

The following Commissioners were present: Bob Elliott, Chairman; Emily Boeing, Tim Dinsmore, Pat Swain Rice, Rob Rand. Absent: Pete Steeves

Also in attendance was Stuart Lahtinen who has expressed an interest in joining the Conservation Commission.

1/3/2023 - Minutes

1. Public Hearings, Public Meetings & Appointments

- A. 7:05 PM - Public Hearing Re: The Commission Will Consider A Notice Of Intent Filed By AMPET, Inc. For Installation Of 2 Septic Tanks, Pump Chamber, Leaching Bed, And Associated Grading Within Bordering Land Subject To Flooding At 11 South Rd.

Jack Maloney with Dillis and Roy Civil Design Group, Inc., represented the property owner. Mr. Maloney stated the AMPET gas station is located on Rte. 119 (heading east) just before the Groton town line. The proposed project will replace a failed septic system that will serve the AMPET gas station as well as the accessory building at 11 South Road with two septic tanks, a pump chamber, and a stone and pipe leaching bed within the 100-year flood zone. Siting of the system considered Board of Health regulations requiring a 100' offset from the leaching field to two private wells, one well is on the property and the other private well is on the abutting property at the used auto dealership, which also includes a single-family house. The current septic tank for the gas station will be pumped and crushed and if a septic system is identified for the accessory building (there are no records available to indicate a septic system for the accessory building), that system will also be pumped and crushed. The site is all sand with a high water table. Boulders are proposed to be placed over the slope of the leaching bed to protect the system from vehicular traffic. MassDEP's comments questioned how the proposed project would address compensatory flood storage. The site is entirely within the 100-year flood zone, with a portion of the property within the floodway, and compensatory storage was not addressed. MassDEP sent comments to the Commission just prior to the meeting suggesting additional details be provided about the project's impacts, including potential increases in flood waters and assurances that the septic mound did not restrict flows that would cause an increase in the flood stage or velocity. MassDEP also suggested an alternative design or technology that would eliminate fill in bordering land subject to flooding (BLSF). Conservation Administrator Terrasi will share these comments with Mr. Maloney. Mr. Maloney requested a continuation to the January 17 meeting. The meeting will be continued to January 17 at 7:05 PM.

- B. 7:15 PM - Public Hearing Re: The Commission Will Consider A Notice Of Intent Filed By Dieu Huynh For Installation Of A Septic System Tight Tank Within The Buffer Of Bordering Vegetated Wetlands And Within Bordering Land Subject To Flooding At 11 Yale Road.

Jack Maloney with Dillis and Roy Civil Design Group, Inc. represented the property owner. Mr. Maloney is proposing a tight tank due to the challenges of the site. The 2,000-gallon tight tank will be at least 100' from the abutting property's private well. There are no records available to indicate a septic system had previously been installed on the property. Mr. Maloney identified the presence of a white PVC pipe located under the house, though he was not certain of its intended use. There will be a slight elevation change (half a foot as a result of fill) over the tight tank but the tank cannot be lowered due to ground water levels, which are very high. Mr. Maloney was asked about the driveway on the property and its proximity to access the tank for pumping. Mr. Maloney said there is a small driveway on the property and a 30' hose would reach the manhole cover to pump the tank. Commissioner Rice questioned the shed located on the plan, next to the house, and was told the shed was on conservation land. Mr. Maloney said a condition in the Order of Conditions could require the shed be moved onto the property at 11 Yale Road. Chairman Elliott explained that tight tanks are sealed tanks that emit an audible alarm when the tank is 60% full providing notification that a pumping of the system is required within a few days. Frequent pumping of the system is required. On a motion from Chairman Elliott, seconded by Commissioner Rand, all

VOTED: to Issue an Order of Conditions.

- C. 7:25 PM - Continuation Of Public Hearing Re: The Commission Will Consider A Notice Of Intent Filed By Complete Home Improvements For Construction Of One (1) Single Family Dwelling With Common Driveway, Drainage, Grading & Utilities Within The Buffer Zone On Chamberlain Way.

