

**TOWN OF HAMPDEN  
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**Stormwater Committee**  
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**Stormwater Committee  
Regular Meeting Minutes  
November 18, 2021  
Approved on 2/17/22**

Board Members Present: Andrew Netherwood (chair), Karl Sternberg, Gary Weiner, John Matthews

Guest: Emily Tully

The meeting was called to order at 5:09pm. There was a question for Emily about a form from Tighe and Bond that listed the location of town pipes. There was a pipe listed at 23 Springhouse Road however it was unclear if it was a storm drain or a homeowner's pipe from a sub-pump. Emily said that she will talk to the person who completed the form. The committee wants to make sure there wasn't an unnecessary pipe listed. There was also a question about the dry weather sampling form that Emily will check on.

The committee wants to send paperwork to the town's commercial property owners about their stormwater responsibilities. The town's private and public retention basins have been neglected over time, and the committee heard that there will be requirements from the federal or state governments for a stormwater maintenance program for public basins. Emily said there is no enforcement of the maintenance of private properties unless there is a stormwater permit on file and there isn't a regulatory mechanism for getting non-maintained old BMPs that are privately owned. The town can only act if a stormwater problem is on town property and if so, the homeowner is responsible for fixing it. All the committee can do is focus on education and outreach. If there is a new development, it is already subject to the stormwater bylaw as there is a section that allows for administrative orders. In general, stormwater management programs should have an annual maintenance program and inspections.

There are two types of educational outreach for commercial properties. One is pollution prevention like sweeping parking lots and dumpster maintenance, and the second is stormwater BMP's. There was a question of how the committee can effectively communicate stormwater requirements to commercial properties as well as homes that are part of a homeowner's association. With the homeowner's associations, it requires some legal involvement to review the documents that were put forth at the time and would require the help of the Selectmen. Examples of these would be Steepleview Road and Country Club Road.

It would be helpful to get a list of all homeowner's associations and town property retention ponds. The Selectmen would have to see if a homeowner's association was listed in the registry of deeds and if the Planning Department has a list within their own internal documents. The committee would like to send a letter to the BOS about the necessity of creating this list because the annual stormwater report asks that all retention basins are inspected once a year. The town needs to show progress towards taking care of public basins, however they currently do not know what basins are private and publicly owned. Tighe and Bond could also put

together a letter to the Selectmen that would assist in undertaking this major project. In addition, the committee would need to discuss the logistics of who will be cleaning the basins.

Emily said that Tighe and Bond has a template letter that the committee could send to the town businesses about BMP's. Tighe and Bond would also need to give the town an estimate for assisting the committee in getting the retention basin list started. Emily also informed the committee that the BOS had asked Tighe and Bond to put together a flowchart for businesses for when they need a stormwater permit. The MS4 is still at .8.

There was some discussion about the KGM inspection data as it left some conflicting information about if some culverts were paved over or blocked. The committee asked for clarification about these culverts.

The invoice for Year 3 services from Tighe and Bond has been received however, the Stormwater account had been cleared due to the start of the new fiscal year's budget. The committee does not want to pay the bill out of this year's budget, so they will schedule a meeting with the Town Administrator and Town Treasurer to discuss this issue.

At the Selectmen's meeting the other night, they had expressed concern about some of the language in the new bylaw. The biggest question was whether the special planning permit could be held up because a stormwater permit had not been filed for the storage projects that are ongoing. The Stormwater Committee tried to explain the situation however the Town attorney was also asked to weigh in on this issue. Contrary to what had been thought, the bylaw only came into effect the day the town constable posted it which was October 27<sup>th</sup>. It was decided that one sentence in the bylaw will need to be reworded.

Each committee member's terms have been extended until June 30, 2022.

The next meeting is scheduled for January 20<sup>th</sup>, 2022 at 5pm.

John M. called the meeting to adjourn at 6:20pm. Andrew 2<sup>nd</sup>. All in favor 4-0.