

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE  
TUESDAY, MARCH 20, 2018, 7:00 PM  
MINUTES**

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

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

Member absent: Tom Delaney

**PUBLIC HEARING –STORMWATER PERMIT, KEN TULLY, 638 CHICOPEE ROW**

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 20, 2018, at 7:00 PM to consider the application for a Limited Stormwater Management Permit submitted by Ken Tully to construct a single-family house, sewage disposal system, and driveway as shown on the plan entitled, "Grading Plan in Groton, Massachusetts, Lot 1 – Chicopee Row," prepared by Land Engineering & Environmental Services, Inc., dated November 14, 2017, revised March 6, 2018. The proposed lot development will be located on Assessors' Map 230, Parcel 59, on the easterly side of Chicopee Row.

Chairman Perkins called the public hearing to order and read the notice published in the March 9, 2018 issue of the *Nashoba Valley Voice*. Applicant Ken Tully was present at the hearing.

The Committee received an email message from abutter Sally Ryken expressed concern that a substantial amount of work had begun prior to the submission of the application for a stormwater permit. Her message included concerns regarding the potential impact of runoff onto her property.

Mr. Tully apologized and said he did not know about the Stormwater Permit until he applied for a building permit. He submitted his application and engineered plan as soon as possible when he learned a Stormwater Permit was required.

Member McHugh asked how much land area had been cleared to date. Mr. Tully said the 25-30 ft wide driveway, the area where the house will be located and the slope in the rear of the site have all been cleared. Stumps and brush have been removed.

Member Giger asked about roof runoff. Mr. Tully said the roof runoff will be discharged to the north, away from the abutting property. He described the limit of disturbance as shown on the plan. A gentle swale will be installed along the driveway to slow down runoff. There will be no work in the wetlands buffer zone or riverfront area.

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

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

### **Finding of Significance**

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:**

At its regular meeting on March 20, 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 as modified at the public hearing.
2. A gentle swale shall be constructed in the disturbed area near the southern property line between the rear of the house and rear property line. The purpose of the swale is to allow stormwater runoff to percolate naturally into the ground. The driveway shall be pitched toward the northeast to direct runoff toward the undeveloped portion of the lot. Roof runoff shall be directed toward the northeast.
3. 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.
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 Chicopee 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. The limit of disturbance shall be 10 feet along the southern edge of the driveway.
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.

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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.
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 with unanimously.

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

The Committee received a revised plan to address flooding issues on the two lots are the intersection of Broadmeadow Road and Farmers Row. Since the applicant and engineer were not present, the Committee postponed discussion until the next meeting.

#### **PUBLIC EDUCATION**

The Committee discussed the on-going problem of applicants not knowing about the Stormwater Permit requirements until they apply for building permits. The Committee discussed doing outreach to design engineers prepare plans in the early stages of development. The Permit Guide, prepared in 2016, is posted on the Town's website.

Meeting adjourned at 8:00 PM

Respectfully submitted,

Michelle Collette  
Earth Removal Stormwater Inspector