

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE  
TUESDAY, APRIL 16, 2024, 6:30 PM  
MINUTES**

Chairman Savage called the meeting to order at 6:30 PM at the Town Hall.

Members present: Steven Savage, Bruce Easom, Bob Hanninen, and Tom Delaney  
Member absent: George Barringer

**PUBLIC HEARING – SERGIO VALERIO, 731 MARTINS POND ROAD**

In accordance with the provisions of the Code of the Town of Groton, Chapter 198, the Earth Removal Stormwater Advisory Committee held a public hearing on Tuesday, April 16, 2024, at 6:30 PM in the Town Hall, 173 Main Street, to consider the application submitted by Sergio Valerio for approval of a Limited Stormwater Management Permit for paving an existing driveway, installation of a new asphalt berm, new dry wells, associated drainage and landscaping as shown on the submitted with the application. The proposed construction is located on Assessors Map 243, Parcel 9, 731 Martins Pond Road

Chairman Savage called the public hearing to order at 6:30 PM and read the public hearing notice posted with the Town Clerk and published in the April 5, 2024 issue of the *Groton Herald*. Mr. and Mrs. Valerio, engineer Frank McPartlan of Dillis and Roy, and abutters were present at the public hearing.

Member Delaney said the plan shows that Mr. Valerio installed a 20' x 20' detention basin at the top of the hill. The basin will collect most of the water from the disturbed portion of the site.

Abutter Jim Luening asked if a berm would be installed along the side of the driveway to prevent runoff onto his property.

Mr. Valerio said the berm will be attached to the asphalt driveway. He asked when the driveway would be completed. Mr. Valerio said by the end of October.

Mr. Luening asked if a temporary basin would be installed in the meanwhile. Mr. Valerio said he would install straw wattles. Chairman Savage said installing the berm is part of the last step in the process when the final paving is done.

Chairman Savage asked about the drainage basin at the top of the hill. Mr. Valerio said the basin would be done in two weeks and he already installed a 600 gallons cistern. Chairman Savage said he is comfortable with the proposed plan.

Mr. Luening said he is still concerned about runoff onto his land. Mr. Valerio told Mr. Luening that he would clean up anything that runs off onto Mr. Luening's property. The basin at the top of the hill will catch most of the runoff.

Member Easom asked about the of depth of the 20' x 20' basin. Mr. Valerio said it is 6' – 8' deep and filled with gravel. Mr. McPartlan said it holds 1000 cu ft or 7500 gallons.

The motion was made by Hanninen, seconded by Easom, to close the public hearing. The motion passed unanimously.

The motion was made by Hanninen, seconded by Easom, grant the permit with the following findings and conditions:

**Finding of Significance**

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:**

At its regular meeting on April 16, 2024, the Earth Removal-Stormwater Advisory Committee voted to grant the permit with the following 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 Martins Pond 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 unanimously.

**PUBLIC HEARING – 119 PARTNERS, 797 BOSTON ROAD (con't)**

In accordance with the provisions of the Code of the Town of Groton, Chapter 198, the Earth Removal Stormwater Advisory Committee held the continuation of a public hearing, to consider the application submitted by 119 Partners, LLC, for approval of a Full Stormwater Management Permit for construction of two, 12-unit age restricted housing buildings with associated parking, drainage, and amenities, as shown on the plan entitled, "Proposed Age Restricted Housing Development, 797 Boston Road, Groton, MA," prepared by Howard Stein Hudson, dated February 16, 2024. The proposed development is located on Assessors Map 133, Parcel 49, at the intersection of Boston Road and Forge Village Road.

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The Committee received a request from the applicant to continue the public hearing.

The motion was made by Easom, seconded by Delaney, to continue the public hearing to April 30, 2024, at 6:30 PM. The motion passed unanimously.

### **MAPLE AVENUE RUNOFF CONCERNS**

The Committee met with Attorney Robert Collins and design engineer, Frank McPartlan of Dillis and Roy, to address runoff concerns from Corey Brock's construction of single-family homes on ANR lots on Maple Avenue.

Mr. McPartlan submitted a letter dated April 9, 2024, with a revised plan showing the location of the as-built houses. He said the driveway was shifted because ledge was encountered during construction. A stone channel has been installed to direct the runoff to the drainage inlets to the deep sump manhole. There is a crown on the paved driveway with stone trenches on both sides. The disturbed areas will be seeded and stabilized this spring.

Chairman Savage asked if there are any drainage pipes. Mr. McPartlan said there are 12" pipes that will be shown on the as-built plan.

Chairman Savage asked who will be responsible for the Operation and Maintenance plan. Mr. McPartlan said the Homeowners Association is responsible for maintenance of the drainage system.

Abutter Bob Margolius asked who will enforce the permit requirements. Chairman Savage said any issues should be reported to the Committee for enforcement.

Attorney Collins said the Homeowners Association Agreement includes all the details about who is responsible.

Member Hanninen asked about the amount of ledge found during construction. Mr. McPartlan said there is ledge 3 ft below grade throughout the site. The basin is located in an area with sand and gravel.

Member Hanninen asked about the depth of the basin. Mr. McPartlan said it is about 2 ft deep. He said the basin on the approved plan held 2100 cubic feet, and the basin on the revised plan holds 2500 cubic ft.

Attorney Collins requested that the Committee approve the revised plan as a field change rather than requiring a new application.

The motion was made by Hanninen, seconded by Delaney, to approve the revised plan entitled, Stormwater Management Plan, Maple Avenue, Lots 1 & 2," prepared by Dillis and Roy, dated April 9, 2024, as a field change. The motion passed unanimously.

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**PRESCOTT, 111 FARMERS ROW**

The Committee discussed the on-going problems with Bob Prescott's construction of a single-family home at 111 Farmers Row.

Member Delaney said he will allow an emergency connection for runoff overflow to the catch basin in Farmers Row. The Committee agreed that this seems to be the best solution.

**COMMENTS TO THE ZBA -HERITAGE LANDING COMPREHENSIVE PERMIT**

The motion was made by Delaney, seconded by Hanninen, to submit comments to the ZBA regarding the proposed Heritage Land plan recommending that the ZBA grant no waivers for the drainage system until soil testing is completed. The motion passed unanimously.

**MINUTES**

The motion was made by Delaney, seconded by Hanninen, to approve the minutes of March 19, 2024. The motion was made by Delaney, seconded by Hanninen,

Meeting adjourned at 7:45 PM.

Respectfully submitted,

Michelle Collette  
Earth Removal Stormwater Inspector