

Town of Groton  
Select Board Work Session Minutes  
October 22, 2019

**In attendance: John Rescigno, Tony Albert and Sara Smith (Administrative Assistant - AA)**

**Absent: Ron Madan**

**John called the meeting to order at 4:15pm.**

*Dry hydrant update*

The dry hydrant has been installed. Sara had a thank you card that the Select Board signed, and she will send to Avangrid Renewables with some pictures. She will also put this on the website and the Groton NH Events Facebook page, so the public knows what this is and to thank Avangrid for their support.

*Mike Ethier*

The attorney emailed to suggest that she reach out to Mr. Ethier's lawyer and tell him that we won't file a suit because DES already has one as long as he agrees to stop work in the floodplain. We will have a written agreement that we can enforce if he then goes ahead and continues the illegal work. The Select Board agreed that this is a good next step. Sara will email our attorney back to let her know.

*Ron Madan*

Sara was informed that Ron has been moved out of the ICU and is now in Room 3. The Select Board thinks we should get him something but wasn't sure of what. It was agreed to put together a care basket with magazines, word searches, etc. for him. Sara will go to Walmart and get the stuff.

*Meeting about Atwell/Orange Brook*

The Select Board met with DES, Army Corps, Fish and Game and the Senator to see what can be done about cleaning out Atwell/Orange Brook. The following were in attendance: Rene Pelletier and Craig Rennie from DES, Rick Kristoff from Army Corps of Engineers, Glenn Normandeau from Fish and Game, Senator Guida, Robert Ellis, John Rescigno, Tony Albert and Sara Smith from the Town of Groton.

The meeting started at the Town offices where everyone introduced themselves and reviewed pictures of the damage that was done in the July 2019 storm to Sculptured Rocks Road along with pictures of debris in the river and emergency work that was done in the river to stop the water from flowing into residents houses and down the town road. The Town explained that they had sent letters to the Army Corps of Engineers along with the State to see what can be done to clean out and dredge the river so that this doesn't happen again. The concern is that with each storm the damage worsens so we are concerned that it could get even worse and risk people's lives. DES explained that they would be able to give the Town permits to clean it up if the Town presents them with a plan of what they would like to do. The actual river runs through the land owned by Fish and Game, so it was the Town's understanding that it is the landowner's responsibility to clean it out. Rene stated that they can suggest the landowner get permits and clean it out, but they cannot force them to. Glenn stated that Fish and Game doesn't have the money or the manpower to do this clean up but would allow the Town access if they wanted to get the permits and do the work. The Town explained that they do not have the money and have limited manpower as well.

Everyone drove out to Orange Road and walked out to look at the debris in the river and to discuss what can be done. At the first stop there were trees in the water, and you could see where the bank had washed out and

erosion occurred. Due to the steepness of that bank and where it was located, DES feels that bank will never be able to be fixed. The Town expressed concern that if it continues to erode and drop material into the river it will build up. It was recommended to leave it alone for now. As far as the debris in the river, DES feels that it is slowing the water down right now and removing it could cause more the water to move faster which could cause more damage in a storm. The Town understood that it is slowing it down now but expressed its concerns for when the water builds up and it breaks that open that it will be more water and will cause more damage. DES said the Town can do certain work without a permit. As long as the debris they are removing isn't embedded and they are not putting equipment in the water or on the banks, they can work without a permit. For example, you do not need a permit to stand in the water with a chainsaw and cut the trees into pieces and remove that, but you would need a permit to dredge in the river.

The Town asked if the State had any money to assist and they stated they do not. They said that they have talked for years about creating a fund with a 50/50 match for these cases, but nothing has been created. The Town mentioned that when Army Corps of Engineers responded to their letter, they state that "The flooding problems associated with the Cockermouth in Groton may warrant investigation under the Corps Snagging and Clearing authority, Section 208 of the Flood Control Act of 1954. The program allowed the Corps to participate in the design and construction of projects that reduce flooding due to the build-up of debris. Unfortunately, we cannot initiate a Section 208 investigation because the program is no longer funded. If at some time in the future funds do become available for the Section 208 program, we will contact the town to arrange a meeting to discuss steps needed to initiate a study of the problem." The Town asked if they knew when future funds would be available for the section 208 investigation, but they did not know when and if they would.

DES had recommended moving down to where the Town did the emergency work, so everyone drove down to that area. The Town explained the three different areas where the water breached the bank and took out people's homes, driveways and sections of Sculptured Rocks Road. It was explained this work was done without contacting DES for an emergency permit because they had to work fast to stop the water as it was continuing to cause damage and families were stranded. The Hebron Fire Department had to use the swift water team to get to the Groton families that were stranded. Luckily there were no serious injuries, but the Town is afraid there could be next time which is why they want to meet to see what can be done. DES explained that in these cases the Town needs to call and get Emergency permitting even if the work needs to be done right away. The Town explained that they did get two emergency permits for that storm for other areas but didn't have the time for this one. It was explained and agreed that the Town would get Emergency permits for all work going forward now that there is a better understanding of it.

Bill Jolly stopped by to see what the meeting was about and to express his frustrations with the State and Fish and Game that no one is helping him with the road. John mentioned that the Town looked into the options and as they have explained to him before, since it is a class VI road there is nothing the Town can do. John explained that not enough residents were affected which is why there was no FEMA funding for private entities and residents. He explained to Bill that he lives on a class VI road and that is the chance you take when you live on a class VI or private road. Bill then expressed his concerns to Glenn from Fish and Game that they use the road and drive by him when he is working on the road, but they don't offer any money to fix it and don't offer to help. Bill was very upset and left.

The last stop was at the new Atwell/Orange Brook Bridge. The Town explained the work that was done when the bridge was installed and the work that was done due to the storm.

DES explained that to dredge and clean out the entire river would cost too much money so they feel the Town should concentrate close to the Town than out where they first stopped. They feel the Town should do

maintenance and stay on top of these sections. The Select Board mentioned that they know they can get equipment in at the other spot and although the Town doesn't have money this year, maybe next year they could hire someone to get in there to clean it out. Tony said he will work on getting quotes on what it would cost. DES said for the town to put together a plan and to contact them with the plan and to get permitting. The Town thanked everyone for coming out and explained they would work on a plan when and if money and manpower allow but it wouldn't be anytime soon.

**Having no other business to conduct, John motioned to adjourn at 6:15pm, Tony 2nd, so voted.**

Respectfully submitted,

Sara Smith  
Administrative Assistant