Ken Lania of Cornerstone Associates represented Mr. Peter Montesanti, the property owner. Mr. Lania provided an overview of the proposed changes to the preliminary plans he provided online on Thursday prior to the meeting, which were not stamped and signed by an engineer. Mr. Lania explained the changes include relocation of 400 feet of the common driveway, adding 3 feet of cover over the existing common driveway to elevate the low point from the existing elevation of 76 to a new elevation of 79, relocation of the fire truck turnaround by moving the turnaround 53 feet from BVW (currently 4 feet from BVW), redirecting the existing ground swale into field drain collection areas that direct "clean" groundwater and "clean" surface water under the common driveway with rip-rap protected outlets, removing the existing lower crossing and groundwater basin that was located within the water table and replace it with a detention basin to collect only the common driveway stormwater, providing a buffer zone planting enhancement of approximately 7,500 square feet, and a proposal to add an erosion control seed mix on existing exposed slopes greater than 5:1. Chairman Elliott asked why the groundwater collection swales identified on the plan were not being treated as stormwater. Chairman Elliott asked how the project would be phased to allow the property owners of 3 Chamberlain Way to be able to access their property during construction. Chairman Elliott asked why the restoration planting did not include the steep slopes along the common driveway between 3 and 4 Chamberlain Way. Mr. Lania disagreed with comments that the runoff that will be diverted into three 15" pipes running under the common driveway must be treated prior to discharge and stated this was clean groundwater and clean surface water, which he said does not require treatment as long as the runoff does not cross the common driveway. Commissioner Boeing expressed concern with the 1' of elevation difference as runoff exits the swale before entering the 15" pipe under the common driveway. Is there sufficient capacity to prevent water from overtopping the road considering the volume of water that has been witnessed in this section of the common driveway over the past year? Mr. Lania stated the swales would be grassed and vegetated. Commissioner Rice said the swales will take time to become vegetated. Conservation Administrator Terrasi asked for confirmation that the pipe in the large detention basin located in front of 2 Chamberlain Way, would be lowered to ensure water in the basin will not be present after 72 hours. Mr. Lania confirmed the pipe would be lowered and the sides of the detention basin will be stabilized with landscaping mesh netting as well as other materials to eliminate further erosion of the walls of the detention basin. Terrasi said portions of the site are within an Outstanding Resource Water (ORW), requiring treatment of the first inch, not half inch of water volume and she questioned where to locate test data in the Stormwater Report to confirm the basins meet the 2' minimum separation from groundwater to the bottom of each detention basin. The Stormwater Report referenced "2 feet or greater" from the bottom of the basins to groundwater but Terrasi was unable to find the test data as well as the test locations on the plans. Mr. Lania will provide updated plans, stamped and signed by an engineer, by Friday at noon. Mr. Lania requested a continuation to January 17, 2023.

2. Review Of Draft Minutes

- A. Review Of Draft Minutes Of December 13, 2022

Review of Draft Minutes of December 13, 2022.

On a motion from Chairman Elliott, seconded by Commissioner Rand, all

VOTED: to approve the draft Minutes of December 13, 2022, as amended.

3. For Signature: Schedule Of Bills Payable

None

4. Conservation Administrator's Report

A. Zoning Bylaw Study Group

Planner Jenny Gingras said that the Zoning Study Group is requesting a representative from the Commission, in addition to Conservation Administrator Terrasi who would participate as staff, to serve on the Zoning Study Group. Commissioner Rand indicated an interest in serving and the Commission supports, and appreciates, Commissioner Rand's willingness to participate.

5. Other Business

189 Brookline Street – Donation of Land

Terrasi stated that the deed transferring ownership of the property at 189 Brookline Street to the Town of Pepperell Conservation Commission was recorded at the Middlesex South Registry of Deeds on December 29, 2022. Mr. Alan Weiner, Trustee of the property, generously donated the property to the town. Conservation Administrator Terrasi has been working with Town Counsel and Attorney Katharine Klein at K-P Law to ensure the title search was completed and deed recorded prior to the end of 2022.

Meeting Dates for 2023

Meeting dates for the first six months of 2023 are January 3 & 17, February 7 & 21, March 7 & 21, April 4 & 18, May 2 & 16, and June 6 & 20.

6. Master Plan Implementation Update

None

7. Matters That May Be Raised That The Chairman Didn't Reasonably Anticipate

None

Respectfully submitted,

Paula Terrasi/Conservation Administrator