

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE
TUESDAY, AUGUST 6, 2019, 7:00 PM
MINUTES**

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

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

PUBLIC HEARING – PHOENIX CONSTRUCTION, 37 TAVERN ROAD

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 Limited Stormwater Management Permit submitted by Phoenix Construction Corporation for construction of a two-family house, driveway, and sewage disposal system as shown on the plan entitled, "Stormwater Permit Plan for Assessors Map 124, Parcel 19, Tavern Road in Groton, Mass.," prepared by R. Wilson & Associates, dated June 18, 2019. The proposed lot development will be located at 37 Tavern Road, Assessors' Map 124, Parcel 19, on the easterly side of Tavern Road.

Chairman Perkins called the hearing to order and read the legal notice published in the July 26, 2019 issue of the *Groton Herald*. Applicant Don Haberman was present.

Mr. Haberman presented his plan to construct a duplex on a non-conforming lot at 37 Tavern Road. Two driveways will be constructed, one for each unit. A stone wick will be installed along the driveways. Roof runoff will be discharged to a dry well. A subsurface CulTec system will be installed to treat runoff.

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 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 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 Tavern 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. 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. Erosion control measures shall be in place prior to the 48 hour notice to the Stormwater Inspector.
14. If the project is not completed within three (3) 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.

PUBLIC HEARING – GROTON SCHOOL SOLAR SYSTEM, 182 FARMERS ROW

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 Groton School to install a solar photovoltaic field at 182 Farmers Row as shown on the plan entitled, "Photovoltaic System for Groton School," prepared by Solar Design Associates, dated June 20, 2019. The proposed solar installation will be located at 182 Farmers Row, Assessors' Map 107, Parcel 18, on the westerly side of Farmers Row.

Chairman Perkins called the hearing to order and read the legal notice published in the July 26, 2019 issue of the *Groton Herald*. Attorney Robert Collins represented Groton School at the public hearing.

Attorney Collins described the proposed small-scale solar array to be installed in cooperation with the Groton Electric Light Department to reduce peak demand. Reducing the peak will have a beneficial impact on all ratepayers' electric bills. The Historic Districts Commission approved the project because it will not be visible from Farmers Row. The site will be served by a hard-packed gravel access road. Tree and soil removal will be required for the access road. The solar array will be on metal poles with very little disturbance to the ground.

The Committee voted unanimously to close the public hearing.

The motion was made by Hanninen, seconded by Barringer, to grant the 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 above-referenced plans.
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 Farmers Row 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.
4. 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.
5. All disturbed areas and stockpiles must be properly stabilized. A supply of erosion control material shall be kept on site to stabilize disturbed areas.
6. The applicant shall take effective measures to control dust and windblown erosion at all times.
7. 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.

8. 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.
9. 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.
10. 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.
11. 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).
12. 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.
13. 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.
14. Removal of the solar array in the future requires submission of a new Stormwater Management Permit.
15. If the project is not completed within three (3) 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.
16. This permit runs with the land and applies to any successor in interest or successor in control.

The motion passed unanimously.

PUBLIC HEARING (con't) – VILLAGE MEADOWS, 372 TOWNSEND ROAD

The Committee continued the public hearing to consider the Village Meadows subdivision with nine lots off Townsend Road. Design engineer Frank McPartlan of Ducharme and Dillis and Matthew Brassard of Nitsch Engineer, the Committee's consulting engineer, were present.

Mr. McPartlan said the plans were revised to address the Committee's and Nitsch Engineering's concerns. The Cape Cod berms have been removed. Foundation drains rather than dry wells will be used to treat roof runoff except on Lot 1 which is too close to the groundwater. The infiltration basin will overflow to Townsend Road. The subsurface infiltration system has been changed from a Cul Tec system to a StormTec system with a manhole for access and maintenance. Some work will be done in Townsend Road to address ponding concerns.

Mr. Brassard presented the Nitsch Engineering report dated August 6, 2019. He strongly recommended waterproofing foundations on Lots 1, 2 and 3. He said Nitsch Engineering has no objection to the waiver to allow installation of the StormTec system, but it should be located closer to the road. Mr. McPartlan said they would move the system into the right-of-way.

Mr. Brassard expressed concern that there is less than 2 ft separation from groundwater and the infiltration basin. He suggested reshaping the basin to meet the 2 ft separation. He requested details on the proposed 6 ft high retaining wall.

