

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE**  
**TUESDAY, FEBRUARY 2, 2021, 7:00 PM**  
**MINUTES**

Chairwoman McHugh called the virtual meeting to order at 7:00 PM.

Members present: Eileen McHugh, Bob Hanninen, and Ed Perkins

Members absent: George Barringer and Tom Delaney

**INDIAN HILL MUSIC PROGRESS REPORT**

The Committee met with Gary Shepherd of Shepco Construction and environmental analyst, Tom Christopher, of Christopher Environmental Associates (CEA), to discuss compliance issues at the site of Indian Hill Music, 122, Old Ayer Road. The Committee received a report, dated January 31, 2021, from CEA.

Mr. Christopher said they have been dewatering the drainage basin daily. Approximately 200,000 gallons of water have been removed resulting in a lowering of the pond by about three (3) feet. Water flowing from the outlet to James Brook is still turbid so a crushed stone filter and new erosion control barriers were installed on January 16, 2021. A new flocculation system was installed by Lockwood Remediation Technologies of Leominster to remove silt from the water. The tank is located above the outlet of the pond and water is treated before it is discharged to the outlet that flows to James Brook. The flocked material that settles in the tank is removed and disposed of properly (see CEA report for more detailed information). Mr. Christopher said James Brook was completely clear the day after the new system was installed.

Mr. Shepherd said the scientists tested the water to help manage the sedimentation from the very fine silt on the site. He said they inspected the underground system, and it is working well and doing its job. The turbidity issues began when they paved the site, and they are working to correct the turbidity in the water.

Member Perkins said he is very impressed with the mitigation measures. He asked if they plan to bisect the drainage basin. Mr. Shepherd said they are trying to manage the flow now, but they will bisect the basin in the future, if necessary.

Member Hanninen said he is very pleased with the efforts to address the problems. He asked where the sludge is deposited. Mr. Shepherd said Lockwood Remediation Technologies monitors the chemistry of the water. All silt is stockpiled on pavement. There is less than a wheel barrel of material from the tank.

Chairwoman McHugh said she appreciated the commitment to address the issue. She noted that it would rain on Friday and asked what else could be done. Mr. Shepherd said they will continue with the current measures. He noted that Stan Dillis of Ducharme and Roy is looking at the previous SWPPP reports to identify any outstanding issues.

### **PUBLIC HEARING – VILLAGE AT SHEPLEY HILL**

Chairwoman McHugh called to order the continuation of the public hearing to consider the application for a Full Stormwater Management Permit submitted by Shepley Hill Capital Partners, LLC, to construct a proposed subdivision as shown on the plan entitled, “The Village at Shepley Hill,” prepared by Meridian Associates, dated November 23, 2020.

The applicant sent an email requesting a continuation of the public hearing to the March 2, 2021 meeting.

*The motion was made by Hanninen, seconded by Perkins, to continue the public hearing on March 2, 2021 at 7:00 PM. The motion passed unanimously by roll-call vote with McHugh-aye; Hanninen-aye; and Perkins-aye.*

### **OLIVIA WAY PROGRESS REPORT**

The Committee discussed Olivia Way and progress on the stormwater system mitigation plan. Stormwater Inspector Michelle Collette reported that developer Peter Cricones had not installed barriers around the cul de sac to prevent vehicular traffic from driving across the area. He did install orange cones on the catch basin. No additional work had been done at Olivia Way.

Elizabeth Esielionis, 3 Olivia Way, said a contractor hired by developer Peter Cricones has been doing a good job plowing Olivia Way. Andy George, 13 Olivia Way, agreed that the contractor has done a good job plowing the road. However, erosion from the island flows into the catch basins. They have not seen Mr. Cricones in months.

