

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE
TUESDAY, NOVEMBER 14, 2017, 7:00 PM
MINUTES**

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

Members present: Perkins Delaney, Giger, and Hanninen

Member absent: McHugh

PUBLIC HEARING – LOON HILL DEVELOPMENT, 188 BROADMEADOW ROAD

In accordance with the provisions of Chapter 198 of the Code of Groton, the Earth Removal Stormwater Advisory Committee held a public hearing on Tuesday, November 14, 2017, 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 Plan Revision, 188 Broadmeadow Road, in Groton, Massachusetts," prepared by Meisner Brem Corporation, dated October 3, 2017. The proposed lot development will be located on Assessors' Map 108, Parcel 2, on the northerly side of Broadmeadow Road.

Chairman Perkins opened the hearing by reading the legal notice published in the November 3, 2017 issue of the *Groton Herald*. Applicant Dan Chasse of Loon Hill Development was present at the hearing.

Mr. Chasse presented plans to construct a new single-family house on a lot located at the intersection of Broadmeadow Road and Farmers Row. Loon Hill Development is also building a house on the abutting lot located at 67 Farmers Row. The existing construction driveway off Broadmeadow Road will be used as access to the proposed house at 188 Broadmeadow Road. The house on Farmers Row is accessed by a new driveway on Farmers Row (see Stormwater Management Permit #2017-07).

Mr. Chasse amended the plan at the hearing to show the new limit of disturbance delineated in the field by silt fence and erosion control material.

Member Giger asked when construction of the proposed house will be completed. Mr. Chasse said in June 2018.

The Committee voted unanimously to close the public hearing.

The motion was made by Hanninen, seconded by Delaney, to issue a Limited Stormwater Management Permit for 188 Broadmeadow Road with the following findings and conditions:

Findings

The Earth Removal 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:

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.
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 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.
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. 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.

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.

Mr. Chasse thanked the Committee and said all the Town staff has been helpful and good to work with on his projects.

COMMENTS TO THE BOARD OF SELECTMEN – BLOOD EARTH REMOVAL PERMIT

The Board of Selectmen requested comments from the Committee regarding the request submitted by Richard Blood on November 7, 2017 to extend the earth removal permit for the Blood property located at 94 West Main Street on Assessor's Map 106, Parcel 15.

The motion was made by Delaney, seconded by Hanninen, to recommend that the Board of Selectmen renew the Earth Removal Permit granted to Elliot Blood under the provisions of the Chapter 134 Earth Removal, Section 134-3B Existing Operations. The permit should include the standard conditions as outlined in the "Guidelines for Earth Removal Activities Under the Earth Removal By-law, Section IIIA – Existing Operations," adopted by the Board of Selectmen on March 16, 1987, pending inspection of the site by the Earth Removal Stormwater Inspector.

The motion passed unanimously.

The motion was made by Delaney, seconded by Hanninen, to recommend that the Board of Selectmen waive the two-year deadline to renew the permit in light of the extenuating circumstances the Blood family has undergone including the deaths of Doris Blood in March, 2016 and Elliot Blood in October, 2016. Please note that Chapter 239, Section 8, states:

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“The Board of Selectmen, at the time of issuing an earth removal permit, will impose such special terms, conditions and restrictions as it may deem necessary to accomplish the purposes of the Earth Removal Bylaw in the particular circumstances. In addition to the special terms, conditions and restrictions, the permit will be considered to be issued subject to the terms, conditions and restrictions set out in Subsection C of these regulations, unless specifically waived by the Board with the reasons for the waiver action clearly stated in writing. In the event of changes in these regulations after the date of an earth removal permit and before a certificate of compliance with such permit has been issued, the terms of the regulations as changed will apply to any renewal of such permit.”

The motion passed unanimously.

Meeting adjourned at 7:30 PM

Respectfully submitted,

Michelle Collette
Earth Removal Stormwater Inspector