

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE
TUESDAY, MARCH 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

Member absent: George Barringer

OLIVIA WAY DRAINAGE PROBLEMS

Conservation Administrator Nik Gualco met with the Committee to provide more information on the Article 97 land transfer process. Mr. Gualco said he researched the requirements and learned that a compensatory parcel must be provided for an easement unless it is waived by the Executive Office of Energy and Environmental Affairs in the case of an emergency. The process requires a 2/3 vote of Town Meeting, a 2/3 vote of the State Legislature, and a 2/3 vote of the Conservation Commission after the Commission has held a public hearing. The hearing must be advertised 30 days prior to the hearing.

The motion was made by Hanninen, seconded by McHugh, to contact State Representative Sheila Harrington and State Senator Edward Kennedy and request their assistance with the Article 97 process. The motion passed unanimously.

The motion was made by Perkins, seconded by Hanninen, to require the submission of the application to modify the Stormwater Management Permit for Olivia Way and all necessary documents no later than March 19, 2019 so the Committee can hold a public hearing on April 2, 2019. The motion passed unanimously.

Member McHugh said coordination with the Town of Pepperell is important because some of the land and stormwater management system is located in Pepperell. Stormwater Inspector Michelle Collette said Land Use Department staff will meet with Pepperell staff on Monday, March 18, 2019 at 1 PM. Mrs. George said the Pepperell Water Department is aware of the problem.

The Committee and residents will attend the Select Board's public hearing on the Spring Town Meeting warrant on Monday, March 18, 2019 at 7:15 PM. The Committee voted unanimously to change the deadline for the submission of the application to modify the Stormwater Management Permit to 12 noon on Monday, March 18, 2019, so the Committee will have the information in hand prior to meeting with the Select Board that evening.

PUBLIC HEARING – PATRICIA MADIGAN, 433 OLD AYER ROAD

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 Patricia Madigan Trust for construction of a driveway/private lane as shown on the plan entitled, "Residential Compound Concept Plan, Old Ayer Road, Groton, Massachusetts, Prepared for Patricia Madigan," prepared by Ducharme & Dillis Civil Design Group, dated August 8, 2018. The proposed project will be located on Assessors' Map 221, Parcel 20, on the easterly side of Old Ayer Road and northerly side of Half Moon Road.

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Chairman Perkins read the notice published in the February 22, 2019 issue of the *Groton Herald*. Attorney Robert Collins and design engineer Stan Dillis represented the applicant at the public hearing.

Attorney Collins described the 30-acre site, which is located at the intersection of Old Ayer Road and Snake Hill Road. Ms. Madigan would like to build a new home and put a conservation restriction on 12.5 acres. Three additional lots will be created for the Madigan children to build a house on in the future. A private lane will provide access to the lots. The field will continue to be in active agricultural uses.

Mr. Dillis said the driveway will be paved and a basin will be created for stormwater. No additional drainage structures are needed.

Member McHugh said the Conservation Commission is pleased with the conservation restriction, but would like to see more Low Impact Development (LID) techniques such as a rain garden for a one-year storm.

Member Delaney asked why Snake Hill Road cannot be used for access. Attorney Collins said the Planning Board and Conservation Commission did not want the applicant to use Snake Hill Road.

The Committee voted unanimously to close the public hearing.

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

1. Construction shall be done in accordance with the above-referenced plans.
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 Old Ayer 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 limit of disturbance shall be delineated on the plan. Work shall not go beyond the limits of disturbance shown on the plan. The stakes shall be maintained throughout construction to prevent any disturbance to the vegetation or topography beyond the limits of disturbance.
6. A rain garden shall be designed and installed at the base of the 5% slope. The applicant shall submit a copy of the revised plan prior to the commencement of construction.
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.
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. Erosion control measures shall be in place prior to the 48 hour notice to the Stormwater Inspector.
15. The applicant or the applicant's consultant shall submit, at least every two weeks in which construction activity occurs on site and for as long thereafter as the ground remains unstabilized, a report to the Committee's review, certifying that, to the best of his or her knowledge and belief, based on a careful site inspection, all work is being performed in compliance with the plan and these conditions.
16. 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.
17. This permit runs with the land and applies to any successor in interest or successor in control.

