

EARTH REMOVAL STORMWATER ADVISORY COMMITTEE
TUESDAY, APRIL 16, 2019, 6:30 PM
MINUTES

Chairman Perkins called the meeting to order at 6:30 PM at Town Hall.

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

Member absent: Tom Delaney

MEETING WITH CONSERVATION COMMISSION – OLIVIA WAY

The Committee met with the Conservation Commission to discuss the proposed plan to mitigate flooding issues on Olivia Way in the Reedy Meadow Estates subdivision. Developer Peter Cricones, Attorney Carla Page, design engineer Doug Lees, and Olivia Way residents were also present.

Mr. Lees submitted the proposed drainage easement plan based upon an on-the-ground survey. The 15,000 SF easement on conservation land will be used for construction of a retention basin for overflow from the stormwater management system.

Commission Member Olin Lathrop said the Commission must have a fee donation of the 10,000 SF compensatory parcel, a ground survey, a letter of intent from the land owner on the 6000 SF conservation restriction including a list of permitted and prohibited uses on the parcel. Additionally, there shall be no encroachments on the parcels.

Conservation Commission Member Peter Morrison said the parcels must meet the monetary and conservation value requirements of Article 97 authorizing the easement on conservation land.

ERSWAC & Conservation Commission Member Eileen McHugh said the Commission prefers to acquire the parcels in fee, but will accept a conservation restriction with public access as a back-up plan. She said the easement area must provide access to maintain the retention basin and the 9 ft wide berm surrounding the basin.

Mr. Lees presented revisions to the plan including new wetland plantings. The proposed facultative plants can tolerate both wet and dry conditions. A swale will be installed at the property line on #10 Olivia Way to carry stormwater runoff to the infiltration system. The sidewalk at #13 and #14 will be elevated to allow water to flow underneath to prevent ponding on the sidewalk. Grading changes will be done at #3 and #5 to divert water. Mr. Lees submitted an updated Operation and Maintenance Plan along with water quality and TSS calculations.

Committee Member Hanninen said the catch basins are full of silt again and should be cleaned out.

Committee Member McHugh said the plantings must be well established and approved by the Conservation Commission. Mr. Lees said they will revisit the plantings in one year and replace any that do not survive.

Member Barringer said the proposed outflow pipe from #9 to the pond is perforated. He asked if it would saturate the soil. Mr. Lees said it would provide more infiltration, but offered to change it to a solid pipe. The Committee said it would prefer a solid pipe.

Member Barringer said the yard behind #14 is very wet. Mr. Lees said the water will travel to the new retention basin. Member Barringer asked about the proposed grading at #14. Mr. Lees said the elevation will be raised from 203.8 to 205 ft. Member Barringer asked if the infiltration systems are clean now. Mr. Lees said he did not know.

Mr. Hepburn, 14 Olivia Way, asked about the grade changes from 205 to 203 ft and the depth of the retention basin. Mr. Lees said the basin is at elevation 201.8 ft.

Mr. Hepburn reiterated his request that all damage done to his yard, including landscaping and the sprinkler system, be repaired.

The Committee stressed that there must be no invasive species in the landscaping and plantings on the site. Member McHugh requested that there be a one-year warranty on the plant material.

Mr. George, 13 Olivia Way, said the condominium association would like to take over maintenance as soon as possible. Stormwater Inspector Michelle Collette said the Stormwater Permit is valid for two years. The developer must request a Certification of Completion, as required, when the work is completed.

The Committee voted unanimously to close the public hearing.

The motion was made by Hanninen, seconded by McHugh, to modify Stormwater Management Permit #2014-12, issued on October 28, 2014, with the following conditions:

1. The work shown on the above-referenced "Grading Plan in Groton, Massachusetts, Reedy Meadow Estates, Olivia Way," involves work on land owned by the Town of Groton Conservation Commission. No work shall be done in the "New Drainage Easement" shown on "Easement Plan in Groton, Massachusetts," prepared by Land Engineering & Environmental Services, dated April 9, 2019, until all necessary approvals from the Town of Groton and the Conservation Commission have been granted for said work.
2. The applicant agreed to grant a "Stormwater Management Easement" to the Town to allow the Town and its agents to access the stormwater management system to maintain, or repair the system due to the failure of the developer or condominium association or any agent thereof to adequately operate, maintain, or repair the same. The developer or condominium association or any agent thereof shall be required to reimburse the Town for any expenses the Town incurs in such operations, maintenance or repair. The final easement shall be reviewed and approved by Town Counsel prior to execution by the Town.
3. This stormwater permit shall not be in effect until the Stormwater Management Easement is recorded at the Middlesex South Registry of Deeds. No construction or site alteration shall commence until evidence of such recording is submitted to the Earth Removal Stormwater Advisory Committee by the applicant.
4. The plantings in the pond detailed in the "Table A - Pond Planting List Below Elevation 203'" and "Table B - Pond Planting List Above Elevation 203'" shall be reviewed and approved by the Conservation Commission prior to the commencement of work. Any substitutions in plantings must also be approved by the Conservation Commission prior to installation.

