



Town of Groton Massachusetts Zoning Board of Appeals

Meeting Agenda and Minutes

October 26, 2011 – Squannacook Hills Modification

Present

Mark Mulligan, Chairman

Robert Cadle, Member

Alison Manugian, Member

Bruce Easom, Associate Member

Megan Mahoney, Associate Member

Not Present

Cynthia Maxwell, Member

Jay Prager, Member

Carol Quinn, Associate Member

A quorum was attained. The meeting was called to order at 7:35 pm.

Meeting Minutes

Squannacook Hill 40B modification

Chairman Mulligan convened the hearing by reading the Legal Notice.

Atty. Robbins, agent for Groton West Realty, noted that they were here about five weeks ago and a lot has taken place since then. She said they had an abutters' meeting and there was not much to discuss because much of the site work and landscaping issues had been dealt with. She said she also asked for the Hoopers' comments in writing and met with them on site prior to the meeting. She said the project is evolving from an open site to a seeded site, noting they also issued a construction schedule in a memo to Barbara Ganem. She said Matt Waterman is here tonight to address the Nitsch Engineering letter.

Matt Waterman, engineer, said the Nitsch letter is a couple weeks old and much has been addressed as mitigation on the site. He said his client's plan for 2011 was to get the road installed and the site stabilized, noting that there were many issues related to heavy rain, but the site has been cleaned up. He said there was a discussion about stock piled up on the other side of Townsend Road, which belonged to National Grid. He said the catch basins have been cleaned and rimmed up so they drain properly. He said

additional silt fences, etc. were installed, as well as ten to 15 sheets of jute netting, noting that this is a good start to being established by spring. He said all buffer plantings have been done and replication has been completed in the northwestern corner, noting that the mail station is in and the pump shed is mostly constructed. He said he wants to get signoffs on the startup septic system. He said the road has been swept and except for small landscaping piles, the piles of dirt have been cleaned up. He said the Nitsch letter mentioned a few things such as a dirty detention basin, which had been cleaned up just before a significant rainfall the next day. He said there would be some disturbance from the equipment working on replication area, noting that he wants to use a machine on plywood on the curbing to clean out the inlet area, but he won't work deep on the site when it is this wet. He said the septic system is up and running, and sidewalks and the cleaning out of the entrance to the detention pond will be done in the next week or two.

Atty. Robbins said there were some Arborvitae installed but the Hoopers were concerned about a lack of fencing, and thus, a fence will be installed all along the border, both stockade and wire.

Mr. Paige said the fencing is on order and should be in with two weeks or so.

Mr. Waterman said that small goats from the Hoopers' property wander and the wire fence should take care of that. He also noted that the trees at the top of the site will be monitored but all seem sound.

Atty. Robbins also noted that hours of operation were an issue, along with contact information if there is a problem on-site, and these issues have been addressed.

Mr. Cadle asked about a boulder that has been moved.

Atty. Robbins said the rock was moved by Dave Trahan at the request of the abutter, noting that there was also confusion about a four wheeler that was owned by the developer.

Mrs. Manugian asked about the small dirt piles and how long they would be there, and what the status of the full dumpster is.

Mr. Paige said the dumpster contains construction debris and will be emptied, but will stay on site.

Mr. Cadle expressed concern about open foundations.

Atty. Robbins said the foundations have all been poured and fencing will be around all (mostly buildings 3 and 4).

Mr. Waterman said he thinks the site is starting to look pretty well established.

Mr. Cadle asked about south side abutter's concerns about screening.

Atty. Robbins said that all trees have been planted and seeding done, noting that the trees shown on the plan are in place.

Chairman Mulligan asked whether there were other wetlands not on the site affected by site runoff.

Mr. Waterman said he did not think so, noting that he thinks abutters were concerned they would be blamed for their driveway runoff getting into wetlands on site.

Discussion ensued regarding wetland discharge, etc.

Mr. Waterman said silt from the detention pond is not moving onto the Hooper's property.

Atty. Robbins said a barrier of hay bales and a silt fence are shown on the plan tonight.

Mr. Waterman said he didn't want to install silt sacks on this hilly site because although they work well, when they clog, they really clog and the water has nowhere to go.

Atty. Robbins said the curbing should help direct the water.

Mr. Easom said the Cons. Comm. issued an emergency stop work order and asked what the status of that is.

Atty. Robbins said that to the extent they could, have addressed all issues in the emergency work order issued by the Cons. Comm.

Mr. Easom asked about water quality tests.

Mr. Paige said samples have been collected but he hasn't received any data yet.

Mr. Easom said that when he was at the site today, he saw fences on upper part of the site falling down, noting that these should be dealt with, along with the cleaning of the catch basin.

Mr. Waterman said these issues would be taken care of before the work is stopped for winter.

Mr. Easom noted that the Cons. Comm. administrator said the applicant has been cooperative in trying to fix the issues. He said the detention basin will not work if not cleaned, in the event of a storm and noted that the hydro-seeding is coming along nicely.

Mrs. Manugian said the construction timeline didn't address occupancy permits.

Mr. Paige said the septic system needs to be up and running and he figures he will be asking for permits for the first building in 30 to 45 days.

Discussion ensued regarding the affordable units/lottery, etc.

Ms. Mahony asked what else the board needs to know to make a decision on the extension.

Atty. Robbins said she felt they had everything that was needed, noting they would like a 24-month extension. She said they usually don't have to return for a renewal of a comprehensive permit once ground has been broken, but because there is a storm water management condition of two year completion, they need to come back.

Mrs. Manugian made a motion to extend the permit for one year. Mr. Easom seconded.

Discussion ensued regarding whether it would be reasonable to grant an extension for one year.

Atty. Robbins said that puts them in an awkward position regarding financing, noting that they would rather have a condition that they need to report in, in one years time.

Ms. Mahony said the applicant has made a good faith effort and there are other avenues to follow for revoking the permit if conditions are not followed.

Findings: Abutters can contact the ZBA or Zoning enforcement offer if there are any violations/problems with conditions.

Conditions:

- 1) The "Hooper" fence, (comprising of 246 feet of stockade and 75 to 100 feet of wire) shall be installed Fall, 2011.
- 2) Results of the water quality tests shall be submitted.
- 3) The water quality inlets the western inlet of the detention pond shall be cleaned out to the maximum extend feasible and inlet protection shall be installed after the clean out.
- 4) The construction and silt fencing shall be maintained for the duration of construction.
- 5) If the hydro-seeding doesn't continue to perform satisfactorily, jute netting be installed.
- 6) The extension is valid for two years with a mandatory one-year status update by November 1, 2012 with notification of abutters and Town Departments.

Mr. Waterman said the snow would only be plowed to just past the first building.

Discussion ensued regarding what recourse abutters have if something comes up before or after the status update meeting.

Mrs. Manugian made a motion to amend the motion from one year to a two-year time period for the extension, including all conditions discussed above. The motion to amend was seconded by Mr. Easom and passed unanimously.

Mrs. Manugian made a main motion to grant for two years with the above conditions, which was seconded by Mr. Easom and passed unanimously.

Other business

Minutes and Bills

Two Groton herald bills were signed.

Mr. Easom made a motion to adjourn at 8:45 pm. Mrs. Manugian seconded and the motion passed unanimously.

Minutes approved 1/25/12.