

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE  
TUESDAY, FEBRUARY 21, 2017, 7:00 PM  
MINUTES**

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

Members present: Perkins, Capes, McHugh, and Hanninen

Member absent: Delaney

**PUBLIC HEARING – MAPLE SUGAR, LLC, LONGLEY ROAD**

In accordance with the provisions of Chapter 198 of the Code of Groton, the Earth Removal Stormwater Advisory Committee held a public hearing to consider the application for a Full Stormwater Management Permit submitted by Maple Sugar, LLC, for construction of a house, sewage disposal system and driveway as shown on the plan entitled, "Single Driveway Permit Plan, Longley Road, Groton, MA 01450," prepared by GPR, Inc., dated December 2, 2016. The proposed lot development will be located on Assessors' Map 225, Parcel 31, on the easterly side of Longley Road.

Chairman Perkins called the public hearing to order. Design engineer Bruce Ringwall represented the applicant at the public hearing.

Mr. Ringwall described the plan to construct a single-family house, sewage disposal system, and driveway on a 20+ acre lot on Longley Road. The 1400 ft long driveway requires two wetlands crossings that have been approved by the Conservation Commission. The proposed stormwater management plan meets all the requirements of Chapter 198 Stormwater Management By-law and Chapter 352 Stormwater Regulations. The driveway will be super-elevated with a swale on the southern side. Tree box infiltrators will be installed on the northern side of the driveway. An arched box-culvert will be installed at the two wetlands crossings. Runoff will flow into the tree box filters and bio-retention basin as shown on the plan. Turn-out areas have been provided as requested by the Fire Chief. Erosion control will be installed as shown on the plan. The plan meets all TSS removal standards. The Conservation Commission approved the replication areas and plantings.

Mr. Ringwall submitted a letter requesting a waiver of the filing fee for the Full Stormwater Management Permit and asked that the Committee accept the fee in the amount of \$100 for the Limited Stormwater Management Permit because no technical review is needed. The area to be disturbed is just over 40,000 square feet, the threshold for a Full Stormwater Management Permit. Stormwater Inspector Michelle Collette said the applicant submitted a check for \$500 with the application but did not submit the additional amount of \$1500 based on the project review formula pending the Committee's determination on the waiver.

Member Hanninen asked about the width of the driveway. Mr. Ringwall said it will be 10 ft wide with 2 ft shoulders on each side. A portion of the driveway will be paved and a portion will be gravel.

Member McHugh asked about cut and fill and whether any material would be removed from the site. Mr. Ringwall said there would be more cut than fill, but the topsoil may be used on the site. He noted that there is some ledge on the property.

Stormwater Inspector Michelle Collette said the applicant must obtain a blasting permit from the Fire Chief if any blasting is required. Mr. Ringwall agreed.

The Committee discussed the request for the fee waiver including the amount of administrative follow-up required by the Full Stormwater Permit regulations including the annual reporting on the Operation and Maintenance plan. Member Hanninen spoke in favor of waiving the fee to the \$100 Limited Stormwater Management Permit amount.

The motion was made by McHugh, seconded by Hanninen, to require the administrative fee of \$500 for the Full Stormwater Management Permit and to waive the additional project review fee based upon the formula in the regulations. The motion passed with Perkins, Capes, and McHugh in favor; Hanninen opposed.

The Committee voted unanimously to close the public hearing.

The motion was made by Hanninen, seconded by McHugh, to grant the Full Stormwater Management Permit to Maple Sugar, LLC, with the following findings, waiver, 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.*

#### **Waivers:**

The Committee voted to grant the following waivers of the Stormwater Regulations:

- Section 352-3 Filing Fees for submission of the \$500 administrative fee and to not require the additional project review fee because no technical review is required

#### **Special conditions:**

At its regular meeting on February 21, 2017, the Earth Removal-Stormwater Advisory Committee voted to grant the permit with the following 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 Longley 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 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.
6. All disturbed areas and stockpiles must be properly stabilized. A supply of erosion control materials 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. 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.
9. The applicant shall comply with the Construction Sequencing Plan, the SWPPP, and the NPDES Construction General Permit. The applicant shall keep a log of spring and fall maintenance activities.
10. The applicant shall comply with the Operation and Maintenance Plan entitled, "Long Term Pollution Prevention Plan & Stormwater System Operation and Maintenance Plan, dated November 2016." The applicant shall keep a log of spring and fall maintenance activities. The Operation and Maintenance plan shall comply with Section 352-22.
11. 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.
12. 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.
13. 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.
14. 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, Zoning Board of Appeals, and the Fire Chief for any blasting permits.

15. 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.
16. 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).
17. 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.
18. 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.
19. 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."
20. This permit runs with the land and applies to any successor in interest or successor in control.

The motion passed unanimously.

