

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE  
AUGUST 4, 2015  
MINUTES**

Chairman Perkins called the meeting to order at 7:00 PM

Members present: Perkins, Capes, Delaney, Hanninen, and Swezey

Others present: Earth Removal/Stormwater Inspector Michelle Collette

**PUBLIC HEARING – NAM HANG, LLC, 788 BOSTON ROAD**

The Committee held the continuation of the public hearing to consider the Full Stormwater Permit application submitted by Nam Hang, LLC, to construct two restaurants, one with 4672 SF and the other with 2685 SF, at 788 Boston Road. Design engineer Robert Oliva of David Ross Associates represented the applicant at the public hearing. The Committee received a peer-review report dated July 22, 2015 from Nitsch Engineering.

Mr. Oliva said the redevelopment of Crossroads Plaza includes two buildings and a stormwater management system that complies with Chapter 352 Stormwater Regulations. There are no catch basins or manholes because the entire system is low impact development (LID). The system also meets all Massachusetts Stormwater Management Standards.

Chairman Perkins asked if the Best Management Practices (BMP) have been changed slightly. Mr. Oliva said the BMP's have not changed at all since the last public hearing. He said he reviewed the calculations in response to the comments in the Nitsch report.

Member Delaney asked if the stormwater system would support future expansion at the site. Mr. Oliva said, "no, there is no room with the proposed plan." Any future owner must submit changes to the plan for review.

Member Hanninen asked if the Operations and Maintenance Plan was submitted with the documents. Mr. Oliva said it was. Ms. Collette said it was submitted and is also referenced in the Planning Board's special permit decision.

Member Capes asked about granite curbing. Mr. Oliva said curbing will be installed only at the intersections.

The Committee voted unanimously to close the public hearing.

The motion was made by Hanninen, seconded by Delaney, to issue a full stormwater permit to Nam Hang, LLC, for development at 788 Boston Road with the following findings and conditions:

**Finding of Significance**

The Earth Removal Stormwater Advisory Committee determined that the proposed project is significant to the interests stated in Chapter 198, Section 1 Purposes, including:

*It has been determined that proper management of construction sites and post-development stormwater runoff will prevent damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare, protect water and aquatic resources, promote groundwater recharge to protect surface and groundwater drinking supplies, and encourage the appropriate use of the land throughout the Town.*

**Special conditions:**

1. Construction shall be done in accordance with the above-referenced plans and construction sequencing.
2. The construction entrance shall be stabilized for a minimum distance of 50 ft as shown on the "Construction Entrance" detail from the "Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas." The crushed stone shall be replenished as needed to prevent tracking sediment on the public way.
3. All work shall be done in compliance with the "Massachusetts Department of Environmental Protection - Stormwater Management, Volume One: Stormwater Policy Handbook, and Volume Two: Stormwater Technical Handbook," dated February 2008.
4. It is the applicant's responsibility to prevent the products of erosion and sedimentation from reaching Boston Road or Sandy Pond Road and causing a safety hazard on the public way. There shall be no net increase in runoff or erosion to the public ways, the municipal storm drain system, or abutting properties.
5. The limits of disturbance shown on the plan shall be well delineated in the field with erosion control barriers (silt fence, hay bale dike, or filter sock barrier) in the locations shown on the above-referenced plan. The limit of work not delineated by hay bales shall be delineated with yellow flagging to prevent disturbance. These barriers and flagging shall be maintained throughout construction to prevent any disturbance to the vegetation or topography beyond the limits of disturbance.
6. All disturbed areas and stockpiles must be properly stabilized. A supply of mulch hay shall be kept on site to stabilize disturbed areas.
7. During construction, no slope shall be any steeper than 2:1, including any open cellar holes, to prevent any potential public safety hazard. All excavations are to be done according to the latest version of the U.S. Department of Labor, Occupational Safety and Health Administration, 29 CFR 1926, Safety and Health Regulations for Construction, Subpart P – Excavations.

8. Catch basins shall be protected with hay bales or erosion control netting during construction to prevent the basins from becoming clogged with sand and silt.
9. The applicant shall take effective measures to control dust and windblown erosion at all times. All topsoil shall be stockpiled on the site. A row of hay bales shall be installed around the base of the stockpile. The stockpiles shall be seeded to prevent dust and wind-blown erosion.
10. The applicant shall comply with the Operation and Maintenance Plan entitled, "Stormwater Collection and Treatment System, Operation & Maintenance Plan," prepared by David E. Ross Associates, dated June 2015, revised July 2015
11. The applicant shall keep a log of spring and fall maintenance activities. The Operation and Maintenance plan shall comply with Section 352-22.
12. After a project is issued a Certificate of Completion the Responsible Party or Owner as listed in the Long Term Operation and Maintenance Plan shall submit annual BMP Inspection and Maintenance logs to the Committee and if applicable an updated Long Term Operation and Maintenance Plan on or before June 1<sup>st</sup> annually as required in Section 352-6D.
13. The applicant must submit any proposed change in the above referenced plans to the Earth Removal-Stormwater Advisory Committee for its review and approval before the change is implemented.
14. The removal of any excess earth material from the site requires a Certificate of Exemption from the Earth Removal By-law, Chapter 134 of the Code of the Town of Groton. Chapter 134, Section 10 Exemptions.
15. The applicant is responsible for obtaining any other permits (including but not limited to) those required by the Board of Selectmen, Board of Health, Conservation Commission, Building Commissioner, DPW Director, Planning Board and Zoning Board of Appeals.
16. It is the applicant's responsibility to insure that the contents of this permit are made known to all contractors who perform work at this site.
17. It is the applicant's responsibility to contact Dig Safe prior to the commencement of any work at the site. The applicant is responsible for obtaining a trench permit, if required by G.L. c. 82A §1 and 520 CMR 7.00 et seq (as amended).
18. The applicant will notify the Earth Removal Stormwater Inspector at least 48 hours prior to the commencement of construction. Additionally, the applicant will provide the Earth Removal Stormwater Inspector with emergency contact information for all site contractors.

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19. If the project is not completed within two (2) years from the date the permit is issued, it is the responsibility of the applicant to request an extension. The Committee may grant extensions for additional time provided that the applicant submits a written request for renewal no later than 30 days prior to expiration of the permit.
  
20. The applicant is required to obtain a Certificate of Completion as required in Section 352-5A Project Completion which states:

“When the construction of a project is completed, the applicant shall request that the Committee conduct a final inspection. For full stormwater management permits, the applicant must submit a statement from a registered professional engineer certifying that the project was completed in accordance with the approved plans and construction conditions of the permit. The applicant shall also submit an on-the-ground surveyed as-built plan prepared by a professional land surveyor. The Committee shall determine whether the project complies with the approved plans, construction conditions of the permit, and Chapter 198, Stormwater Management. If completion is satisfactory, the Committee shall issue a Certificate of Completion. “
  
21. This permit runs with the land and applies to any successor in interest or successor in control.

The motion passed unanimously.

**EARTH REMOVAL STORMWATER INSPECTOR REPORT**

Earth Removal Stormwater Inspector Michelle Collette reported that the shared driveway off Pepperell Road continues to have problems with runoff into Pepperell Road whenever it rains.

The motion was made by Delaney, seconded by Hanninen, to issue an enforcement order for erosion problems to GQGC, the developer of the three lots on the shared driveway at 129, 135 and 149 Pepperell Road. The motion passed unanimously.

Meeting adjourned at 7:45 PM

Respectfully submitted,

Michelle Collette  
Earth Removal/Stormwater Inspector