Chairman Perkins asked if a waiver is required for the roof runoff. Mr. McPartlan said the plan meets the 80% TSS removal requirement with the infiltration system.

Stormwater Inspector Michelle Collette noted that inspections by Nitsch Engineering and the vendor should be required for the StormTec system as a condition of the permit.

Member Barringer expressed concerns about the proposed overflow from the basin to Townsend Road and the impact on the abutting homeowners. Mr. McPartlan said the basin will only overflow in a 100-year storm and it will be similar to existing conditions.

Mr. Brassard said the overflow is a point source discharge rather than sheet flow. The plan must comply with Stormwater Regulations. The infiltration basin should not be allowed to silt-up and must be protected during construction.

Member Delaney suggested using level spreaders instead of the proposed overflow from the basin. He also requested that a homeowners' association be established to maintain the stormwater management system, especially the StormTec system.

Member Hanninen expressed concerns about overflow from the basin. The Committee needs assurance that the runoff will flow between the lots, not through the lots.

Stormwater Inspector Michelle Collette asked if a drainage easement is necessary for the overflow on the abutting properties.

Mr. McPartlan said he would investigate alternatives.

The Committee voted unanimously to continue the hearing on August 27, 2019 at 7 PM.

PUBLIC HEARING – NATIONAL GRID, BOSTON ROAD & SANDY POND 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 New England Hydro-Transmission, 40 Sylvan Rd, Waltham, MA 02451, for installation of a storage facility as shown of the plan entitled, "National Grid Storage Facility, Sandy Pond HVDC Converter Station," prepared by McKenzie Engineering, dated July 24, 2019. The proposed storage facility will be located off Boston Road, Assessors' Map 119, Parcel 1, on the westerly side of Boston Road.

Chairman Perkins called the hearing to order and read the legal notice published in the July 26, 2019 issue of the *Groton Herald*. Design engineer Michael Mullaney of Mackenzie Engineering presented the plan.

Mr. Mullaney described the existing converter terminal that converts DC to AC power from the Hydro-Quebec powerlines. National Grid is applying for a building permit to construct an 80' x 145' storage shed on the site. The Building Commissioner determined that a Stormwater Management permit is required.

Mr. Mullaney said the existing trap rock surface is contained within a fenced in area that meets Department of Homeland Security requirements. The storage facility will house replacement parts. A perimeter drain will be installed to direct runoff to the existing basin. There will be no measurable increase in runoff. There is a level pathway around the swale for access and maintenance.

The Committee voted to close the public hearing.

The motion was made by Hanninen, seconded by McHugh, to grant the 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 above-referenced plans.
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 Westford Road in Ayer or Sandy Pond Road in Groton 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.
4. 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.
5. All disturbed areas and stockpiles must be properly stabilized. A supply of erosion control material shall be kept on site to stabilize disturbed areas.
6. The applicant shall take effective measures to control dust and windblown erosion at all times.
7. 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.
8. 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.
9. 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.
10. 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.

11. 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).
12. If the project is not completed within three (3) 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.
13. This permit runs with the land and applies to any successor in interest or successor in control.

The motion passed unanimously.

ACADEMY HILL UPDATE

Stormwater Inspector Michelle Collette said most of the remedial work outlined in the June 11, 2019 report has been completed. She will inspect the site again tomorrow. The motion was made by Hanninen, seconded by McHugh, to sign off on building permits if the inspection is satisfactory. The motion passed unanimously.

BOYTON MEADOWS UPDATE

The Committee received an email dated August 5, 2019 stating that he will have the outstanding work completed by the end of October.

NESSP UPDATE

The Committee met with Mahender Singh and William Murray of Places Associates regarding construction completion at the NESSP Temple.

Mr. Murray said he received information from the original design engineer, Markey & Rubin, and will be able to certify that the as-built plans are accurate. The Board of Health and Water Department have signed off on the plans. Mr. Murray said he will initiate the request for a Certificate of Completion.

Stormwater Inspection Michelle Collette said a new Stormwater Management Permit should be required for construction of the new auditorium. Mr. Singh and Mr. Murray agreed.

Meeting adjourned at 8:45 PM

Respectfully submitted,

Michelle Collette

Earth Removal Stormwater Inspector