

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

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

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

PUBLIC HEARING – PLATT BUILDERS, 32 COURT STREET

In accordance with the provisions of the Code of the Town of Groton, Chapter 198, the Earth Removal Stormwater Advisory Committee will hold a virtual public hearing via Zoom to consider the application submitted by Platt Builders, Inc. for approval of a Full Stormwater Management Permit to construct a 12,500 square-foot building and associated parking, driveways, stormwater management system, and landscaping as shown on the plan entitled, "Site Plan, 32 Court Street, Groton, Massachusetts," prepared by Dillis and Roy, dated January 14, 2022. The property, owned by Anne Elliot is located at 32 Common Street, Assessors Map 113, Parcel 76, on the westerly side of Court Street.

The Committee received a request from the applicant, Halsey Platt, to continue the public hearing to April 5, 2022.

The motion was made by Delaney, seconded by Savage, to continue the Hayes Woods public hearing on April 5, 2022. The motion passed unanimously by roll call vote: Barringer-aye, Delaney – aye, Hanninen – aye, Savage – aye, McHugh – aye.

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 subdivision of the existing 90-acre property on the easterly side of Pepperell Road and the westerly side of Maple Avenue.

The Committee received a request from the applicant's attorney, Robert Collins, to continue the public hearing to April 5, 2022.

The motion was made by Delaney, seconded by Savage, to continue the Hayes Woods public hearing on April 5, 2022. The motion passed unanimously by roll call vote: Barringer-aye, Delaney – aye, Hanninen – aye, Savage – aye, McHugh – aye.

MINUTES

The motion was made by Delaney, seconded by Savage, to approve the minutes of February 15, 2022, as amended. The motion passed unanimously by roll call vote: Barringer-aye, Delaney – aye, Hanninen – aye, Savage – aye, McHugh – aye.

REVIEW CHAPTERS 198 & 352

The Committee reviewed the following sections of Chapter 198 Stormwater Management-Low Impact Development and Chapter 352 ERSWAC Regulations to determine whether a permit is needed for clearing trees and vegetation prior to construction if the activity exceeds the 20,000 SF threshold for a Limited Stormwater Management Permit or 40,000 SF for a Full Stormwater Management Permit:

Chapter 198-2 Definitions:

“Alteration - Any activity that will measurably change the ability of a ground surface area to absorb water or will change existing surface drainage patterns. Alteration may be similarly represented as "alteration of drainage characteristics," and "conducting land disturbance activities." Such changes include: change from distributed runoff to confined, discrete discharge; change in the volume of runoff from the area; change in the peak rate of runoff from the area; and change in the recharge to groundwater on the area.”

“Disturbance of land - Any action, including clearing and grubbing, that causes a change in the position, location, or arrangement of soil, sand, rock, gravel, or similar earth material.”

Chapter 352, § 352-1 Permit required.

“B. Full stormwater management permits. You must file an application for a full stormwater management permit for any of the following activities:

- (1) Excavating, grading, or other land-disturbing activity of an area of more than 40,000 square feet or a volume of earth resulting in a total quantity of 1,000 cubic yards per lot or parcel as defined in Chapter 218, Zoning, § 218-4, Definitions; or

“C. Limited stormwater management permit. You must file an application for a limited stormwater management permit for any of the following activities:

- (1) Excavating, grading, or other land-disturbing activity which disturbs an area greater than 20,000 square feet but less than 40,000 square feet or a volume of earth greater than 500 cubic yards but less than 1,000 cubic yards per lot or parcel as defined in Chapter 218, Zoning, § 218-4, Definitions.”

Amending Chapter 198 requires a Town Meeting vote and amending Chapter 352 requires a public hearing and vote of the Committee.

After some debate, all members agreed that cutting trees, including clear cutting areas greater than 20,000 SF, does not require a permit unless clearing and grubbing is done.

Members all agree that the clearing that took place on the Hayes Woods property, now owned by Kiley, did not require a Stormwater Management permit.

Stormwater Inspector Michelle Collette noted that all forestry operations are exempt as stated in Chapter 198:

C. Exemptions. The provisions of this chapter shall not apply to:

- (1) Work performed for normal maintenance or improvement of land in agricultural or forestry use;
- (2) The removal of hazardous trees;

NEXT MEETING

The majority of members decided that the Committee meeting on April 5, 2022 should be virtual rather than in person.

Meeting adjourned at 7:45 PM

Respectfully submitted,

Michelle Collette, Earth Removal Stormwater Inspector