5. An appropriately qualified person and the Conservation Administrator shall inspect the plantings in the pond on conservation land within 10 days of planting.
6. The plantings in the pond shall be guaranteed for a period of two years.
7. All EUA yard disturbed during construction shall be regraded, landscaped, and restored to the pre-flooding conditions of spring and summer of 2019. This condition includes the repair or replacement of any damaged sprinkler systems.
8. All plantings and landscaping in EUA yards shall comply with Chapter 381-40A (2) of the Planning Board Regulations which states:

“Proposed landscaping plantings (trees, shrubs, etc.) shall not consist of plantings that are identified as an invasive species by the Planning Board. (The applicant can obtain a copy of the Invasive Species Plantings List for the Planning Board.)”
9. The 12” overflow pipe connecting Infiltration System #9 to the new pond shall be a solid pipe rather than a perforated pipe.
10. The construction entrance shall be stabilized as shown on the “Construction Entrance” detail from the “Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas.” The construction entrance shall be installed from the edge of the conservation land to Olivia Way along the property line in the area shown as “Prop. Vehicle Access” and “Prop. Construction Entrance” between EUA#13 and EUA#14 as shown on the plan. The crushed stone shall be replenished as needed to prevent tracking sediment on Olivia Way. This vehicle access shall be used for long-term Operation and Maintenance.
11. Construction shall be done in accordance with the above-referenced plans and construction sequencing.
12. 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.
13. It is the applicant’s responsibility to prevent the products of erosion and sedimentation from reaching Olivia Way and Red Pepper Lane and causing a safety hazard on the public way. There shall be no net increase in runoff or erosion to the subdivision road, private ways, or abutting properties.
14. 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.
15. All disturbed areas and stockpiles must be properly stabilized. A supply of erosion control materials shall be kept on site to stabilize disturbed areas.

16. 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. No trenches shall be left open overnight.
17. 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. The catch basins shall be cleaned out within 30 days of the issuance of this Stormwater Management Permit Modification.
18. The three Infiltration Systems, #7, #8 & #9, shall be inspected and cleaned out within 30 days of the issuance of this Stormwater Management Permit Modification.
19. 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.
20. The applicant shall comply with the SWPPP, and the NPDES Construction General Permit. The applicant shall keep a log of spring and fall maintenance activities.
21. The applicant shall comply with the Operation and Maintenance Plan entitled, "Operation and Maintenance Plan, Olivia Way, Groton, Massachusetts," (attached herewith) submitted with the "Stormwater Management & Erosion Control Plan, Reedy Meadow Estates, Groton, Massachusetts," prepared by Land Engineering & Environmental Services, dated March 15, 2019 and revised April 9, 2019. The applicant shall keep a log of spring and fall maintenance activities. The Operation and Maintenance plan shall comply with Section 352-22.
22. 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.
23. It is the responsibility of the applicant, Reedy Meadow, LLC, to comply with the Operation and Maintenance Plan until the Condominium Association is established.
24. 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.
25. 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.
26. 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.

27. It is the applicant's responsibility to ensure that the contents of this permit are made known to all contractors who perform work at this site.
28. 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).
29. 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.
30. 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.
31. The Committee shall review the project one year after the granting of this Stormwater Management Permit Modification to assure compliance with the permit and to determine if any reasonable modifications are warranted.
32. 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.
33. 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. "
34. This permit runs with the land and applies to any successor in interest or successor in control.

The motion passed unanimously.

BOYNTON MEADOWS – REQUEST FOR COMPLIANCE

The Committee reviewed the draft letter to Mount Laurel Development requesting compliance with the Stormwater Management Permit 2011-04 issued for the Boynton Meadows mixed-use development. The Committee will send the letter to Town Counsel for review prior to sending it to the developer. The Planning Board and Conservation Commission are also sending compliance request letters.

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MINUTES

The Committee voted unanimously to approve the minutes of February 5, 2019; February 19, 2019; March 5, 2019; and April 2, 2019.

NEXT MEETING

The next meeting will be held on Tuesday, May 7, 2019 at 7 PM.

Meeting adjourned at 9:00 PM

Respectfully submitted,

Michelle Collette

Earth Removal Stormwater Inspector