

SUDBURY EARTH REMOVAL BOARD
MINUTES
June 13, 2017

MEETING OF THE EARTH REMOVAL BOARD

The Board consisted of Jonathan W. Patch, Chair; Frank Riepe; Benjamin D. Stevenson; Jonathan F. X. O'Brien, and John D. Riordan.

Earth Removal Board Chairman Jonathan Patch called the meeting to order at 7:30 p.m. and read the hearing notice. On the agenda was a discussion and vote on a request to allow the removal of up to 8,860 cubic yards of soil for construction of a wastewater treatment plant at 632 and 642 Boston Post Road, Sudbury, MA. Assessors Map K06, Parcels 0004 and 0005, Zoning District LBD1.

Kevin O'Leary, Design Engineer from the Jillson Company, Inc., attending the meeting for the Applicant, Roberta Henderson.

Mr. O'Leary described the history of the project, the site, and the material to be removed and where removed material will be placed. The project is within Zone II and wetlands jurisdiction. The Planning Board will review Site Plan, Special Permit – Water Resource Protection District, and Stormwater Management Permits. There is a history of failed septic system on site with MassDEP overseeing the permitting of the Waste Water Treatment Plant and required improvements under a consent decree.

Soil will be excavated from the Waste Water Treatment Plan area and stockpiled on the adjacent lot. Some of the soil will be used for backfill and much of the surplus will remain in the stockpile area and be regraded and seeded.

Discussion amongst Board members consisted of the following questions.

It was asked what the construction timeline would be, and Mr. O'Leary stated 9-10 months.

What will be the number of trucks accessing the site daily? Mr. O'Leary indicated he was uncertain.

It was asked how much the plan might change based on potential revisions from MassDEP and the Attorney General's office. Mr. O'Leary responded they have been communicating with both parties to keep them updated and if the permit is granted for a year, and the construction didn't occur, they would request an extension.

A discussion on vehicular traffic transpired. Mr. O'Leary indicated the trucks and deliveries would enter and exit from Boston Post Road. Robbins Road access will be used for crane work with large tanks and trench boxes. They anticipate daily truck trips on Robbins Road, but less frequent truck access from Boston Post Road. An alternate access route from Horse Pond Road was considered but infeasible because it would involve more wetland impacts and greater costs.

A discussion occurred regarding the depth of excavation and likelihood of encountering groundwater. Mr. O'Leary reported that groundwater levels have been studied, but anticipated depth to groundwater will depend on the season and dewatering is planned. Dewatering will be directed to the recharge basin. The stockpile area is currently wooded and approximately 1.5 acres of trees and vegetation will be cleared.

The appropriate amount for a performance bond was discussed. The project cost is estimated at approximately \$1 million dollars. Board members asked Mr. O'Leary what he thought an appropriate bond might be. He indicated the contractor carries the bond, not the owner and that \$600 or 700 thousand may be appropriate.

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It was asked who has jurisdiction of Robbins Road and Mr. O'Leary stated he was unclear. The owner was assumed to have the right as an abutter. The Board suggested the Planning Board further investigate this.

It was asked how high the mounds of displaced soil would be and Mr. O'Leary responded up to 25 feet high.

Mr. Patch reviewed the draft conditions with the Board. Revisions and specifications were made. A permit expiration of 1 year was agreed to, as was a \$750,000 performance bond.

There being no further comments, a motion was made to approve with conditions the request for the removal of up to 8,860 cubic yards of earth for the construction of a waste water treatment plant at 632 and 642 Boston Post Road with the expiration date of June 13, 2018. The motion was seconded and unanimously approved.

Board Organization

A motion was made and seconded to nominate Jonathan Patch as chair and seconded. Four members voted yes and Patch abstained. The motion passed.

A motion was made and seconded to nominate Frank Riepe as clerk. The motion passed unanimously.

There being no further business the meeting was adjourned at 9:34 p.m.

Respectfully submitted,
Beth Suedmeyer,
Environmental Planner