



Town of Pepperell Select Board

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Mark Mathews, Chair

Tony Beattie, Clerk

Chuck Walkovich, Member

Andrew MacLean, Town Administrator

amaclean@town.pepperell.ma.us

July 10, 2024

Mark Baldi, Deputy Regional Director
Bureau of Waste Site Cleanup
Commonwealth of Massachusetts
Department of Environmental Protection
Central Regional Office
8 New Bond Street
Worcester, MA 01606

Re: Proposed Soil Reclamation Project at 161 Nashua Road

Dear Deputy Regional Director Baldi,

The Select Board for the Town of Pepperell continues to closely follow the proposed “reclamation project” at 161 Nashua Road. The Town wishes to take this opportunity to re-affirm our unified opposition to MCGI’s proposal to bring approximately 3.2 million cubic yards of unwanted soils to our small Town. Notwithstanding the hundreds of thousands of trucks that would traverse our country roads for seven to nine years (or more), this proposed project site sits directly above the water plume that leads to our fourth well, and MA DEP is already aware of current PFAS level issues at two of our public wells, including the one nearest this proposed site.

As stated in previous communications with you, the MCGI proposal fails to: (1) address the Town’s environmental concerns due to the proximity of the proposed Site to the Town’s Nashua Road Drinking Well, the Nashua River, and nearby residential homes; (2) comply with the Town’s bylaws and regulations, including zoning, conservation and wetlands, and fill importation, and (3) properly consult with the Town in accordance with the Massachusetts Department of Environmental Protection’s (“MassDEP”) Interim Policy on the Re-Use of Soil for Large Reclamation Projects, Policy # COMM-15-01 (“Interim Policy”).

1. MCGI’s proposed project fails to promote the objectives of the Interim Policy. The purpose of the Interim Policy is to promote the reclamation and reuse of former gravel pits and quarries. MCGI’s proposal does no such thing. Although it purports to “restore elevations to pre-quarrying conditions” and “prepare the property for future development,” (see MCGI’s March 18, 2019 cover letter to Pepperell Town Administrator enclosing the revised Proposal), the project does neither. The proposed grading plan bears no resemblance to and is significantly different and higher than the historic, pre-mining topography of the Site. We continue to remind you of Paul Vigeant’s comment in a June 29, 2018 email to you, that MCGI’s proposed grading plan is “ridiculous.” “They are filling a hole, then building a 200-foot mountain on top.”

The Town of Pepperell stresses again that there is no ‘hole to fill’ on the property. The lowest terrain on the property is approximately level with the lowest areas surrounding the property. In addition,

the project is not necessary “to prepare the property for future development.” In an October 24, 2019 letter to the Pepperell Town Administrator, MCGI first disclosed that it “recently determined that it will pursue placing a solar farm on the Property.” MCGI has still not advanced any plan or formal proposal for a solar farm at the Site, or any explanation of how the proposed “reclamation” is necessary for a solar farm development. In the Town’s view, the objective of the proposed project is to create a landfill in Pepperell for unwanted soils from other sites, not to reclaim the project Site, restore the historic topography, or prepare the Site for a solar farm development.

2. In February 2024, the Planning Board approved a warehouse project for the site which proves that soil reclamation is **not** required for future development on this site.
3. MCGI has never responded, in any way that could be considered substantive, to the Town’s previous letters/concerns, including not only those of our Select Board, but also our Board of Health and Conservation Commission, as outlined in previous correspondence to you and MCGI.

As outlined above and in numerous previous letters to you, the Town remains unequivocally opposed to the proposed project and continues to object because MCGI has consistently failed to address the substance of the Town’s concerns and obtain the necessary permits. As a result, this Board – supported by hundreds of Pepperell citizens, the Board of Health, the Conservation Commission, the Nashoba Conservation Trust, the Nashua River Watershed Association, and numerous Boards of surrounding towns, including in New Hampshire – remains unanimously opposed to this project.

Very truly yours,

Mark Mathews
Chair

Anthony Beattie
Clerk

Chuck Walkovich
Member

cc: Andrew MacLean, Town Administrator
Board of Health
Planning Board
Conservation Commission
Mary Jude Pigsley, MassDEP Regional Director, Central Region
Nashua River Watershed Association
Nashoba Conservation Trust
Mass Composting Group, Inc.
Robin L. Main, Esq.
David K. McCay, Esq., Special Town Counsel
Hon. Edward J. Kennedy
Hon. Margaret R. Scarsdale