

# TOWN OF HAMPDEN

MASSACHUSETTS

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## Stormwater Committee

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## Stormwater Committee Regular Meeting Minutes August 1, 2019

### **Approved on 2/20/20**

Board Members Present: Gary Weiner, Chair; John Plaster, Andrew Netherwood, Karl Sternberg

Guest: Nancy Zebert

Gary called the meeting to order at 5:05 PM. He announced the meeting was being recorded.

There are no new minutes at this point. Pam has offered to write up some minutes from previous meetings.

At the last meeting, the Stormwater Committee talked about stormwater permitting and the stormwater regulations that need to be amended and sent to town meeting for approval. Gary talked to Pam and found out that for the bylaw to be brought to town meeting in the fall, it is necessary to have a draft of the revised bylaw by the end of August.

Tighe & Bond had sent an application that would begin to address the bylaw permitting necessity. Tracy from Tighe & Bond listed a minor project as less than 1 acre with an inspection fee of \$25 while a permit for a major project would be more than 1 acre with a \$100 fee with \$100 added for any additional acre. The need to acquire a permit is listed in the bylaw and the recommendations for the updated bylaw needs to be shown to the selectmen.

The Stormwater Committee talked about the additional breakdown of permit fees. It is thought that \$25 is too little. There should also be residential vs. commercial property fees for minor projects. Residential fees should be a reasonable price and these applicants should be asked what they would do to prevent run off. If the fee is too expensive, they might refuse to pay.

The Committee discussed permit enforcement. The DPW has always been responsible for clean-up but should they also be responsible for this? They already have a lot of work to complete. The building inspector would therefore be the ideal person. If it is a project that affects roads, however, it would become the Highway Departments responsibility.

There is some discretion as to what constitutes a minor project as listed in the bylaw and as such they should be placed into categories. The designated agent needs the authority to determine if a minor project needs a permit. The Committee could establish a waiver that can be completed just to know that the Building Inspector saw the site. This led to the discussion of assigning an inspector. The Committee will talk to the Selectmen about this issue,

Major projects currently fall under the discretion of the planning board. Major projects are considered any project that disrupts over an acre. These site review plans go to the planning



board. If they are complex, then under Stormwater bylaw the applicant must also fill out a stormwater permit. It will get complicated as more than likely the planning board will have the town consultant conducting site inspections.

The Committee is trying to figure out the chain of command and process for which an applicant needs a stormwater permit. They compared how other towns handle this. Wilbraham and Longmeadow both have a town engineer. The building inspector seems to be the logical person to have conducting the stormwater inspections.

There is a cost to the town to make sure stormwater regulations are upheld. Currently, the committee has a \$66,000 budget. Eventually, the committee and Tighe and Bond will not have the responsibilities that they have now, but the town will already be used to providing funds towards stormwater. Overall it would be more expensive to pay an outside contractor.

Mark has all records for sweeping and cleaning. Discussion ensued if they should be copied so that stormwater has access to them and that they are kept at Town Hall. It was decided that the EPA is probably not interested in what has been done but more importantly what the committee is currently doing.

Tighe and Bond has not received the signed contract for Hampden. Gary has talked to Pam about this. There was a copy signed on May 20<sup>th</sup> so Gary sent it to them. NOI's need to incorporate the stormwater management plan. Andrew brought this issue up to the conservation committee.

In order to make changes to the bylaw, the committee needs to present them to a public hearing. The Committee will go to the selectmen to discuss the updated bylaw and their recommended designated agent. There are some technical things that need to be changed in order to bring the town to the EPA and DEP's current standards. Gary asked that for the next meeting, the committee members read section 4,5 and 6 of the bylaw and make notes of any concerns. Some concerns that Gary noted is the bonding requirements for major projects, the necessary changes of language, the possible overlap with planning and conservations, and the need to include time duration of permit and the estimated completion date.

The committee also discussed the link of Stormwater permits to the Home-Owner's Association. The Home-Owner's Association could cover some of the cost to maintain catch basins however long-term stormwater maintenance would require someone to keep track. Bigger communities have a stormwater tax added to the tax bill. At some point, the EPA is going to say the whole town needs to be assessed for stormwater, not just the current designated area.

Nancy Zebert brought up Agawam's stormwater video on Facebook as well as having FAQ's (Frequently Asked Questions) so that residents have answers to their stormwater questions.

Gary will talk to the Selectman about meeting in September about designated agent. Andrew asked if the bylaw should be ready for special town meeting or May? There is no mandate to have the bylaw implemented by a certain date, however Gary said that the only thing that they are mandated for is the annual report which is due to the EPA by Sept 1. Tracy and T&B is working on that. Andrew suggested inviting one of the selectmen to the October or November meeting to discuss the updates in the bylaw.

Next meeting to be held on September 5<sup>th</sup>. The Committee will work on bylaw discussion.

Andrew made a motion to adjourn at 6:30, Gary 2<sup>nd</sup> all in favor 4-0.

Submitted by Kristen Gumlaw