

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE
TUESDAY, MAY 3, 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

PLATT BUILDERS, 32 COURT STREET

The Committee received a report dated April 26, 2022 from Nitsch Engineering reviewing the latest revisions to the plan for the commercial building located at 32 Court Street. The Committee also received a response letter dated April 27, 2022 from Dillis and Roy addressing the outstanding issues in the Nitsch Report. The Committee voted unanimously to sign the Stormwater Management Permit for 32 Court Street as voted at the April 5, 2022 meeting.

(Note: Stormwater Inspector Michelle Collette had technical difficulties and arrived at the meeting at 7:10 PM)

MINUTES

The motion was made by Hanninen, seconded by Delaney, to approve the minutes of March 1, 2022, as amended. The motion passed unanimously by roll call vote: Barringer-aye, Delaney – aye, Hanninen – aye, Savage – aye, McHugh – aye.

EARTH REMOVAL STORMWATER INSPECTORS REPORT

Stormwater Inspector Michelle Collette summarized activities since the last meeting including:

Seven Hills Group Home – The Town Land Use Departments met with representatives of Seven Hills to review plans to construct a new group home to be located on land adjacent to the existing Seven Hills facility on Hillside Avenue and West Street. The Stormwater Permit application will be submitted in the near future.

Village Meadows/Blueberry Lane – There are no issues at the Village Meadows subdivision off Townsend Road. The site is clean and well managed with no erosion or siltation observed.

Village at Shepley Hill – A complaint was received about erosion and tracking material on Longley Road. Ms. Collette stopped by the site and spoke with the construction crew about replenishing the crushed stone construction entrance. They agreed to do so and took care of matters the same day.

Florence Roche School – Construction has commenced at the school site. All erosion and sedimentation controls are properly installed. Catch basins are clean and silt sacks are in place.

MS4 REPORT

DPW Director and Committee Member Delaney said the new MS4 Program is working very well. The Town's catch basins have been cleaned and normal maintenance of the stormwater system continues.

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 for Lot 3-7. Attorney Robert Collins and design engineer Stan Dillis were present.

Attorney Collins said Lots 3-7 will be reconfigured as shown on the Approval Not Required (ANR) endorsed by the Planning Board. The size of the lots has been reduced from 10 acres to 4 acres as negotiated with the Natural Heritage and Endangered Species Program. MassWildlife issued the Conservation and Management Permit on April 27, 2022.

Mr. Dillis said the revised red-line plan includes normal erosion and sedimentation control precautions along with turtle fencing. Infiltration areas will be constructed on Lots 3 and 4.

Member Savage expressed concerns about the steep driveways on Lots 4 and 6. Mr. Dillis said recharge trenches will be installed and will discharge to the drainage basin on Lot 4.

Stormwater Inspector Michelle Collette expressed concern about the steep grade changes on Lot 3. She asked if the lot might slump during construction. Mr. Dillis said the lot would be terraced.

Chairwoman McHugh said she would prefer to see the final plans before voting on the permit. Attorney Collins said the Planning Board will approve the revisions to the plan at its next meeting. He said the ERSWAC's next meeting is not until June 7, 2022.

The Committee debated whether to continue the public hearing or to close the hearing now and sign the permit after the final plans are submitted. Chairwoman McHugh said the Committee must have the updated plan when it is approved by the Planning Board.

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

The motion was made by Delaney, seconded by Savage, to grant a Full Stormwater Management Permit to Maple Avenue Realty Trust for Lots 3, 4, 5, 6, and 7 on Maple Avenue with the following findings and conditions:

Finding of Significance

The Earth Removal Stormwater 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. A final copy of the revised plan, dated May 3, 2022, shall be submitted to the Committee prior to the commencement of construction.
2. Construction shall be done in accordance with the above-referenced plans and construction sequencing.
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.

