about this data as a lay person or interpret data inconsistently with the "science." He noted that Dufrene Henry is working for the town and has the town's best interest at heart.

Marion Stoddart asked whether the project does lie within a town water resource district and was told that it was in a Zone 3. She then suggested that the number of bedrooms should be regulated and stressed that she thinks there are too many bedrooms for a lot this size.

Mr. Cadle said that under 40b the applicant is asking for a waiver from this reg.

Mrs. Stoddart said she asking the Board not to give a waiver for this request. She stressed that the Squannacook River is very important and the State has designated it as a sanctuary and an outstanding water resource. She noted that this protects the river from any new source of pollution and the water quality needs to be maintained or made better. She said that the site does have steep slopes and poor soil and driveways and streets are impervious and would further aid in flow toward the river. She noted concern that rivers have less flowing out and by building wells are reducing the base level in rivers or streams. She said that the Squannacook is also a cold water fisheries but is becoming warmer and this is affecting the types of species in the stream. She suggested requiring a hydrological study to be done and noted concern about the future wells proposed by West Groton Water to serve West Groton and the town as a whole. She said that little incremental things add up to a big problem and cited one housing project in Townsend that has polluted the Squannacook River because the septic systems were too close to the water.

Discussion ensued regarding whether inadequate septic systems, etc. polluted the River in Townsend.

The Chairman asked about the possibility of a fancier, more complicated and better functioning septic system, as mentioned at the last meeting.

Mr. Kelly said that there is not room on the site for a more elaborate system.

The Chairman asked how the fit would be with fewer units.

Keith Ubright, abutter asked for some buffering of the property. He said that he owns the land with the abandoned house and equipment and wants his site to be out of sight so no kids will be tempted to play there.

Mr. Kelly said he is willing to work with abutters outside of the hearing process, on a one on one basis.

Mrs. Stoddart asked the Board to give serious consideration to comments given by the PB and BOH and stressed much less density.

Mr. Cadle mentioned Mr. Cutone's May 6<sup>th</sup> memo and asked whether has the applicant has addressed those calculation requests.

Atty. Deschenes said that he has agreed to it and will provide mounding calculations.

Mrs. Perkins asked whether the storm water flow onto the road has been resolved. She said that this project will be adding cars, traffic, etc. and the topography is hilly and much water will be flowing off of the site.

Mr. Kelly said that catch basins are designed to mitigate storm water runoff.

Mrs. Perkins asked about new designs.

Mr. Kelly said that it is a somewhat different design.

Mr. Cadle asked about Con. Comm. standing.

Mr. Kelly said that the public hearing is open pending closure of the ZBA hearing so they address anything new coming up.

Mrs. Duffy said that she has a problem with the proposed curve in the road.

Mr. Kelly said that the only answer is a retaining wall.

Mrs. Duffy said that she wants fewer units and noted concern about big truck traffic. She said that this project seems to be creating more worry.

Mr. Kelly said that he met with the fire department and the Chief is satisfied with the turning radius.

Mrs. Duffy said that that only addresses the top of the site, and she is concerned with the entrance.

Mr. Kelly said that it is 3 to 1 grading, and allowed by the PB.

Mrs. Duffy said that there needs to be a lot of improvements before she would love the site.

Mr. Cadle noted drainage comments from a JNEI letter dated 11/1/04, page 5, paragraph 26 and asked whether it had been done.

Atty. Deschenes noted that that was from an old memo.

Mr. Cadle said that it is still important and wants to know if it has been addressed.

Atty. Deschenes said that he has been working back forth with JNEI and the Board but he can't address this specific question. He said that someone came from JNEI to address this and noted that he has been through a lot and has received testimony from JNEI. He noted that 3 or 4 meetings ago the Board started to revisit drainage and asked JNEI for additional input. He stressed that he received an affirmative answer from JNEI again that these issues have been addressed and he left the last meeting with the understanding that if it was proved that the project won't negatively impact the water supply, the public hearing can be closed. He said that this has never been a

lingering issue with JNEI.

The Chairman said that he doesn't have anything that addresses those specific concerns.

Discussion ensued regarding whether this issue (#26, page 5) has been addressed.

Atty. Deschenes asked whether it is referring to a subdivision regulation.

Mrs. Perkins said that it is a zoning regulation, 218-25.

Discussion ensued regarding the rate of runoff vs. total runoff at any given time. The Chairman said that there could be no increase in rate of runoff of stormwater.

Atty. Deschenes said that he has asked for waiver because they can't meet figure. He said that the first sentence verifies that the project does not increase the rate of runoff but the actual volume may increase.

Discussion ensued regarding asking for a waiver from the By-Law that doesn't allow volume increase: 218-25(2)(d).

Atty. Deschenes said that predevelopment is 1075 cubic feet of runoff in a 100 year storm zone and post development, 821 feet runoff onto Townsend Road. He said that it is a 20% decrease to the road and an increase in runoff to the wetland area, which should be able to handle it. He said that the runoff can be handled over time, which is why DEP doesn't allow the rate to increase, but only volume. He stressed that the system can work if the rate of runoff is controlled. He said that they are actually decreasing the rate of runoff and volume to Townsend Road for a 100 year storm, although for other storms there would be an increase, such as a 28 percent increase for a two year storm.

Mrs. Stoddart noted that impervious surface is being increased and hopes that this is taken into account, along with lawns, etc., as well as how to handle the river as an outstanding water resource.

Mr. Cadle asked about the percent of impervious cover.

Atty. Deschenes had a chart as submitted with the original application.

Dr. Horowitz said that the BOH wants a report of the historical use of the site going back 100 years.

The Chairman felt that the BOH hasn't asked for this before.

Dr. Horowitz said they have been asking for this so they can determine whether the site was ever a

farm or orchard.

Atty. Deschenes said that the buildings are 8% of the site, 16% pavement, grass 53.47% and undisturbed 24%.

Mrs. Duffy asked whether any other information would be forthcoming.

The Chairman didn't think so.

Mrs. Duffy suggested entertaining a motion to close the public hearing.

Of note: Sheet sp-1 snow areas depicted.

The Board moved to close the public hearing. The motion was seconded and passed unanimously.

The Chairman said that the Board needs to instruct counsel to write a denial or approval with conditions.

Of note: 40 days is August 15<sup>th</sup>.

The Chairman said that there would be no denial but he wanted much lower density.

Mrs. Duffy agreed and noted that she wants to get rid of the crook in the driveway.

Mrs. Maxwell stressed that the density is too high.

Mr. Cadle said that he, too, wants to protect the water supply.

Mrs. Duffy said that she wants to reduce potential problems for the condo community when it moves in.

Mr. Prager said that density is big issue, and also noted concerned about the lack of facilities for school kids, which will encourage parents waiting with their children in cars for the bus and thus further reducing site line distances. He stressed that density on a site this size is the biggest issue.

Mrs. Duffy said that the steepness of the hill is also an issue.

The Chairman said that his sense of the Board is an approval with conditions, noting that the Board's legal consultant will begin to work on an approval.

The meeting schedule will be revisited for a review of the draft decision(s).

The meeting began regarding Groton Gardens final plans.

Bullet items: drainage system, monitoring of site during construction, responsibility.

Discussion ensued regarding how to have JNEI work as a consultant and how to bill.

The meeting adjourned at 10:30 pm.