

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE
TUESDAY, OCTOBER 30, 2018, 7:00 PM
MINUTES**

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

Members present: Edward Perkins, George Barringer, Bob Hanninen, Eileen McHugh,
and Tom Delaney

PUBLIC HEARING – SCHWARTZ FAMILY TRUST, 279 MAIN ST

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 the Schwartz Family Trust for the proposed rehabilitation of the existing structure and addition of a three car garage with a small accessory apartment above as shown on the plan entitled, "279 Main Street, Groton, MA 01450," prepared by Lincoln Architects, dated August 20, 2018. The proposed project will be located on Assessors' Map 112, Parcel 61, on the westerly side of Main Street.

Chairman Perkins called the public hearing to order and read the notice published in the **XXX** issue of *The Groton Herald*. Attorney Robert Collins and design engineer Stan Dillis represented the Schwartz Family Trust at the hearing.

The Committee received a letter dated October 10, 2018 from Attorney Robert Collins describing the proposed project to convert the decommissioned Sacred Heart Church to a single-family residence. A new three-car garage with an accessory apartment on the second floor will be constructed.

Attorney Collins said 17,000 square feet of existing parking lot, with 17,000 square feet of impervious, asphalt surface, will be removed and a new lawn area will be added. Erosion control will be installed as shown on the plan.

Member Hanninen asked about the additional roof area over the new garage. Attorney Collins said the new garage/accessory apartment building will have a footprint of 1800 square feet. Member Hanninen asked if gutters would be used to collect runoff from the roof. Attorney Collins said either gutters or infiltration trenches would be installed.

Member McHugh asked about curb cuts. Mr. Dillis said the proposed project will use existing curb cuts.

Member Delaney asked if the drain in the middle of the existing parking lot could be eliminated. Mr. Dillis said he left it on the plan because it is there today, but it could be eliminated. Member Delaney asked if the existing drain at elevation 326.8' could be capped and the pipe removed. Mr. Dillis agreed.

Chairman Perkins asked if the construction entrance would be on West Street. Attorney Collins said it is better to use Main Street for construction vehicles rather than West Street. Abutters Steve King and Frank King said they would also prefer that the construction entrance be on Main Street, not West Street.

Member Delaney asked that the existing asphalt be removed last to prevent tracking onto the public way. Mr. Dillis agreed.

Frank King asked if there would be underground tanks for runoff. Attorney Collins said, "no," because the area will be a pervious lawn.

Mr. Whalen asked if the catch basin at the intersection would be remain. Mr. Dillis said, "yes," the catch basin would remain the same.

Member McHugh asked if an interceptor swale could be added at the edge of the new lawn. Mr. Dillis agreed and said he would add the swale along the Forest Hill Realty property line to intercept runoff from the site from flowing onto the abutting property. Member Delaney stated that there would still be runoff, but the situation would be improved.

Stormwater Inspector Michell Collette requested that a revised plan be submitted showing the revisions discussed at the public hearing. Mr. Dillis agreed to do so.

The motion was made by Hanninen, seconded by Delaney, to grant the Limited Stormwater Management Permit with the following findings 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:

1. Construction shall be done in accordance with the revised plan dated October 31, 2018 showing the drain to be capped in parking lot (see "Remove Catch Basin & Cap Pipe", and the recharge trench along the northern property (see "Recharge Trench").
2. The existing asphalt in the parking lot shall be removed at the end of construction to eliminate the need for a construction entrance.

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 Main Street or West 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. 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.

STORMWATER INSPECTOR'S REPORT

Stormwater Inspector Michelle Collette reported on the following projects:

- **NESSP Temple** – A temporary swale was constructed to direct runoff from the entrance drive to the detention basin to address flooding at the intersection. However, a permanent solution should be designed by the applicant's engineer and reviewed by Nitsch Engineering. Installation must be completed prior to issuance of a final occupancy permit.
- **638 Chicopee Row** - The Committee received email messages from abutter Sally Ryken expressing concern that the rip rap swale along the edge of the driveway had not been installed. Chairman Perkins and Ms. Collette visited the site and observed that the swale was not there and that there was evidence of ponding at the intersection of the driveway and Chicopee Row. The motion was made by Hanninen, seconded by Barringer, to send a letter to the applicant regarding the need to install the swale along the driveway and address the pond at the intersection. The motion passed unanimously.

CONTRACT WITH NITSCH ENGINEERING

The Committee reviewed the proposed contract with Nitsch Engineering for peer review services. The Planning Board previously voted to accept the contract. The motion was made by Perkins, seconded by Delaney, to accept the contract with Nitsch Engineering.

REVISIONS TO STORMWATER BY-LAW & REGULATIONS

The Committee discussed proposing an amendment at the 2019 Spring Town Meeting to change the expiration of Stormwater Permits from two years to three years. The Planning Board may propose a similar amendment for special permits based upon a recent amendment to MGL, Chapter 40 A – the Zoning Act.

The Town Clerk requested that the Committee amend the Stormwater Regulations to change the "Board of Selectmen" to "Select Board." A public hearing is required to make the revision, so Committee members will review the regulations to see if any other changes should be proposed at the same public hearing.

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TOWN LINE ROAD

Committee members expressed concern about the substantial amount of tree removal, clearing and land disturbance at 11 Town Line Road. The land clearing appeared to be associated with the construction of a new accessory garage. The site is currently being used by a landscaping company.

The motion was made by Hanninen, seconded by McHugh, to issue a Request for Compliance to the landowner of the property located at 11 Town Line Road. The motion passed unanimously.

Meeting adjourned at 8:00 PM

Respectfully submitted,

Michelle Collette
Earth Removal Stormwater Inspector