

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE  
TUESDAY, MARCH 6, 2018, 7:00 PM  
MINUTES**

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

Members present: Edward Perkins, Tom Delaney, John Giger, Bob Hanninen,  
and Eileen McHugh

**PUBLIC HEARING – SENIOR CENTER STORMWATER PERMIT**

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, March 6, 2018, at 7:00 PM in the Town Hall (second floor meeting room) to consider the application for a Full Stormwater Management Permit submitted by the Town of Groton to construct a new 10,900 square foot Senior Center with associated parking and drainage system as shown on the plan entitled, "Site Plan for Groton Senior Center, 163 West Main Street," prepared by Ducharme & Dillis Civil Design Group, dated February 9, 2018. The proposed Senior Center will be located on Assessors' Map 106, Parcel 38, on the northerly side of West Main Street.

Chairman Perkins called the public hearing to order and read the notice published in the February 23, 2018 issue of *The Groton Herald*. Architect Gregg Yanchenko and design engineer Greg Roy of Ducharme & Dillis Civil Design Group represented the Town of Groton at the hearing.

Stormwater Inspector Michelle Collette disclosed that she is a member of the Senior Center Building Committee and would not participate in the discussion. Please see letter of disclosure from Ms. Collette dated March 6, 2018 on file with the Town Clerk.

Design engineer Greg Roy presented the plan to demolish the existing 5000 SF Senior Center and construct a new 10,500 SF center. Mr. Roy responded to the comments in the March 1, 2018 peer review report from Jared Gentilucci of Nitsch Engineering. Mr. Gentilucci was present at the public hearing.

Mr. Roy said the site includes the 100-ft wetlands buffer zone and the 200-ft river front area along Wrangling Brook, but no 100-year floodplain. After meeting with the Conservation Commission, the building was moved entirely out of the buffer zone, resulting in the loss of four parking spaces and some landscaping areas. The proposed stormwater management system includes a subsurface Cul Tec system that will be located under the parking lot. The soils are sand and gravel and will drain well. An emergency overflow was added in response to the Nitsch Engineering comments.

Mr. Roy said the applicant is requesting three waivers of Chapter 352 Stormwater Regulations as outlined in the application. The stormwater management system is in full compliance with 85% TSS removal for water quality. Mr. Roy said the site could have been considered a redevelopment site under the Massachusetts Stormwater Management Regulations, but the plan meets the standards for new development.

Mr. Gentilucci said he had no issues with any of the requested waivers and recommended that the Committee grant the waivers. He summarized his report date March 1, 2018. He noted that the

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percolation rates and soil tests were very good. Mr. Roy said the testing was witnessed by Ira Grossman of the Nashoba Associated Boards of Health.

Member Giger asked about the size of the overflow pipe. Mr. Roy said 12".

Member Giger asked about annual maintenance. Mr. Roy said the entire system must be inspected in the spring and fall. Sediment must be cleaned out when the system is inspected.

Member Giger said CB #5 would overflow to the abutting property owned by GEMS, Inc. Mr. Roy said there would be some overflow in a large storm event but there would be no adverse impact to the wetlands since the overflow is 300 ft outside the buffer zone.

Chairman Perkins asked if a berm could be installed at the property line to mitigate the overflow. Mr. Roy said he would look at it.

Member Hanninen asked Mr. Roy if he looked at LID techniques because the underground system requires maintenance. Mr. Roy said there is not enough room on the site. An open discharge to the rear of the building would have more impact on the resource area and endangered specials. The Natural Heritage and Endangered Species Program (NHESP) issued a "no take" letter for the project as designed.

Member Hanninen asked about the construction season. Mr. Roy said construction would begin in July, and a biologist will be on site to monitor the turtles.

Member Hanninen said he is concerned about overflow of runoff onto GEMS, Inc. land. Mr. Yanchenko said the Town would like to the GEMS land in exchange for a conservation restriction on the remainder of the Senior Center 7-acre parcel. The land swap will be addressed in the future because it is subject to Article 97 which requires a vote of the State Legislature to release or amend the conservation restriction on the GEMS property.

Mr. Roy noted that the stormwater management system, as designed, completely contains the 100-year storm.

Member Hanninen asked if the parking lot would have pervious pavement. Mr. Roy said, "no," because the Town has maintenance concerns.

Member McHugh expressed appreciation for moving the building outside the 100-ft buffer zone. However, she has concerns about the use of the Cul Tec system. She said permeable pavement should be considered. She asked about the size of the parking spaces. Mr. Roy said they are 10' x 20' due to the age of the patrons. Mr. Yanchenko said they met with the Fire Chief to confirm that the site was designed to meet requirements for fire truck access.

Ms. McHugh noted that the underground Cul Tec system would be difficult for the Town to maintain. She asked about the limit of work. Mr. Roy said the limit of disturbance line is on the revised plan submitted at the public hearing. He pointed out the erosion control barriers and turtle control fence.

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Member Delaney requested that a trash rack be installed in the overflow pipe to prevent wildlife from entering the pipe. Mr. Roy agreed to do so. Mr. Delaney said pervious pavement is difficult for the Town to maintain because the Town does not have a vacuum truck to vacuum the pavement. He suggested adding a swale along the entrance road to prevent overflow onto the GEMS property.

Member Giger said he supports the larger parking spaces with more room for seniors with walkers and other mobility issues. Mr. Yanchenko said they worked closely with the Council on Aging (COA) and COA Director Kathy Shelp on the layout of the parking lot. The plan shows twice as many handicap accessible parking spaces as required in the Architectural Access Board regulations. The building has been moved out of the buffer zone as requested by the Conservation Commission. He requested that the Committee approve the plan as designed with the minor revisions discussed at the hearing.