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4. The applicant shall take all reasonable measures to ensure that vegetation, brush, slash, and earth materials, etc. remain in vehicles leaving the site and are not deposited or blown on to the public way or abutting properties.
5. 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.
6. It is the applicant's responsibility to prevent the products of erosion and sedimentation from reaching Maple Avenue 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.
7. The limits of disturbance shown on the plan shall be well delineated in the field with erosion control barriers in the locations shown on the above-referenced plan. The limit of work not delineated by erosion control barriers shall be delineated with yellow flagging to prevent disturbance. These barriers and flagging shall be maintained throughout construction to prevent any disturbance to the vegetation or topography beyond the limits of disturbance.
8. All disturbed areas and stockpiles must be properly stabilized. A supply of erosion control materials shall be kept on site to stabilize disturbed areas.
9. During construction, no slope shall be any steeper than 2:1, including any open cellar holes, to prevent any potential public safety hazard. All excavations are to be done according to the latest version of the U.S. Department of Labor, Occupational Safety and Health Administration, 29 CFR 1926, Safety and Health Regulations for Construction, Subpart P – Excavations.
10. The applicant shall take effective measures to control dust and windblown erosion at all times. All topsoil shall be stockpiled on the site. Erosion control barriers shall be installed around the base of the stockpile. The stockpiles shall be seeded to prevent dust and wind-blown erosion.
11. The applicant shall comply with the Construction Sequencing Plan detailed March 10, 2022, the SWPPP, and the NPDES Construction General Permit. The applicant shall keep a log of spring and fall maintenance activities. The application must submit a copy of the SWPPP to the Committee prior to the commencement of construction.
12. The applicant shall comply with the Operation and Maintenance Plan entitled, "Operation and Maintenance Guidelines." The applicant shall keep a log of spring and fall maintenance activities. The Operation and Maintenance plan shall comply with Section 352-22.
13. After a project is issued a Certificate of Completion, the Responsible Party or Owner, as listed in the Long-Term Operation and Maintenance Plan, shall submit annual BMP Inspection and Maintenance logs to the Committee and if applicable an updated Long-Term Operation and Maintenance Plan on or before June 1st annually as required in Section 352-6D.
14. 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.

15. 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.
16. The applicant is responsible for obtaining any other permits (including but not limited to) those required by the Select Board, Board of Health, Conservation Commission, Building Commissioner, DPW Director, Planning Board and Zoning Board of Appeals.
17. 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.
18. 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).
19. The applicant shall return the signed "Maintenance Agreement" and "Illicit Discharge Compliance Statement" prior to the commencement of construction. The applicant will notify the 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. Additionally, the applicant will provide the Earth Removal Stormwater Inspector with emergency contact information for all site contractors.
20. The applicant or the applicant's consultant shall submit, at least quarterly, in which construction activity occurs on site and for as long thereafter as the ground remains unstabilized, a report to the Committee's review, certifying that, to the best of his or her knowledge and belief, based on a careful site inspection, all work is being performed in compliance with the plan and these conditions.
21. The applicant shall submit payment for any outstanding peer review costs as required in Chapter 352, Section 3 Filing Fees.
22. 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.
23. The applicant is required to obtain a Certificate of Completion as required in Section 352-5A Project Completion which states:

"When the construction of a project is completed, the applicant shall request that the Committee conduct a final inspection. For full stormwater management permits, the applicant must submit a statement from a registered professional engineer certifying that the project was completed in accordance with the approved plans and construction conditions of the permit. The applicant shall also submit an on-the-ground surveyed as-built plan prepared by a professional land surveyor. The Committee shall determine whether the project complies with the approved plans, construction conditions of the permit, and Chapter 198, Stormwater Management. If completion is satisfactory, the Committee shall issue a Certificate of Completion. "
24. This permit runs with the land and applies to any successor in interest or successor in control.

The motion passed unanimously by roll call vote: Barringer-aye, Delaney – aye, Hanninen – aye, Savage – aye, McHugh – aye.

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NEXT MEETING

Chairwoman McHugh said she would prefer not to be chair any longer and asked that the Committee reorganize at its next meeting. The next regular meeting will be held on Tuesday, June 7, 2022 at 7 PM. Committee members said they preferred to meet virtually rather than in person.

Meeting adjourned at 8:00 PM

Respectfully submitted,

Michelle Collette

Earth Removal Stormwater Inspector