

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE  
TUESDAY, JANUARY 4, 2022, 7:00 PM  
MINUTES**

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

Members present: Eileen McHugh, Barringer, Bob Hanninen, Tom Delaney, and Steven Savage

**PUBLIC HEARING – HAYES WOODS, MAPLE AVENUE**

In accordance with the provisions of the Code of the Town of Groton, Chapter 198, the Earth Removal Stormwater Advisory Committee held a virtual public hearing to consider the application submitted by Maple Avenue Realty Trust (Robert P. Kiley, Trustee) for approval of a Full Stormwater Management Permit. The project is located on Groton Assessors' Parcels 104-30 and 212-13 and will result in the subdivision of the existing 90-acre property on the easterly side of Pepperell Road and the westerly side of Maple Avenue. The proposed project is shown on the plans entitled, "Stormwater Permit Plan (Lots 1-2) and Stormwater Permit Plan (Lots 3-7), Maple Avenue, Groton Massachusetts" prepared for the Hayes Family Real Estate Trust, prepared by Dillis & Roy Civil Design Group, and dated December 1, 2021.

Chairwoman McHugh called the hearing to order and read the public hearing notice published in the December 24, 2021 issue of the *Groton Herald*. Attorney Robert Collins and design engineer Stan Dillis represented the applicant at the public hearing.

Attorney Collins said Robert Kiley purchased the property from the Hayes Family Real Estate Trust on December 16, 2021. The Full Stormwater Permit application includes two plans to create a total of seven lots with access off Maple Avenue. One plan has five, ten-acre lots, and the other plan has two, two-acre lots. In the future, an additional nine lots will be created with access off Pepperell Road.

Mr. Dillis said the old logging roads will be used to access the lots from Maple Avenue. No trees will be removed within the right-of-way of Maple Avenue, and a Notice of Intent with the Conservation Commission is not required. The houses will be located off the road so minimal clearing is required.

Attorney Collins said a shared driveway will serve Lots 1 and 2, so there will be a total of six new driveways off Maple Avenue. A Homeowners' Association will be created for Lots 1 and 2.

Mr. Dillis described the proposed grading changes for Lots 1 and 2. There will be a 25 ft no disturb area from Maple Avenue on Lot 1 and a 50 ft no disturb area on Lot 2.

Mr. Dillis described the grading and the driveways for Lots 3-7. The sewage disposal system is close to Maple Avenue on Lot 6. There are significant grading changes on Lot 3 that come very close to Maple Avenue. Roof recharge and driveway trenches will be installed along the driveways.

Member Hanninen asked about the soils on the site. Mr. Dillis said the soils are sand and gravel, but there is some ledge.

Member Delaney asked about the proposed steep slope near the road on Lot 3. Mr. Dillis said it will be loamed and seeded, but some retaining walls may be needed. Member Delaney said there should be no runoff onto Maple Avenue.

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Member Savage asked who would own and maintain the shared driveway serving Lots 1 and 2. Attorney Collins said easements will be shown on the recorded plan for the driveway. A Homeowners Association will be created so both lot owners will be responsible for the maintenance of the driveway. Attorney Collins said the Town can enforce the homeowners' agreement, if necessary. Mr. Dillis said the Town can maintain the driveway and bill the applicant. *(Note: This is not accurate – see discussion later in the meeting.)*

Stormwater Inspector Michelle Collette said the Town cannot enter the property unless an easement is granted to the Town to do so.

Chairwoman McHugh asked if drainage calculations had been submitted with the application. Mr. Dillis said, "no."

Chairman McHugh asked about the cut and fill. Attorney Collins said no earth material would be removed from the site.

Chairman McHugh asked how the limits of disturbance would be marked in the field. Attorney Collins said caution tape will be used to mark the limits. Mr. Dillis said, in addition, there will be markers on the boundaries of the conservation restricted land as required in the Planning Board Special Permit and by the Natural Heritage and Endangered Species Program.

Chairwoman McHugh asked if the conservation restriction is in perpetuity and whether the limit of clearing near Maple Avenue would be permanent. Attorney Collins said the Conservation Restriction is permanent as required in the Planning Board special permit which is recorded at the Registry of Deeds. The clearing limit near Maple Avenue is only during construction.

Stormwater Inspector Michelle Collette said the application did not include an Operation and Maintenance Plan or drainage calculations as required for Full Stormwater Permits (see Chapter 352-2 Submission Requirements).

Member Delaney stated that the Town will not take care of driveway maintenance unless there are approved connections to structures that the Town maintains.

Mr. Theall, 179 Maple Avenue, stated that the lot clearing has commenced. Attorney Collins said the clearing is allowed because the Planning Board approved the special permit and it has been recorded at the Registry of Deeds. Mr. Theall asked whether the NHESP conditions have been met. Attorney Collins said, "yes."

Chairman McHugh asked members if they thought drainage calculations should be submitted. All members agreed that drainage calculations should be submitted for the common driveway serving Lot 1 and 2.

Stormwater Inspector Michelle Collette said the Operation and Maintenance plan should be submitted along with the drainage calculations.

Bob Margolius asked where the shared driveway for Lots 1 and 2 would be located. Mr. Dillis pointed the location out on the plan and stated the driveway cut would be across the road from the utility pole. Mr. Margolius said he did not want any runoff from the driveway going onto his land. Committee members all agreed.

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Stormwater Inspector Michelle Collette asked if the drainage calculations and plan for the common driveway on Lots 1 and 2 should be sent to Nitsch Engineering for review. The Committee agreed.

*The motion was made by Delaney, seconded by Savage, to continue the public hearing on February 1, 2022, at 7 PM. The motion passed unanimously by roll call vote: Barringer – aye, Delaney – aye, Hanninen – aye, Savage – aye, McHugh – aye.*

#### **CERTIFICATE OF COMPLETION – TRIO REAL ESTATE GROUP, 340 LONGLEY ROAD**

The Committee received a letter dated December 27, 2021 from design engineer Dan Wolfe of David Ross Associates requesting a Certificate of Completion for the shared driveway and development of three lots on Longley Road. The applicant submitted the as-built plan for the driveway in April 2021. Stormwater Inspector Michelle Collette reported that there have been no stormwater issues whatsoever at the site.

*The motion was made by Hanninen, seconded by Delaney, to issue the Certificate of Completion to the Trio Real Estate Group. The motion passed unanimously by roll call vote: Barringer – aye, Delaney – aye; Hanninen – aye, Savage – aye, McHugh – aye.*

#### **MINUTES**

*The motion was made by Hanninen, seconded by Delaney, to approve the December 7, 2021 minutes. The motion passed by roll call vote: Delaney – aye, Hanninen – aye, Savage – aye, McHugh – aye, Barringer – abstained.*

#### **FUTURE MEETINGS**

The Committee will meet on January 18, 2022 and hold two public hearings - one for the construction of the new Florence Roche Elementary School and the other for development of one single-family lot at 92 Common Street.

The Committee's regular meeting will be held on February 1, 2022. Committee members requested that, in the future, only one hearing should be scheduled on the agenda when there is a second meeting in the month.

Meeting adjourned at 8:15 PM

Respectfully submitted,

Michelle Collette  
Earth Removal Stormwater Inspector