

**TOWN OF HAMPDEN  
MASSACHUSETTS**

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**Stormwater Committee**  
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**Stormwater Committee  
Regular Meeting Minutes  
June 13, 2019**

**Approved on 12/5/19**

**Board Members Present:** Gary Weiner, Chair; Mark Langone, John Matthew & John Plaster

Nancy Zebert, Eva Wiseman

Gary Weiner called the meeting to order at 5:09 PM and announced the meeting was being recorded.

To begin, some issues had been presented to the committee about the agenda that had gone out about this meeting. There will be a public participation meeting next Thursday at 5pm in the Melville Room. The purpose of the meeting is to provide the public with information about SC's role and the future of the stormwater's regulations impacting the citizens of Hampden.

In addition, the annual town meeting was held and the budget for Stormwater for FY2020 Stormwater was approved. The town had included the T&B consultant services. In addition, the scope of services for T&B has been signed by the Selectmen so they can progress with formulating necessary paperwork and recordings that need to be done in Year 2.

Mark then gave a demonstration on the new tablet and app that will be used to monitor and record stormwater. He is trying to get more time to learn how to use the tablet. Its not difficult but its about having the time to practice so that he can train others how to use the app. T&B superimposed a map that Mark had and were able to verify all the outfalls. Red stars mean that there was an issue with overlay at which time Mark would have to field verify the red stars. The tablet is hooked up to the cloud so anything Mark inputs goes to the cloud and then to Mark's computer. T&B paid the invoice for the license and they will also install an updated map. They will also put a drop-down feature for an inspection form that can be filled out. Mark is planning to start basin cleaning on Monday, and he has already gone through and started labeling basins. He will consult with Tracy as to next steps, but in the meantime, this is a great tool to have to track the stormwater outflow of the catch basins.

Andrew arrived at 5:17

Gary emailed Tracy from T&B to inform her that the SC is on track to meet all requirements for the June 30<sup>th</sup> deadline. Gary said that they can then begin year 2 of the program.

The SC needs to address the next step which is bringing regulations up to par so that they are aligned with MS4 requirements. Gary wants to brainstorm about things that are going on in town that can be applied to creating stormwater regulations. Tracy has gone through current



regulations and has highlighted where updates need to be made. Gary said the enforcement aspect of the regulations is what needs improvement. It appears that the regulations were always set up to have the Selectmen as the enforcers, but it seems that there is a need for someone to be hired to be the stormwater enforcer.

The Highway Department's standpoint is that there is a gap in regulations as the planning board approves a subdivision plan and stormwater system but there is no designation as to who has future responsibility for the components of the main facility. Most stormwater reports that are submitted to planning have a long-term maintenance plan for those structures. Some towns have homeowners' associations to handle these concerns, but Hampden doesn't have one. Therefore, the SC needs to determine who is responsible for this long-term maintenance.

The SC needs to take notes about where there is a need for updating the town stormwater regulations. Gary sees that there is an opportunity for adding new components to the existing bylaw. Also, the planning board will need to be given direction about stormwater management for when they receive site plans. They should give the stormwater regulations to applicants so that they are informed of the bylaws as the current stormwater report has no mention of a homeowner's association. Currently, planning gets subdivisions that could have a stormwater piece. The SC should also get a copy of plans that have a stormwater component.

Andrew asked if the SC would meet once a month to look at all requests that are put through to the PC or will the SC only meet to look at bylaws. Gary said that he saw that the later would probably be the committee's role in the future. Once the regulations go into place, T&B would review complex cases. Right now, T&B can only review based on stormwater regulations they currently have. The PB cannot enforce the oversight of a plan that includes stormwater.

Once there are correct regulations in the framework, it stays with the PB. The committee is solely there to make sure the MS4 standards are up to date. PB and conservation would be the follow through for the applications that come through. This could also affect the Highway Department as the SC needs to ensure they have a clear enforcer of the stormwater bylaws.

A question was raised about possibly putting a stormwater fee on a tax bill. This could have adverse reactions from Hampden residents as their taxes already pay for town maintenance. Eva Wiseman informed the board that appropriations would have to be involved in this decision. An example was given that Chicopee has a flat tax rate for all residents based on the DPW's budget. Eva asked if this would be a fee as opposed to a tax as they could possibly add a fee to the bills the tax collector sends out. The assessor's office would also have to determine who would have this fee on their bill. Some towns call it a rain tax. The question was raised if this is something that would have to be voted on at town meeting. If it's an appropriation it would be built into the tax.

In updating the stormwater regulations there has to be a person or entity who will be the enforcement office for stormwater. The SC are trying to figure out how to write up the regulations and to get the appropriate funding in place. The SC discussed the possibility of hiring a full-time town engineer. John mentioned that the stormwater enforcer doesn't necessarily have to be someone who works for the town as in his opinion there isn't that much work in town to hire a full-time engineer. The town could hire a retired person, a contractor, or someone to work part time. A contractor could be the enforcer of stormwater. The SC also discussed other towns such as Chicopee and East Longmeadow to look for examples of how they handle stormwater enforcement.

Currently, if any new developments disturb an acre of land, a SWIPPP is required by the EPA. This requires documentation and plans that states that no sediment will run off the land. In the bylaw it needs to be included that the stormwater enforcer gets a copy of those permits

and permit number. This rule does not apply to farmland. In town there is no oversight on this issue as there is no education on it.

Further discussion on having someone type up meeting minutes. Joanne has written a set of minutes from a previous meeting. The committee will vote on them at the next meeting. Joanne has indicated that she is unable to be the regular minute taker for the SC.

Andrew asked if minutes can be emailed so that committee can read them before meeting and then vote on them at the meeting.

The next meeting has already been posted for July 11.

Next Thursday night is a public information meeting for the town at 5 pm in Melville room.

John Matthew made motion to adjourn at 6:38pm. Andrew 2<sup>nd</sup>. All in favor 4-0.

Submitted by Kristen Gumlaw