

## GROTON PLANNING BOARD

June 29, 2011

Meeting convened at 7:15 p.m.

Present: Jenny Burnett, Celine Richer, Deb Johnson, Russ Carruth, Chair Steve (Slim) Spafford, Alternate Sherry Nelson. Also in attendance : Selectmen Miles Sinclair (Chair and Planning Board liaison), Kyle Andrews and Ron Madan and Administrative Assistant Pam Hamel.

Minutes of May 25<sup>th</sup> read and approved.

Chair read May 7<sup>th</sup> letter to Planning Board from Attorney Ray, representing Sewall and Friend, owners of land used by Bill Robertie for boat storage. Deb expressed her opinion that Planning Board should be involved in this issue as land owners are asking to have building (steel frame-no roof), built by Mr. Robertie without a permit, allowed to remain on property once Bill removes all items placed there by him. Deb is concerned about precedent being set by allowing unpermitted building frame to stay. Selectman Madan said he has no problem with building frame being allowed to stay IF boats and other “stuff” are removed from property by Aug.1 this year. Miles said that since land owners have become involved they have had a positive relationship with town, so he is inclined to agree with Selectman Madan. Deb remarked that if town lets frame stand only if “junk” if removed in timely fashion, that policy, too, would set a bad precedent. Several PLBD members agreed. Chairman Spafford asked Select Board Chair Sinclair what he was looking for from PLBD. Miles replied that he would like a vote of the PLBD members as to their feelings regarding stipulations in Mr. Ray’s letter. Deb said she didn’t see a vote before the PLBD since Miles feels that this is an enforcement issue. Miles said that he thinks it prudent for town to consider best actions to avoid litigation. Deb reminded group that Robertie’s work site is on former gravel pit, never reclaimed. Oil, gas and rust could possibly have found way to nearby Cockermouth River. She then volunteered to make a motion to respond to letter from Attorney Ray only after hearing from LGC or town counsel. Steve and Deb feel that PLBD CAN respond to Attorney Ray’s letter. Celine moved, Deb 2<sup>nd</sup>, to write letter as follows:

We accept your proposal to remove all items brought onto property.

Pertaining to the structure, we defer to the Selectmen since you are under a Cease and Desist Order issued by that board. Status of that structure may be part of an enforcement action.

Unanimous vote was given to sending this reply to Attorney Ray.

Next business was Mike Ethier’s excavation. Selectmen have not signed Mike’s “Intent to Excavate” since he has not received a permit to excavate from PLBD. Ethier is, however, excavating. Town Counsel, today, advised Administrative Assistant that since PLBD is the regulator, PLBD will therefore be enforcer in this issue. Celine moved, Jen 2<sup>nd</sup> and unanimous vote given to get word to Laura Spector, Town Counsel, that indeed Groton PLBD does wish to pursue enforcement in the case of Mike Ethier’s excavating without a permit. We’d like to know what enforcement actions are available to us and what is the recourse of those options for PLBD and town.

Next item on agenda was subdivision regs. Members informed Chair that over past two months, in his absence, they have worked on updating both these regs and site plan regs. More will be added/refined as a result of Steve Whitman's help on July 14<sup>th</sup>.

Chair said we should require setbacks from road in subdivisions. Celine asked if Selectmen could stop someone from building on road, since they are in charge of issuing Building permits. Select Chair replied "I don't know". Deb suggested that Select Board could ask Laura Spector if Board could stop building on roads.

Letters from Attorney Blaine were read regarding subdivisions of Victoria Mtn Way (aka Mine Rd.) Board feels issue is too complicated to figure out without guidance. Jen moved, Celine 2<sup>nd</sup> to send following reply to Attorney Blaine:

We received your letters requesting our action on subdivisions off Victoria's Mtn. Way (aka Mine Rd.) and are referring these requests for action to our Town Counsel for legal guidance.

Unanimous vote given to sending this letter.

Next, Chair informed us that DES is requesting pre-proposals for watershed grants. Boyd Smith would like a letter of support for NLRA's watershed grant extension. Celine moved, Sherry 2<sup>nd</sup> to send a letter of support. Unanimous vote given.

Lastly, we discussed whether to have one or two meetings in July. Steve Whitman will meet with us in the Groton Library at 6:30 pm on Thursday, July 14<sup>th</sup>. He'll be offering more guidance on steep slopes, riparian buffers and related subdivision concerns. We agreed to meet a second time in July, on our usual last Wed. of the month..

Adjournment was at 9:30 pm.

Sharon Nelson, Clerk

July 6, 2011  
Planning Board  
Town of Groton  
754 North Groton Rd.  
Groton, NH 03241

Eric Williams  
Watershed Assistance Section Supervisor  
NH Department of Environmental Services  
PO Box 95  
Concord, NH 03302-0095

Dear Mr. Williams:

On behalf of my town of Groton's Planning Board, I am expressing our support of the Newfound Lake Region Association's application for a Section 319 Watershed Assistance grant. Our board was involved in the development and implementation of Every Acre Counts: The Newfound Watershed Master Plan.

We recognize the fact that our town of Groton has the second largest land mass in the Newfound watershed. Therefore we support efforts to secure continual funding for the work of the Newfound Lake Region Association. We appreciate the water quality sampling of the lake and our town's tributary, the Cockermouth River and have benefited from the guidance of Steve Whitman, grant-funded professional planner. Very important, as well, is NLRA's role in educating the public as to how to reduce stormwater impact.

We urge you to favorably consider the grant request being submitted by the NLRA.

Sincerely,

Steve (Slim) Spafford  
Planning Board Chair