

**EARTH REMOVAL STORMWATER ADVISORY COMMITTEE  
TUESDAY, APRIL 30, 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 – 797 BOSTON ROAD AGE-RESTRICTED HOUSING**

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.

Chairman Savage called the public hearing to order at 6:30 PM. Design engineer, Kate Enright, of Howard Stein Hudson, presented the revisions to the plan to construct two apartment buildings with 12 units in each at the intersection of Boston Road and Forge Village Road. She said the Planning Board wanted more parking spaces, so 12 new spaces were added for a total of 36. The location of the access road has changed and will now enter and exit onto Forge Village Road rather than Boston Road. The entire portion of the parking lot will be porous pavement with overland flow onto the lawn area.

She said they will address all comments from Nitsch Engineering, the Town’s consulting engineer. Ms. Enright said they will make all the changes to the plan as recommended by Nitsch Engineering.

Chairman Savage asked if the site would be on the municipal sewer system or a sewage disposal system. Ms. Enright said they are waiting for the Town Meeting vote authorizing a connection to the Town Sewer.

Chairman Savage recommended that the applicant work with the Groton Electric Light Department to relocate the transformer because it should not be near the porous pavement.

Member Easom asked how high the water table is. Ms. Enright said it is five (5) feet below the surface. He asked if there would be any off-site runoff in the 100-year storm. Ms. Enright said, “no” there will only be overland flow as there is today.

Chairman Savage asked about the Operation and Maintenance Plan. Ms. Enright said a property management company would maintain the stormwater system.

The Committee voted unanimously to close the public hearing.

The motion was made by Hanninen, seconded by Delaney, to issue the Stormwater Management Permit 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. Construction shall be done in accordance with the above-referenced plans and construction sequencing.
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 Boston Road or Forge Village 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. 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.
6. All disturbed areas and stockpiles must be properly stabilized. A supply of erosion control materials shall be kept on site to stabilize disturbed areas.
7. 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.
8. 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.

9. The applicant shall comply with the Construction Sequencing Plan detailed in the the SWPPP, and the NPDES Construction General Permit. The applicant shall keep a log of spring and fall maintenance activities.
10. The applicant shall comply with the Operation and Maintenance Plan entitled, Supplemental Data Report, Proposed Age Restricted Housing Development, 797 Boston Road. The applicant shall keep a log of spring and fall maintenance activities. The Operation and Maintenance plan shall comply with Section 352-22.
11. 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 1<sup>st</sup> annually as required in Section 352-6D.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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).
17. 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.
18. The applicant or the applicant's consultant shall submit, at least every two weeks 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.
19. 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.

20. 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. “

21. This permit runs with the land and applies to any successor in interest or successor in control.

The motion passed unanimously.

#### **MEETING WITH NITSCH ENGINEERING**

The Committee met with Jared Gentilucci of Nitsch Engineering to discuss engineering services to prepare proposed amendments to the Stormwater Management By-law and Regulations. The Committee would like to present amendments to the by-law at the Fall Town Meeting and work on revisions to the Regulations after the by-law is amended.

Mr. Gentilucci said the Department of Environmental Protection (DEP) is working on a new Stormwater Management Policy that will go into effect in the near future. Some of the proposed changes include increasing the Total Suspended Solids (TSS) removal requirements from 80% to 90%.

The Committee would like to consider clarifying the thresholds in the by-law and amending the maximum slope standards. Member Easom asked whether the Cornell University rainfall standard or NOAA Atlas 14 standards are better considering the impact of climate change on rainfall events.

Mr. Gentilucci will submit a cost proposal to the Committee for its review at the June 4, 2024 meeting.

Meeting adjourned at 8:00 PM.

Respectfully submitted,

Michelle Collette  
Earth Removal Stormwater Inspector