

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE
TUESDAY, FEBRUARY 1, 2022, 7:00 PM
MINUTES**

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

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

Member Absent: George Barringer

PUBLIC HEARING (continuation) – HAYES WOODS, MAPLE AVENUE

The Earth Removal Stormwater Advisory Committee held the continuation of the 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 creation of seven (7) new lots of the existing 90-acre property on the easterly side of Pepperell Road and the westerly side of Maple Avenue. Design engineer, Stan Dillis, presented the plan.

Mr. Dillis said he submitted drainage calculations that were reviewed by Nitsch Engineering (see report dated February 1, 2022). Mr. Dillis said they would address the comments in the report at the next meeting. There are no proposed changes to the plan other than the addition of a rain garden for the shared driveway at Lots 1 and 2.

The Committee had received complaints from abutters about clear that has taken place on the property. Member Delaney said landowner can clear trees on the property without a permit. Mr. Dillis said they are working with the Department of Fisheries and Wildlife (DFW) to address the Notice of Non-Compliance with the Massachusetts Endangered Species Act, dated January 11, 2022.

Abutter Deb Collum said the DFW letter included a stop work order. She expressed concerns about the clearing of many large trees along Maple Avenue.

Mr. Dillis requested a continuation of the public hearing to respond to Nitsch Engineering's comments and to determine whether any trees in the right-of-way of Maple Avenue have been removed. He said the tree cutting operation should only be using the existing cart roads to access the site.

Ms. Collum asked what the distance is from Maple Avenue in the public right-of-way. Member Delaney said Maple Avenue is a two-rod road, so the right-of-way is 16 ft from the centerline of Maple Avenue.

The motion was made by Hanninen, seconded by Delaney, to continue the Hayes Woods public hearing on March 1, 2022. The motion passed unanimously by roll call vote: Delaney – aye, Hanninen – aye, Savage – aye, McHugh – aye.

PUBLIC HEARING (continuation) – Groton Dunstable Regional School District-Florence Roche School

Chairwoman McHugh called the continuation of the hearing to order for the Stormwater Management Permit for construction of the new Florence Roach Elementary School. The applicant requested a continuation of the public hearing to February 15, 2022.

The motion was made by Hanninen, seconded by Delaney, to continue the Florence Roche School public hearing on March 1, 2022. The motion passed unanimously by roll call vote: Delaney – aye, Hanninen – aye, Savage – aye, McHugh – aye.

PUBLIC HEARING (continuation) – 92 COMMON STREET

The Earth Removal Stormwater Advisory Committee held the continuation of the virtual public hearing to consider the application submitted by Tim Svarczkopf for approval of a Limited Stormwater Management Permit to construct a new house, driveway and sewage disposal system on land owned by Jeanne Nutte, located at 92 Common Street. Attorney Collins and design engineer, Stan Dillis, presented the plan.

Mr. Dillis described minor changes to the plan as requested by the Conservation Commission. The drainage basin is larger, and a rain garden and roof infiltration system have been added. Mr. Dillis said he spoke with Health Agent Ira Grossman regarding concerns about the location of the sewage disposal system. The system is located where it is shown on the plan because there is ledge on the site.

Attorney Collins said the abutter to the north of the site requested a deed restriction to protect native vegetation. The restriction is shown on the plan and delineated in the field.

The motion was made by Delaney, seconded by Savage, to close the public hearing. The motion passed unanimously by roll call vote: Delaney – aye, Hanninen – aye, Savage – aye, McHugh – aye.

The motion was made by Hanninen, seconded by Delaney, to grant a Limited Stormwater Management Permit to Tim Svarczkopf for approval to construct a new house, driveway and sewage disposal system on land owned by Jeanne Nutte, located at 92 Common Street, 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 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 Common 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.
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.

Meeting adjourned at 7:50 PM

Respectfully submitted,

Michelle Collette
Earth Removal Stormwater Inspector