Chairman Perkins asked about installing a rain garden. Mr. Roy said a rain garden requires maintenance and would result in a reduction in the number of parking spaces. Green areas include the vegetable garden managed by the seniors and a pollinator garden planted by the Sustainability Commission.

The motion was made by Hanninen, seconded by Giger, to close the public hearing. The motion passed unanimously.

The motion was made by Hanninen, seconded by McHugh, to grant the following waivers:

1. Section 352-11C(5) To qualify as a treatment BMP, a recharge system must discharge to soils with infiltration rates less than or equal to 2.4 inches per hour. The waiver is necessary to accommodate the larger building and parking area.
2. Section 352-11C(10) Underground recharge systems may only be used to recharge runoff directly from rooftops. The waiver is necessary to collect runoff from the roof and paved areas. Runoff will receive pre-treatment as shown on the plan.
3. Section 352-13G – Use curve number (CN) values as provided in Table 2 to calculate stormwater runoff rater for pre/post-construction ground surface conditions. The applicant utilized standard CN values for the HydroCAD modeling because there will be no significant difference in in surface conditions post-development.

The motion passed unanimously.

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

**Special conditions:**

At its regular meeting on March 6, 2018, the Earth Removal-Stormwater Advisory Committee voted (with Members Delaney, Perkins, Giger, and Hanninen in favor, Member McHugh opposed) 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 West 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, 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. 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.
9. 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.
10. 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.
11. The applicant shall comply with the Operation and Maintenance Plan entitled, “Stormwater Operation & Maintenance Manual,” prepared by Ducharme & Dillis Civil Design Group, dated February 9, 2018. 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 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. The plan must include a construction gate and fencing.
20. The design engineer shall modify the plan to address the Committee's concerns regarding possible overflow from Catch Basin #5 to the abutting property owned by GEMS, Inc. (Map 106, parcel 33) as required in Condition #4 above. The plan shall also include a trash rack to prevent debris and small animals from blocking the "Proposed Riprap Outlet for Overflow Pipe in the rear of the site.
21. 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.
22. 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. "
23. This permit runs with the land and applies to any successor in interest or successor in control.

The motion passed with Delaney, Giger, Hanninen, and Perkins in favor; McHugh opposed.

**PUBLIC HEARING – 225 INDIAN HILL ROAD STORMWATER PERMIT**

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, March 6, 2018, at 7:30 PM in the Town Hall (second floor meeting room) to consider the application for a Full Stormwater Management Permit submitted by Steven Boucher to construct a single-family house, sewage disposal system, and driveway as shown on the plan entitled, "Plan to Accompany Stormwater Permit, Prepared for EMJ Trust," prepared by Marsden Engineering Incorporated, dated October 17, 2017. The proposed lot development will be located on Assessors' Map 236, Parcel 33, on the southerly side of Indian Hill Road.

Chairman Perkins called the public hearing to order and read the notice published in the February 23, 2018 issue of *The Groton Herald*. Applicant Steven Boucher and design engineer Steve Marden of Marsden Engineering Group were present at the hearing.

Mr. Marsden described the site located at the end of Indian Hill Road. The applicant purchased the lot from the Groton Conservation Trust. There is a building envelope and conservation restriction on the lot as shown on the plan submitted with the application. Oxbow Associates identified blanding's turtle habitat so all earth work must be completed prior to April 15<sup>th</sup>. There will be no earth material removed from the site and no work in the 100-ft wetlands buffer zone. The construction entrance has been installed, and the applicant sweeps Indian Hill Road twice a day.

Member Delaney requested that the applicant address runoff funneling onto the road. Mr. Boucher agreed to do so. He said the loam pile will be used to restore the disturbed area as soon as the Board of Health inspects the sewage disposal system in two weeks. All loaming and seeding will be done by April 15, 2018.

The motion was made by Hanninen, seconded by Giger, to close the public hearing.

The motion was made by Hanninen, seconded by Perkins, to grant the permit with the following finds 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 March 6, 2018 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 Indian Hill 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, "Stormwater Operation & Maintenance Manual, Steven Boucher, Indian Hill Road, Groton, Massachusetts," prepared by Marsden Engineering, Inc., dated February 2018.
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. "
21. This permit runs with the land and applies to any successor in interest or successor in control.

The motion passed with unanimously.

#### **COMPLIANCE ISSUES – 67 FARMERS ROW/188 BROADMEADOW ROAD**

The Committee met with Tim Juszczak of Loon Hill Development to discuss flooding problems at 67 Farmers Row. Runoff flowed from the lot onto Farmers Row and the abutting Fire Department property during a recent rain event. Mr. Juszczak apologized for the problem and said as soon as the final grading is completed, the problem will be remedied.

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The motion was made by Hanninen, seconded by McHugh, to require that the applicant submit a revised plan to keep runoff on the site and to prevent erosion and siltation on Broadmeadow Road and Farmers Row. The motion passed with unanimously.

**PERMITTING SOFTWARE**

The Committee discussed problems with applicants not knowing when stormwater permits are required now that building permits are issued on-line. The motion was made by Delaney, seconded by McHugh, to request that Stormwater Permits be added to the list of documents to be uploaded on the Building Permit software. The motion passed with unanimously.

**GELD STORMWATER PERMIT EXTENSION**

The motion was made by Hanninen, seconded by McHugh, to extend the stormwater permit, #2016-03, issued to the Groton Electric Light Department for work at the substation at 440 Lowell Road. The motion passed with unanimously.

Meeting adjourned at 9:00 PM

Respectfully submitted,

Michelle Collette

Earth Removal Stormwater Inspector