

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE  
TUESDAY, APRIL 5, 2016, 7:00 PM  
MINUTES**

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

Members present: Perkins, Hanninen, and McHugh

Member absent: Capes and Delaney

**PUBLIC HEARING – LAWRENCE ACADEMY STORMWATER PERMIT**

The Committee continued the public hearing for a full Stormwater Permit submitted by Lawrence Academy to construct a new entrance road on Main Street. Design Engineer Stan Dillis of Ducharme & Dillis Civil Design Group was present.

The Committee received letters dated March 25, 2016 and April 5, 2016 from Ducharme and Dillis and a report dated April 1, 2016 from Nitsch Engineering.

Mr. Dillis responded to the Nitsch Engineering report by explaining that a conventional drainage system would result in less disturbance than a Low Impact Development (LID) drainage system. The LID system would necessitate the removal of several specimen trees visible from Main Street.

Member McHugh asked what the applicant could do to meet the 80% TSS removal standard. Mr. Dillis said they cannot meet the 80% standard on the existing road and drainage system. The runoff calculations do not require installation of another subsurface drainage system for the existing road. Overflow drainage from the new road and new drainage system will tie into the municipal stormwater system in Main Street with the Town's approval. The new road and drainage system meet the 80% TSS removal standard and the existing road has 50% TSS removal.

Mr. Dillis said the existing Powderhouse Road will be discontinued after the new access road to Main Street is constructed.

The Committee voted unanimously to close the public hearing.

The motion was made by Hanninen, seconded by McHugh, to determine 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.*

**Waivers:**

The motion was made by Hanninen, seconded by McHugh, to grant the following waiver of the Stormwater Regulations:

1. Section 352-16.A requires removal of 80% of the average annual post construction load of total suspended solids (TSS). The Committee determined that the 80% TSS removal would be met for the new construction in the lower portion of the entrance road closest to Main Street. However, the reconstruction of the upper portion of the existing road removes 50% TSS. Removing 80% TSS for the upper section would require removal of significant trees and mature landscaping, and is therefore not required.

**Special conditions:**

The motion was made by Hanninen, seconded by McHugh to grant the permit with the following conditions:

1. The applicant agreed to grant a "Stormwater Management Easement" to the Town to allow the Town and its agents to access to the stormwater management system to maintain, or repair the system due to the failure of the developer or condominium association or any agent thereof to adequately operate, maintain, or repair the same. The developer or condominium association or any agent thereof shall be required to reimburse the Town for any expenses the Town incurs in such operations, maintenance or repair. The final easement shall be reviewed and approved by Town Counsel prior to execution by the Town.
2. This stormwater permit shall not be in effect until the Stormwater Management Easement is recorded at the Middlesex South Registry of Deeds. As required in GL Chapter 40A, Section 11, and Groton Zoning By-Law Section 218-32.1. No construction or site alteration shall until evidence of such recording is submitted to the Earth Removal Stormwater Advisory Committee by the applicant.
3. Construction shall be done in accordance with the above-referenced plans and construction sequencing.
4. 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.
5. 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.
6. It is the applicant's responsibility to prevent the products of erosion and sedimentation from reaching Main Street and causing a safety hazard on the public way. There shall be no net increase in runoff or erosion to the public ways or abutting properties.
7. The limits of disturbance shown on the plan shall be well delineated in the field with erosion control barriers in the locations shown on the above-referenced plan. The limit of work not delineated by erosion control barriers 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.

8. All disturbed areas and stockpiles must be properly stabilized. A supply of erosion control materials shall be kept on site to stabilize disturbed areas. 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.
9. Catch basins shall be protected with erosion control barriers and siltation sacks during construction to prevent the basins from becoming clogged with sand and silt.
10. The applicant shall take effective measures to control dust and windblown erosion at all times. All topsoil shall be stockpiled on the site. Erosion control barriers shall be installed around the base of the stockpile. The stockpiles shall be seeded to prevent dust and wind-blown erosion.
11. The applicant shall comply with the Operation and Maintenance Plan entitled, “Stormwater Report Appendix H Operation and Maintenance Plan.” 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<sup>as</sup> 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).

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18. The applicant will notify the Earth Removal Stormwater Inspector and the DPW Director 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.
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.

#### **MINUTES**

The Committee voted unanimously to approve the minutes of January 5, 2016; January 19, 2016; and February 16, 2016.

Meeting adjourned at 7:30 PM

Respectfully submitted,

Michelle Collette  
Earth Removal Stormwater Inspector