

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE
TUESDAY, JUNE 4, 2019, 7:00 PM
MINUTES**

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

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

Member absent: George Barringer

PUBLIC HEARING – GROTON INN, 128 MAIN STREET

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 Stormwater Management Permit Modification submitted by 128 Main Street, LLC, for construction of a new parking lot and installation of a new drainage system as shown on the plan entitled, "Site Plan in Groton, Mass. Prepared for 128 Main Street, LLC, " prepared by David E. Ross Associates, , dated May 1, 2019. The proposed project will be located at 128 Main Street, Assessors' Map 113, Parcel 10, on the easterly side of Main Street.

Chairman Perkins called the hearing to order and read the legal notice published in the May 24, 2019 issue of the *Groton Herald*. Applicant John Amaral of 128 Main Street, LLC, and design engineer Dan Wolfe of David E. Ross Associates were present.

Mr. Wolfe presented the plan to create an additional 12-space parking area at the Groton Inn to meet parking needs. The plan will also connect parking areas and improve traffic flow. All proposed work is outside the 100-ft wetlands buffer zone. There will be no impact on drainage design and no increase in runoff.

The Committee received a report dated May 23, 2019 from Nitsch Engineering with recommendations including providing adequate rip rap at the drainage outlet pipe and submission of a post-development plan (see report).

Mr. Wolfe said the access way will be constructed with reclaimed asphalt material and will be porous. The irrigation well should be protected from damage. Mr. Wolfe said there would be minimal deliveries in the area of the well so damage should not be an issue.

Chairman Perkins asked about snow storage areas. Mr. Wolfe said they are shown on the plan.

Member McHugh asked for a response from Nitsch Engineer that all outstanding issues have been addressed. She wanted Nitsch's opinion on the difference between reclaimed asphalt and pervious pavement. Mr. Wolfe said it is ground-up, pervious asphalt.

Member McHugh asked about the purpose of the well. Mr. Amaral said it is for irrigation only.

Stormwater Inspector Michelle Collette asked how long the snow would be stored on the site and asked if there should be a condition regarding timely removal of snow. The Committee said it would defer to the Planning Board regulations on the snow storage matter.

The motion was made by Hanninen, seconded by Delaney, to grant the modification of Stormwater Permit 2014-04 with the following conditions:

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.

Waivers:

The Committee voted to grant the following waivers of the Stormwater Regulations:

1. Section 352-11.B. (5) states that the Revised Universal Soil Loss Equation (RULSE) shall be used to calculate sediment deposits that would occur from pervious areas adjacent to the Best Management Practices (BMP).
2. Section 352-14.A states that the Stormwater treatment devices shall be used to handle water quantity as well as treat water quality. The water quality volume shall be calculated as: $WQV = [(1 \text{ inch}) * (TIA)] / 12$. The Stormwater Management Report indicates 0.5 inches used for the water quality volume calculation as required in Massachusetts Stormwater Regulations.
3. Section 352-17 states that for the purposes of redevelopment projects, "pre-development" refers to the site in its natural state, as it was before it was developed. It does not refer to existing conditions. The Stormwater Management Report includes calculations that consider "pre-development" to be existing conditions. The Committee agreed that calculations should be based upon existing conditions.

Special conditions:

1. The applicant shall submit a written response to the Nitsch Engineering report dated May 23, 2019.
2. Snow removal shall be in compliance with the Planning Board special permits 2014-06, 2014-07, and 2015-31.
3. 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.
4. Construction shall be done in accordance with the above-referenced plans (Sheets 3, 4 and 5 of 9) and construction sequencing.

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 Main 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.
7. 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.
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. 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.
11. The applicant shall comply with the Construction Sequencing Plan detailed in the SWPPP, and the NPDES Construction General Permit. The applicant shall keep a log of spring and fall maintenance activities.
12. The applicant shall comply with the "128 Main Street, LLC, 128 Main Street, Groton, Massachusetts, Stormwater Collection and Treatment system, Operation and Maintenance Plan," prepared by David E. Ross Associates, dated June, 2014. The applicant shall keep a log of spring and fall maintenance activities.
13. 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.
14. 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.
15. 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.

16. 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.
17. 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.
18. 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).
19. 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.
20. 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.
21. 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. "
22. This permit runs with the land and applies to any successor in interest or successor in control.

The motion passed unanimously.

PERMIT EXTENSION – GROTON COMMUNITY SCHOOL

John Amaral, member of the Groton Community Kindergarten Board of Trustees, requested an extension of the Stormwater Permit 2017-02 for the Groton Community School that expired in February 2019. He said work would commence in August 2019 and there have been no changes to the plan whatsoever.

The motion was made by McHugh, seconded by Hanninen, to extend the Stormwater Permit to February 2021. The motion passed with Hanninen, McHugh, and Perkins in favor. Member Delaney abstained because he is on the Board of the Groton Community School.

NESSP TEMPLE - COMPLETION UPDATE

The Committee reviewed the progress on completing construction at the NESSP Temple. Design Engineer William Murray of Places Associates said they are working diligently to close out the site and they are very near completion. A new swale will be constructed near the entrance to direct runoff from the access road to the basin at prevent ponding in Boston Road. He submitted plans showing the construction details. The plan is a “de minimus” change as defined in the state Stormwater Regulations. The Committee received an email message from Nitsch Engineering agreeing that this is a de minimus change under the regulations.

The motion was made by Hanninen, seconded by Delaney to approve the proposed change. The motion passed unanimously.

STORMWATER INSPECTOR’S REPORT

NESSP Temple & Academy Hill - Stormwater Inspector Michelle Collette reported that the Committee will conduct site visits to the NESSP Temple and Academy Hill with Zuki Mahmulin of Nitsch Engineer on June 11, 2019. The Committee will visit the Indian Hill Music construction site on Old Ayer Road and the proposed Village Meadows site on Townsend Road on a Saturday in June. The date will be arranged with the property owners.

Olivia Way - The Article 97 home-rule petition has been submitted to the State Legislature to allow the granting of an easement on adjacent conservation land to alleviate flooding on Olivia Way. The Committee hopes the bill would be acted on this session so work can commence this summer.

STORMWATER UTILITY FEE

Committee Member and DPW Director Tom Delaney said he would like to submit an article to Town Meeting to establish a Stormwater Utility Fee of \$20-\$25 that would be applied to every parcel. The funds would be deposited in an enterprise fund and used for testing outfalls, buying heavy equipment, and complying with NESPD requirements.

Member McHugh asked for more information on the tasks that will be performed and budget on how the funds would be used.

NEXT MEETING

The next meeting will be held on Tuesday, July 2, 2019 at 7 PM.

Meeting adjourned at 8:15 PM

Respectfully submitted,

Michelle Collette
Earth Removal Stormwater Inspector