PUBLIC HEARING – DPW FACILITY, 500 COW POND BROOK RD

In accordance with the provisions of Chapter 198 of the Code of Groton, the Earth Removal Stormwater Advisory Committee will hold a public hearing to consider the application for a Full Stormwater Management Permit submitted by the Town of Groton for the Town of Groton DPW Facility Improvements Plan," prepared by Ducharme & Dillis Civil Design Group, dated January 29, 2019. The proposed project will be located on Assessors' Map 248, Parcel 41, on the easterly side of Cow Pond Road.

Chairman Perkins read the notice published in the March 1, 2019 issue of the *Groton Herald*. Design engineer Frank McPartlan represented the applicant at the public hearing.

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Mr. McPartlan described the redevelopment project which includes 2.8 acres of disturbance and 460 cubic yards of fill at the existing DPW garage site. A fire cistern will be installed one foot above the floor at elevation 220 ft. The new storage facility will contain 13,000 SF. Roof runoff will be directed to the rear of the building into infiltration bays. The site is very flat so water will flow north toward the capped landfill. There will be two catch basins to the south of the existing building. Runoff will sheet flow to the catch basins as it does today. The new infiltration system will result in 85% TSS in the basin and will provide 10,000 cu ft of stormwater storage. Only 5800 cu ft of storage is required. An overflow pipe with rip rap at the outlet will be installed.

Mr. McPartlan said the plan was revised to allow the DPW facility to tie into the existing sewage disposal system being used by the animal shelter as approved by the Board of Health.

Member McHugh asked about oil, sand and salt. Mr. McPartlan said there is a deep sump in the catch basin with a tight tank.

Member Hanninen asked if a spill occurs, can the REN system handle it. Mr. McPartlan said, "yes," the collection area is directed to the catch basin. There is a 2000-gallon tight tank for floor drains and spills.

Chairman Perkins asked if the Operation and Maintenance plan was submitted with the application. Mr. McPartlan said, "Yes."

The Committee voted unanimously to close the public hearing.

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

1. Construction shall be done in accordance with the above-referenced plans and construction sequencing.
2. 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.
3. It is the applicant's responsibility to prevent the products of erosion and sedimentation from reaching Cow Pond Brook 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. Construction vehicles shall be washed, if necessary, to prevent siltation from leaving the site.
4. 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.
5. All disturbed areas and stockpiles must be properly stabilized. A supply of erosion control materials shall be kept on site to stabilize disturbed areas.

6. 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.
7. 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.
8. The applicant shall comply with the Construction Sequencing Plan in the SWPPP and the NPDES Construction General Permit. The applicant shall keep a log of spring and fall maintenance activities.
9. The applicant shall comply with the Operation and Maintenance Plan entitled, "Stormwater Operation & Maintenance Manual DPW Facility, 500 Cow Pond Brook Road, Groton, Massachusetts," prepared by Ducharme & Dillis Civil Design Group, dated January 28, 2019.
10. The applicant shall keep a log of spring and fall maintenance activities. The Operation and Maintenance plan shall comply with Section 352-22.
11. 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 1st annually as required in Section 352-6D.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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).
17. The applicant will notify the Earth Removal Stormwater Inspector at least 48 hours prior to the commencement of construction. Erosion control measures shall be in place prior to the 48 hour notice to the Stormwater Inspector. Additionally, the applicant will provide the Earth Removal Stormwater Inspector with emergency contact information for all site contractors.

18. The applicant's consultant shall submit, at least every two weeks in which construction activity occurs on site and for as long thereafter as the ground remains unstabilized, a report to the Committee, certifying that, to the best of his or her knowledge and belief, based on a careful site inspection, all work is being performed in compliance with the plan and these conditions. As an alternative, the applicant may forward minutes of construction meetings regarding site related issues to the Stormwater Inspector for the Committee's review.
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:
 - a. "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.

Meeting adjourned at 8:15 PM

Respectfully submitted,

Michelle Collette
Earth Removal Stormwater Inspector