*The motion was made by Hanninen, seconded by Perkins, to resend the letter to Mr. Cricones requesting that he mark the circle to prevent vehicles from driving through the cul de sac and that he must clean out the catch basins in the spring. The motion passed unanimously by roll-call vote with McHugh-aye; Hanninen-aye; and Perkins-aye.*

### **MINUTES**

*The motion was made by Hanninen, seconded by Perkins, to approve the minutes of January 5, 2021. The motion passed by roll-call vote with McHugh-aye; Hanninen-aye; and Perkins-aye.*

### **PUBLIC HEARING – ALLEN HAHN, 54 HILL ROAD**

In accordance with the provisions of Chapter 198 of the Code of Groton, the Earth Removal Stormwater Advisory Committee held a virtual public hearing to consider the application for a Limited Stormwater Management Permit submitted by Allen Hahn to reconstruct an existing house and construct a new driveway as shown on the plan entitled, “Site Development Plan in Groton, Massachusetts, Prepared for Allen Hahn,” prepared by Hannigan Engineering, Inc., dated November 25, 2020. The proposed construction is located on Assessors’ Map 211, Parcel 83, on the northerly side of Hill Road.

Chairwoman McHugh opened the public hearing and read the notice published in the January 29, 2021 issue of the *Groton Herald*. Applicant Allen Hahn, design engineer William Hannigan of Hannigan Engineering, and several abutters were present.

Mr. Hannigan described the plan to rebuild the existing driveway, construct a retaining wall with stairs, and landscape the site as detailed in the narrative submitted with the application. The disturbed area will be more than 20,000 SF but less than 40,000 SF, so the application is for a Limited Stormwater Management Permit. Mr. Hannigan said roof drains with downspouts will be used to capture the 2-year storm. A 50-ft construction entrance will be installed as shown on the plan. The proposed project comes under the Massachusetts Stormwater Redevelopment provisions. No work will be done in the 100-year flood plain.

Mr. Hahn said he did not want to add any impervious surface and would prefer a gravel driveway. Member Perkins said this is a well-thought-out plan. He asked if the area near the retaining wall would be paved. Mr. Hahn said, "no," it would be a grass area with granite steps leading to the field.

Member Hanninen asked if the sewage disposal system is based upon an older plan. Mr. Hannigan said, "yes," and the system has already been installed. The Board of Health issued a Certificate of Compliance.

Member Hanninen stressed that there should be no runoff onto Hill Road. Mr. Hanninen said a concrete pad and depression at the entrance could be created. The plan shows a paved driveway to leave options open for the future.

Chairwoman McHugh agreed that there should be a water-collection system installed near the road and should be located outside the 100-ft wetlands buffer zone.

Abutter Kimberly Kuliesis asked about the Norwegian Spruce tree at the edge of Hill Road. She said she is a steward of the earth and is concerned about the impact of construction on habitat in the area. She said the existing gravel driveway at 54 Hill Road is near her driveway that floods periodically. She said she is planning to install a rain garden near her driveway.

Mr. Hahn said he would like to preserve the Norwegian Spruce tree. Mr. Hannigan said the driveway could be shifted to the left to save the tree.

Stormwater Inspector Michelle Collette said the Committee could have some flexibility and approve minor field changes provided the applicant asks in advance of doing the work.

Chairwoman McHugh asked if the engineer would like to update the plan and come back to the Committee in March. Mr. Hannigan requested that the Committee approve the plan as submitted. He said they would come back in the future to reconfigure the driveway.

*The motion was made by Hanninen, seconded by Perkins, to close the public hearing. The motion passed by roll-call vote with McHugh-aye; Hanninen-aye; and Perkins-aye.*

*The motion was made by Hanninen, seconded by Perkins, to grant a Limited Stormwater Management permit to Allen Hahn, 54 Hill Road, with the following findings and conditions:*

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 plan or approved modification.
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 Hill 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 ensure 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 by roll-call vote with McHugh-aye; Hanninen-aye; and Perkins-aye.*

*The motion was made by Hanninen, seconded by Perkins, to adjourn the meeting. The motion passed by roll-call vote with McHugh-aye; Hanninen-aye; and Perkins-aye.*

Meeting adjourned at 8:45 PM

Respectfully submitted,

Michelle Collette  
Earth Removal Stormwater Inspector