#### **PUBLIC HEARING – GROTON COMMUNITY SCHOOL, 110 BOSTON ROAD**

In accordance with the provisions of Chapter 198 of the Code of Groton, the Earth Removal Stormwater Advisory Committee held a public hearing to consider the application for a Full Stormwater Management Permit submitted by Groton Community School to construct an addition and parking as shown on the plan entitled, "Site Plan for Proposed Building Renovation, Groton Community School," prepared by Ducharme & Dillis Civil Design Group, dated December 31, 2008, with revisions through November 30, 2016. The proposed building renovation will be located at 110 Boston Road, Assessors' Map 222, Parcel 18, on the southerly side of Boston Road.

Chairman Perkins called the public hearing to order. Groton Community School Trustees John Amaral and Deborah MacDonald, GCS Director Linda Kosinski, and design engineer Stan Dillis were present at the public hearing.

Mr. Amaral, Chairman of the Board of Trustees, reviewed the history of the expansion plan for the school. He said the GCS is celebrating its 70<sup>th</sup> anniversary this year. A new building was constructed at the Boston Road location in 1985. The proposed addition to the building was approved by the Planning Board and Conservation Commission in 2009, but never constructed.

Mr. Dillis said the proposed plan submitted with this application has been revised since 2009. A Stormwater management Permit was not obtained for the 2009 plan. The modified plan, submitted in 2017, includes an addition 2000 square feet of building space. Rain gardens will be installed, permeable pavement will be used for the parking lot, and the additional impervious area has decreased from 4500 square feet to 3400 square feet by the use of pervious pavement. Stormwater calculations and the Operation and Maintenance plan were submitted with the application.

Member Capes asked about maintenance of the pervious pavement. Mr. Dillis said it should be vacuumed twice a year. There is a company in Fitchburg that provides the vacuuming service.

Member Capes asked about roof runoff. Mr. Dillis said it would be directed toward the rain garden and lawn area where it would be infiltrated before reaching the wetlands.

Member Hanninen asked about the high groundwater elevation and if it would impact the rain garden. Mr. Dillis said the groundwater is 18-24" deep and the rain garden would function as designed.

Member McHugh asked Mr. Dillis to compare the proposed plan to the existing conditions rather than comparing it with the 2009 plan that was never constructed. She noted that the Committee never approved the 2009 plan because an application was never submitted. She said the Committee should review this from the beginning rather than as a revision to the 2009 plan.

Mr. Dillis described the changes from the existing conditions for the Committee's consideration. He said stormwater is being attenuated from the entire addition. The drainage design was done and approved in 2009. This 2017 plan provides mitigation for any additional runoff. The 2017 plan enlarged the rain garden and changed the standard pavement to pervious pavement thereby decreasing the amount of new impervious area.

Stormwater Inspector Michelle Collette asked the application to work with other landowners to prevent flooding and icing at the intersection of the access road and Route 119. Mr. Dillis said some improvements were installed at the intersection by Charles Giachetto, owner of Emerson Medical offices and CVS. Ms. Kosinski said the intersection is still an issue. Mr. Dillis said all three parties (Charles Giachetto, Robert Kiley, and the GCS) are responsible for maintaining the shared driveway. The Committee urged the applicant to work with the other parties to prevent future problems. The applicant agreed.

The Committee voted unanimously to close the public hearing.

The motion was made by Hanninen, seconded by McHugh, to grant the Full Stormwater Management Permit to Groton Community School, 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:**

At its regular meeting on February 21, 2017, the Earth Removal-Stormwater Advisory Committee voted to grant the permit with the following 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 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. The Committee encourages the applicant to work with other responsible parties to prevent ponding and icing at the intersection of the shared access and Boston Road (Route 119).
5. 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.
6. All disturbed areas and stockpiles must be properly stabilized. A supply of erosion control materials 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. 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.
9. The applicant shall comply with the Construction Sequencing Plan, the SWPPP, and the NPDES Construction General Permit. The applicant shall keep a log of spring and fall maintenance activities.
10. The applicant shall comply with the Operation and Maintenance Plan entitled, "Stormwater Operation & Maintenance Manual," prepared by Ducharme & Dillis Civil Design Group, dated November 30, 2016.

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.
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.”

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21. This permit runs with the land and applies to any successor in interest or successor in control.

The motion passed unanimously.

**REVOLVING FUND**

The motion was made by Hanninen, seconded by McHugh, to request that the annual spending limit for the revolving fund be increased from \$10,000 to \$20,000 based upon the number of large-scale application. The motion passed unanimously.

**MINUTES**

The Committee voted to approve the minutes of November 1, 2016 and December 6, 2016.

Meeting adjourned at 9:00 PM

Respectfully submitted,

Michelle Collette  
Earth Removal Stormwater Inspector