

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE  
TUESDAY, AUGUST 1, 2017, 7:00 PM  
MINUTES**

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

Members present: Perkins, Giger, McHugh, and Hanninen

Member absent: Delaney

**PUBLIC HEARING – ROBERT KILEY, OLD DUNSTABLE 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 Limited Stormwater Management Permit submitted by Robert Kiley for construction of a house, sewage disposal system and driveway as shown on the plan entitled, "Sewage Disposal System Design, Lot #1, Old Dunstable Road, Groton, Massachusetts," prepared by Ducharme & Dillis Civil Design Group," dated June 19, 2017. The proposed lot development will be located on Assessors' Map 243, Parcel 28, on the southerly side of Old Dunstable Road.

Chairman Perkins opened the public hearing and read the notice published in the July 21, 2017 issue of the *Groton Herald*. Applicant Robert Kiley and design engineer Stan Dillis were present at the public hearing.

Mr. Dillis presented the plan described the plan to develop the new building lot located on Old Dunstable Road near the intersection with Island Pond Road. All work will be done outside the wetlands buffer zone. The lot is relatively flat and slopes away from Old Dunstable Road. The plan shows a single-family house and a possible barn to be constructed in the future.

Member Hanninen asked if recharge trenches would be installed. Mr. Dillis said, "no," they are not needed because the soil is very sandy.

The Committee voted unanimously to close the public hearing.

The motion was made by McHugh, seconded by Hanninen, to issue the Limited Stormwater Management Permit with the following findings and conditions:

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

**Finding of Significance**

*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.

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 Old Dunstable Rd 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. Work shall not go beyond the limits of disturbance shown on the above-referenced plan. The stakes 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 material shall be kept on site to stabilize disturbed areas.
7. The applicant shall take effective measures to control dust and windblown erosion at all times.
8. 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.
9. 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.
10. 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 Inspector, DPW Director, Planning Board and Zoning Board of Appeals.
11. 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.
12. 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).
13. The applicant will notify the Earth Removal Stormwater Inspector at least 48 hours prior to the commencement of construction.
14. 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.

15. 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 (with Perkins, Hanninen, and McHugh in favor, Giger abstaining) to approve the minutes of May 2, 2017; June 6, 2017; and June 20, 2017.

#### **225 PEPPERELL ROAD UPDATE**

Design engineer Stan Dillis and realtor Don Black updated the Committee on work on the lot located at 225 Pepperell Road owned by Ralph Hogan and the abutting lot owned by Gail Miller.

The Committee received progress reports dated July 21, 2017; July 25, 2017; and July 31, 2017 from Ducharme and Dillis Civil Design Group. Mr. Dillis said the house location and driveway were changed to eliminate the need for a riprap bank. The new location is an improvement. There are no changes to the stormwater management components of the plan. Stormwater Inspector Michelle Collette requested that the applicant submit a written request to change the plan. Mr. Dillis said he would do so.

Member Hanninen asked if there are any changes to the sewage disposal system. Mr. Dillis said, "no."

Member Giger asked Mr. Dillis to update the plan. Mr. Dillis said he would update the stormwater management plan and that a certified plot plan would be submitted to the Building Commissioner.

Stormwater Inspector Michelle Collette said all disturbed areas must be reclaimed and that removal of excess earth material could not exceed 500 cubic yards as stated in the Certificate of Exemption issued on July 24, 2017. Any additional removal of earth material requires a permit from the Board of Selectmen.

The motion was made by Hanninen, seconded by Perkins, to recommend that the Building Commissioner may, at his discretion, issue a building permit for the lot owned by Ralph Hogan at 225 Pepperell Road with the condition that the applicant submit a request for a minor change to the plan, including a narrative and new plan, that all disturbed areas be reclaimed, and that the removal of earth material not exceed 500 cubic yards as stated in the Certificate of Exemption dated July 24, 2017. The motion passed unanimously.

#### **PUBLIC HEARING –LOON HILL DEVELOPMENT, 67 FARMERS ROW**

In accordance with the provisions of Chapter 198 of the Code of Groton, the Earth Removal Stormwater Advisory Committee held a public to consider the application for a Limited Stormwater Management Permit submitted by Loon Hill Development, LLC for construction of a house, sewage disposal system and driveway as shown on the plan entitled, "Sewage Disposal System Design in Groton, Massachusetts," prepared by Hannigan Engineering," dated October 18, 2016, and on the plan entitled, "Proposed Plot Plan, Lot 1A, 67 Farmers Row, Groton, Massachusetts," prepared by Meisner Brem Corporation, dated June 26, 2017. The proposed lot development will be located on Assessors' Map 108, Parcel 3, on the easterly side of Farmers Row.

Chairman Perkins opened the public hearing and read the notice published in the July 21, 2017 issue of the *Groton Herald*. Applicant Dan Chasse of Loon Hill Development was present at the public hearing.

Mr. Chasse presented the plan to construct new single-family house, driveway and sewage disposal system on one of two lots on Farmers Row near the intersection with Broadmeadow Road. The existing construction access is through the second lot on Broadmeadow Road.

Member Giger asked if the driveway serving the lot would be on Farmers Row. Mr. Chasse said, "yes." He said he is installing the approved sewage disposal system as designed and relocated the house to be as far away from the Center Fire Station as possible. The DPW Director approved the location of the new driveway cut on Farmers Row. The limits of work are shown on the plan, and the total disturbed area is 39,300 square feet. All disturbed areas will be landscaped as shown on the plan approved by the Historic Districts Commission. The silt fence along Farmers Row will remain in place until the new driveway is ready to be paved.

Earth Removal Stormwater Inspector Michell Collette said she granted a Certificate of Exemption for the removal of less than 500 cubic yards of excess material for the lot. She said she requested that the Building Commission not issue the building permit until the Stormwater Management Permit is granted.

The Committee voted unanimously to close the public hearing.

The motion was made by Hanninen, seconded by Perkins, to issue the Limited Stormwater Management Permit with the following findings and conditions:

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

**Finding of Significance**

*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.
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. The construction entrance shall be located on the adjoining Lot 108-4, on Broadmeadow Road. No construction vehicles shall access Lot 108-3 from Farmers Row until the new driveway off Farmers Row is paved, as offered by the applicant at the public hearing.
4. 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.

5. It is the applicant's responsibility to prevent the products of erosion and sedimentation from reaching Broadmeadow Road or Farmers Row 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.
6. Work shall not go beyond the limits of disturbance shown on the above-referenced plan. The stakes shall be maintained throughout construction to prevent any disturbance to the vegetation or topography beyond the limits of disturbance.
7. All disturbed areas and stockpiles must be properly stabilized. A supply of erosion control material shall be kept on site to stabilize disturbed areas.
8. The applicant shall take effective measures to control dust and windblown erosion at all times.
9. 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.
10. 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. The request for a Certificate of Exemption must be submitted to the Board of Selectmen because 500 cubic yards of earth material has been previously removed from the site.
11. 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 Inspector, DPW Director, Planning Board and Zoning Board of Appeals.
12. 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.
13. 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).
14. The applicant will notify the Earth Removal Stormwater Inspector at least 48 hours prior to the commencement of construction.
15. 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.
16. This permit runs with the land and applies to any successor in interest or successor in control.

The motion passed unanimously.

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Meeting adjourned at 8:00 PM

Respectfully submitted,

Michelle Collette  
Earth Removal Stormwater Inspector