

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE  
TUESDAY, MAY 1, 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, and Eileen McHugh

Member absent: Bob Hanninen and Tom Delaney

**PUBLIC HEARING – ROCKY HILL MULTIFAMILY HOUSING, HUMMINGBIRD LANE**

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, May 1, 2018 at 7:00 PM in the Town Hall (second floor meeting room) to consider the application for a Limited Stormwater Management Permit submitted by Moulton Construction to construct housing for people 55-years old and older as shown on the plan entitled, "Erosion Control Plan, Hummingbird Way, Rocky Hill, Groton, MA," prepared by Ducharme & Dillis Civil Design Group, dated April 11, 2018. The proposed development will be located on Assessors' Map 120, Parcel 2-40, on the northerly side of Robin Hill Road.

Chairman Perkins called the public hearing to order and read the notice published in the April 20, 2018 issue of *The Groton Herald*. Attorney Robert Collins and design engineer Stan Dillis represented applicant David Moulton at the hearing.

The Committee received a letter dated April 17, 2018 from Attorney Collins as part of the application. Attorney Collins described how the land was purchased in 1998 by David Moulton and Robert Lacombe. Mr. Lacombe developed the commercial site, where Shaws is located, and David Moulton developed the Rocky Hill residential subdivision. A total of 97 acres were developed and over 600 acres of conservation land were donated to the Massachusetts Audubon Society. The residential development included nine (9) affordable units, 12 starter homes, 36 single-family homes, and 24 age-restricted units for people 55 and older.

Attorney Collins said Town Meeting approved the concept plans in 2001, the Planning Board granted multiple special permits, and the Earth Removal Stormwater Advisory Committee issued an Erosion Control Permit in 2006, under the previous provisions of Chapter 198. The current application for a Stormwater Management Permit is for the 24 age-restricted units served by Hummingbird Lane. The nine-acre parcel is downgradient from Robin Hill Road, which has been accepted by the Town as a public way. Erosion control around the perimeter of the site is shown on the plan. Hummingbird Lane will be owned and maintained by the condominium association and will not be a public way

Member McHugh asked if hay bales or silt sacks would be used for erosion control. Mr. Dillis said hay bales are easier to maintain. Member McHugh said the erosion control is close to the 100-ft wetlands buffer. Attorney Collins said the Conservation Commission issued an Order of Conditions and the Natural Heritage and Endangered Species (NHESP) issued a Conservation Permit for the Rocky Hill development. There is no work proposed in the buffer zone as part of

the age-restricted project. Attorney Collins offered to move the houses 15 feet away from the buffer zone to provide sufficient work area around the houses.

Member Giger asked about roof runoff and restrictions on salt application. Attorney Collins said roof runoff would be discharged into the ground and there are no restrictions on salt application.

Member Giger asked about snow removal. Attorney Collins said it is the responsibility of the condominium association. Snow will be stored on the common areas.

The Committee voted unanimously to close the public hearing.

**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 May 1, 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 Sequence" notes on the plan.
2. The applicant shall submit a revised plan showing Units 5 and 6 a minimum of 15 ft from the "Erosion Control" barrier at the 100-ft wetland buffer. The construction entrances, required in Condition #3, and notes on the long-term "Operations and Maintenance" shall be shown on the revised plan. (See revised plan submitted on May 3, 2018).
3. The applicant shall consult with the Conservation Administrator and/or the Conservation Commission regarding permanent markers of the 100-ft wetlands buffer on the site. The markers must be installed to the satisfaction of the Conservation Administrator.
4. 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.
5. 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.

6. It is the applicant's responsibility to prevent the products of erosion and sedimentation from reaching Robin 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.
7. The limits of disturbance shown on the plan as "Erosion Control" barriers shall be well delineated in the field 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.
8. All disturbed areas and stockpiles must be properly stabilized. A supply of erosion control materials shall be kept on site to stabilize disturbed areas.
9. 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.
10. 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.
11. 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.
12. The applicant shall comply with the Construction Sequencing notes shown on the plan, the Stormwater Pollution Prevention Plan (SWPPP), and the NPDES Construction General Permit. The applicant shall keep a log of spring and fall maintenance activities.
13. The applicant shall comply with the Operation and Maintenance notes shown on the plan. The applicant shall keep a log of spring and fall maintenance activities. The Operation and Maintenance plan shall comply with Section 352-22.
14. 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.
15. 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.
16. 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.

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17. 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.
18. 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.
19. 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).
20. 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.
21. If the project is not completed within three (3) 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 unanimously.

#### **DISCUSSION – DT WARD PROPERTY, 186 MAIN STREET**

Attorney Collins submitted a letter dated April 25, 2018 and a plan for the proposed redevelopment of the property at 186 Main Street owned by Donna Ward. The property is presently used as a residence and will be converted to legal offices, subject to approval the proposed rezoning at the Spring Town Meeting. The Zoning Board of Appeals will review the application for a special permit. The Planning Board will conduct Site Plan Review for the proposed parking area and stormwater management system at the rear of the site. A rain garden will be installed to treat runoff in the vicinity of James Brook.

Member Giger asked if the driveway from Main Street would be paved. Attorney Collins said the Historic Districts Commission has jurisdiction on the project and will address the driveway paving issue.

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Attorney Collins requested that the Committee submit comments to the Planning Board during the Site Plan Review process. The Committee agreed to do so.

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

The Committee received a revised plan to address flooding issues on the two lots at the intersection of Broadmeadow Road and Farmers Row. Design engineer Jeff Brem represented Dan Chasse and Tim Jurczak of Loon Hill Development at the meeting.

Mr. Brem said the plan has been revised from the original design to assure that there is no impact of Farmers Row or the Groton Fire Station located on the abutting property. The plan was submitted in response to the Committee's Request for Compliance with the conditions of the stormwater management permit. Mr. Brem said a berm will be extended along Farmers Row and the abutting fire station property. The work will be done as soon as possible.

Member McHugh said if the berm does not work, the homeowners would be responsible to correct the problem. Mr. Brem agreed.

**MINUTES**

The Committee voted unanimously to approve the minutes of February 20, 2018; March 6, 2018; and March 20, 2018.

Meeting adjourned at 8:30 PM

Respectfully submitted,

Michelle Collette  
Earth Removal Stormwater Inspector