

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE
TUESDAY, FEBRUARY 5, 2019, 7:00 PM
MINUTES**

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

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

Members absent: George Barringer

OLIVIA WAY DRAINAGE PROBLEMS

The Committee met with developer Peter Cricones, his attorney, Carla Page, and Olivia Way residents to discuss remediation of the severe flooding problems on Olivia Way.

Mr. Cricones said, as directed by the Committee at its meeting on December 27, 2018, they did not go forward with the Phase I plan to remediate the flooding situation on Olivia Way. He said Phase I was partially implemented before the Committee asked him to stop work. He still plans to move forward with the Phase II plan in the spring of 2019.

Stormwater Inspector Michelle Collette noted that the Conservation Commission received an email dated January 14, 2019 from Conservation Administrator Nik Gualco referencing an opinion from Town Counsel stating that the proposed overflow on water on conservation land requires an Article 97 vote by Town Meeting and a 2/3 vote of the State Legislature.

Member Delaney said flooding of the yard on EUA 14 as shown on the Phase I plan was not a solution to the flooding problem. The turtle barrier on the conservation land creates a dam that makes the flooding worse.

Chairman Perkins asked the Conservation Commission members if they agreed with Town Counsel's opinion on the Article 97 process. Commission members said they agreed.

Conservation Commission member Olin Lathrop expressed concern that the Commission has not approved a design plan for work on conservation land.

Member Hanninen said the area behind the houses is flooded now so there is no other place for the water to go. The basement at 10 Olivia Way is still flooded. He said he would like the proposed solution to be bullet proof. He said he was disappointed that the design engineer was not present at the meeting.

Stormwater Inspector Michelle Collette said the Committee agreed that a topographic plan and drainage calculations must be submitted with the proposed plan and application to modify the Stormwater Permit. Additionally, a surveyed easement plan must be submitted for the Article 97 transfer.

Member McHugh said it is not up to the Committee to design the solution to the problem, it is up to the design engineer.

The motion was made by McHugh, seconded by Delaney, that the Committee submit an article for the Spring Town Meeting requesting approval of an Article 97 transfer by Town Meeting and that the Town

February 5, 2018

Page 2

submit a petition for approval to the State Legislature and that the proposed easement area be submitted to the Stormwater Committee, the Conservation Commission, and the Planning Board by March 15, 2019. The motion passed unanimously.

The motion was made by Hanninen, seconded by Delaney, that the Committee meet with the Conservation Commission, developer Peter Cricones, design engineer, and the Committee's engineer from Nitsch engineering on February 19, 2019. The motion passed unanimously.

MINUTES

The Committee voted unanimously to approve the minutes of December 3, 2018; December 18, 2018; and December 27, 2018.

STORMWATER REGULATIONS

The motion was made by Delaney, seconded by McHugh, to ask Nitsch Engineering for a proposal to update the Stormwater Regulations on underground infiltration systems. The motion passed unanimously.

Meeting adjourned at 8:15 PM

Respectfully submitted,

Michelle Collette
Earth Removal Stormwater Inspector