

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE
TUESDAY, FEBRUARY 4, 2020, 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 – LINDEMER, 227 BOSTON ROAD

In accordance with the provisions of Chapter 198 of the Code of Groton, the Earth Removal Stormwater Advisory Committee held public hearing to consider the application for a Full Stormwater Management Permit submitted by Christine Lindemer for construction of a single-family house and associated driveway as shown on the plan entitled, "Stormwater Permit Plan, 227 Boston Road, Groton, Massachusetts," prepared by Ducharme & Dillis Civil Design Group, dated January 16, 2020. The proposed construction is located at 227 Boston Road, Assessors' Map 235 Parcel 1, on the easterly side of Boston Road.

Chairman Perkins opened the hearing and read the notice published in the January 24, 2020 issue of the *Groton Herald*. Design engineer Stan Dillis of Ducharme & Dillis Civil Design Group represented the applicant at the hearing.

Mr. Dillis said the plan shows two newly-created ANR lots on Boston Road. The existing house and barn are on one lot, and a new house will be constructed on the hill on the other lot. A shared driveway will provide access to both lots. A Cul Tec system will be installed to treat stormwater with overflow to a level-spreader. The plan is in full compliance with MassDEP and Town of Groton Stormwater Regulations.

Member Hanninen asked about the Operating and Maintenance (O&M) Plan. Mr. Dillis said O&M the plan is the manufacturer's recommendations for Cul Tec systems.

Chairman Perkins asked if the shared driveway would be paved. Mr. Dillis said, "yes," to the point of the split. The driveway to the new house will be paved, and the existing driveway to the older house will not.

Member McHugh asked if there would be a dewatering pumping station if there is groundwater seep from the hillside. Mr. Dillis said the new house will not be cut into the hill. Retaining walls will be constructed to stabilize the hill, and dewatering will be done during construction, if necessary.

The Committee will conduct a site walk on Saturday, February 15, 2020.

The Committee voted unanimously to continue the public hearing on February 18, 2020 at 7 PM.

PUBLIC HEARING – BONEFANT, 535 OLD DUNSTABLE 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 John Bonenfant for construction of a single-family house, associated driveway, and sewage disposal system as shown on the plan entitled, "Sewage Disposal System, Lot 2, Old Dunstable Road, Groton, Massachusetts," prepared by Ducharme & Dillis Civil Design Group, dated October 23, 2018. The proposed construction is located at 535 Old Dunstable Road, Assessors' Map 247 Parcel 10, on the westerly side of Old Dunstable Road.

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Chairman Perkins opened the hearing and read the notice published in the January 24, 2020 issue of the *Groton Herald*. Mr. and Mrs. Bonefant were at the public hearing.

Mr. Bonefant presented the plans to build a new single-family home at 535 Old Dunstable Road. A Cul Tec system will be installed to treat stormwater, and the driveway will be paved.

Member McHugh asked about the Operating and Maintenance Plan. Mr. Bonefant said he will follow the Cul Tec manufacturer's instructions.

Member Hanninen asked about a construction entrance. Mr. Bonefant said the lot has been cleared and 40 ft of trap rock was installed at the entrance.

Chairman Perkins asked about the limit of disturbance. Mr. Bonefant added the limit of disturbance to the plan.

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 as revised by the applicant at the public hearing.
2. The applicant is planning to install a "Cul Tec 100 Standard Duty Septic Chamber." The applicant shall submit an Operation and Maintenance Plan, as provided by the manufacturer, to the Committee prior to installation of the CulTec system. The applicant shall keep a log of spring and fall maintenance activities. The Operation and Maintenance plan shall comply with Section 352-22.
3. 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.

4. 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.
5. It is the applicant's responsibility to prevent the products of erosion and sedimentation from reaching Old Dunstable 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.
6. 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.
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 ensure 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. 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 - MS4 STORMWATER MANAGEMENT ENTERPRISE FUND

The Earth Removal Stormwater Advisory Committee held a public hearing to consider the following Article to be considered at the 2020 Spring Town Meeting:

ARTICLE X - ADOPT MGL CH.44, SECT. 53 F ½: STORM WATER ENTERPRISE FUND: To see if the Town will vote to accept the provisions of Chapter 44, Section 53F ½ of the Massachusetts General Laws, which would authorize establishment of an Enterprise Fund for the Groton Stormwater Utility, and further, effective in Fiscal Year 2021, beginning on July 1, 2020, by amending General Bylaw Chapter 154 – Illicit Discharges to Municipal Separate Storm Drain System as follows:

Add to 154-2 Definitions.:

STORMWATER UTILITY – A special assessment set up to generate funding specifically for stormwater management. Property owners shall pay a stormwater fee and the revenue generated directly supports operation, maintenance, and upgrade or expansion of existing storm drain systems; development of drainage studies, plans, flood control measures, and water-quality programs; administrative costs; and construction of capital improvement projects, and purchase of all equipment necessary for the installation, operation and maintenance of the system.

Add to 154-5: Responsibility for administration.:

STORMWATER UTILITY: The Select Board, or its designee may, upon Town Meeting approval, adopt a Stormwater Utility pursuant to M.G.L. Chapter 83 Section 16 and Chapter 40 Section 1A. The Department of Public Works, or its designee, shall administer, implement and enforce this Utility. Failure by the Select Board to promulgate such a Stormwater Utility through this Bylaw or a legal declaration of its invalidity by a court shall not act to suspend or invalidate the effect of this Bylaw.

Chairman Perkins opened the hearing and read the notice published in the January 24, 2020 issue of the *Groton Herald*. Consulting engineer Robert Rafferty of Environmental Partners and Selectmen John Giger, John Riley, and Becky Pine were present.

Mr. Rafferty presented Power Point Slides describing the new MS4 and EPA requirements that focus on protecting water quality, water quality monitoring, street sweeping, catch basin cleaning, and stormwater system maintenance to protect water bodies. Stormwater runoff is the leading pollutant of water bodies. No new staff will be added with the proposed program.

Mr. Rafferty explained that this is the first step in the process. Town Meeting must adopt the enabling legislation (MGL chapter 44, section 53½, Stormwater Enterprise Fund) and enact the change to the by-law (chapter 154 of the Code of the Town of Groton).

If Town meeting votes to approve the article, the Select Board must adopt regulations and set the rates. It is anticipated that the rate will be assessed on a per-parcel basis for developed parcels. Undeveloped parcels and conservation land will be exempt as long as there are no parking lots on the parcel. The approximate cost will be \$34 per year per parcel.

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Selectman John Giger asked about labor costs. DPW Director and Committee member Tom Delaney said the DPW does most of the work in-house today, but the new water-quality testing and compliance reporting will cost more under the new regulations.

Member McHugh said there may be confusion about why undeveloped parcels are not being assessed a fee if the parcels are generating runoff. The Committee agreed that these issues must be addressed when the Select Board adopts the regulations and fee structure.

Selectwoman Becky Pine noted that stormwater management issues will increase with climate change in the future.

Mr. Rafferty said protection of drinking water is also an important factor.

Selectman John Giger suggested several changes to the slides that will help the voters understand the proposal such showing what a "Vac Truck" is and why it is needed. Photographs in the presentation will help. He said he understands the cost estimates may change in order to balance revenues and expenses.

Mr. Rafferty agreed to make the suggested changes to the slides. The Committee will post the slides and Frequently Asked Questions (FAQ's) on the Town's website.

The Committee voted unanimously to continue the public hearing on February 18, 2020 at 7:30 PM.

Meeting adjourned at 8:30 PM

Respectfully submitted,

Michelle Collette
Earth Removal Stormwater Inspector