Revised Final Assessment Plan
Breakneck Hill Farm Dumping Site

Breakneck Hill Road
Southborough, Massachusetts

May 2022 (Revised February 2023)

Prepared For:

Town of Southborough
Conservation Commission
17 Common Street
Southborough, Massachusetts 01772

Prepared By:

TRC Environmental Corporation
650 Suffolk Street
Lowell, Massachusetts 01854
(978) 970-5600

DISCLAIMER: This document has not been reviewed and approved by the Massachusetts Department of Environmental Protection (MassDEP)

TABLE OF CONTENTS

1.0 INTRODUCTION 1
2.0 SITE DESCRIPTION & BACKGROUND 2
2.1 Site Location & Description 2
2.2 Site History & Background 2
2.3 Adjoining Properties & General Surrounding Area 2
3.0 PREVIOUS ASSESSMENT ACTIVITIES 3
3.1 Wetland Delineation & Aerial Photograph Review 3
3.2 Draft Site Assessment Report 3
3.3 Land Survey 4
4.0 PROPOSED ASSESSMENT ACTIVITIES – SEPTEMBER 2022 5
4.1 Test Pit Installation 5
4.2 Soil Screening & Sampling 5
4.3 Backfill 6
4.4 Drums and Containers 6
4.5 Leachate, Sheens & OHM Seeps 6
4.6 Asbestos Assessment 6
5.0 REPORTING & CONCLUSIONS 8
6.0 SCHEDULE 9
7.0 REFERENCES 10

FIGURES

Figure 1 Phase I Site Assessment Map
Figure 2 Existing Conditions Plan
Figure 3 Site Plan

APPENDICES

Appendix A – Final Assessment Plan Approval Letter – June 8, 2022
Appendix B – Photograph Log
Appendix C – Wetland Delineation & Aerial Photo Review – Lucas Environmental, LLC
Appendix D – Draft Site Assessment Report Email – Board of Health
Appendix E – Existing Conditions Plan – Land Planning, Inc.

1.0 Introduction

On behalf of the Town of Southborough (the "Town"), TRC Environmental Corporation (TRC) has prepared this *Revised Final Assessment Plan* (the "Revised Plan") to outline assessment activities that were proposed for the portion of the Breakneck Hill Farm Dumping Site (the "Site") owned by the Town.

On November 1, 2021, the Town submitted the October 2021 *Draft Solid Waste Assessment Work Plan* (the "Work Plan") prepared by TRC on behalf of the Town to MassDEP for review and comment. The Work Plan outlined proposed initial assessment activities for the Site. MassDEP provided feedback for the Work Plan via email on December 28, 2021. In addition, the Town and MassDEP met on May 16, 2022 to discuss project schedule and access issues in connection with the abutting residential property located at 60 Breakneck Hill Road (Map 29, Lot 36). The Town addressed MassDEP's comment and submitted the May 2022 *Final Assessment Plan*, which was approved by MassDEP in a letter dated June 8, 2022 (**Appendix A**); the May 2022 *Final Assessment Plan* included assessment activities proposed for the Town-owned portion of the Site and the abutting residential property.

Assessment activities were completed at the Town-owned portion of the Site between September 13, 2022 and September 16, 2022 in general accordance with the May 2022 *Final Assessment Plan*. Between February 2022 and January 2023, the Town engaged the abutting residential property owner in access negotiations; however, the Town and the abutting residential property owner were unable to execute a mutually agreeable access agreement. As a result, the assessment activities originally proposed for the abutting residential property, which were included in the approved May 2022 *Final Assessment Plan*, were not completed and have been excluded from this Revised Plan.

This Revised Plan has been prepared only for the portion of the Site owned by the Town and will be provided to MassDEP's Central Regional Office – Division of Solid Waste Management for review, comment, and approval.

2.0 Site Description & Background

The following sections describe conditions of the Site and the general area surrounding the Site. In addition, Site history and background information is summarized below.

2.1 Site Location & Description

The Site is located to the east/southeast of 48 Breakneck Hill Road in Southborough, Massachusetts. The Site is heavily vegetated and comprises approximately one acre. The Site appears to be located on two separate tax parcels, Map 29, Lot 28A and Lot 36. The general location of the Site is depicted on **Figure 1**.

The Town acquired Map 29, Lot 28A from Raymond Davis on June 20, 1980, which reportedly comprises approximately 87.66 acres and currently consists of conservation land. The area of visually apparent surficial waste and debris is located on the western-central portion of Map 29, Lot 28A and extends onto 60 Breakneck Hill Road (Map 29, Lot 36), a western adjoining property that currently is utilized for residential purposes. Refuse within the dumping area has been documented to include (but not limited to) old tires, machine parts, rusted 55-gallon drums, asphalt shingles, appliances, heavy equipment, broken ceramics, plastic objects, and general trash. Photographs documenting conditions of the Site are included as **Appendix B**, and existing conditions of the Site are displayed on **Figure 2**.

2.2 Site History & Background

Prior to the Town's acquisition, Davco Farm occupied Map 29, Lot 28A. Mr. Davis, President of Davis Tractor Company, operated the Davco Farm. The farm was home to an apple and peach orchard, apiary and bee supply business, and a Belted Galloway cattle herd. Between approximately 1966 and 1980, the Site appears to have been used as dumping ground for the Davco Farm.

2.3 Adjoining Properties & General Surrounding Area

The Site is situated in a mixed-use area predominantly consisting of residential and commercial properties. The Site is bordered to the north by conservation land followed by a commercial complex and Route 9 (Turnpike Road); to the east by conservation land followed by residential properties and Woodland Road; to the south by conservation land followed by residential properties, Breakneck Hill Road, Woodland Road, and the Massachusetts Turnpike (Interstate 90); and to the west by residential properties (48 Breakneck Hill Road and 60 Breakneck Hill Road) and an unnamed pond followed by Breakneck Hill Road.

3.0 Previous Assessment Activities

The following sections summarize previous assessment activities performed at the Site prior to September 2022.

3.1 Wetland Delineation & Aerial Photograph Review

In 2020, the Town of Southborough retained Lucas Environmental, LLC (LE) to perform a detailed wetland investigation in the vicinity of the Site. The detailed wetland investigation included reviewing aerial photographs to assess potential impacts to wetland areas from dumping. LE concluded that the dumping area is partially located on Town-owned conservation land and extends onto the abutting 60 Breakneck Hill Road property. The solid waste was documented to be located immediately adjacent to wetland resource areas. Due to the proximity of wetland resource areas to the solid waste, LE indicated that state, local, and/or federal wetland permits would be required to facilitate remedial actions. The memorandum prepared by LE that summarizes the wetland delineation and aerial photograph review is provided as **Appendix C**.

3.2 Draft Site Assessment Report

The October 20, 2020 *Draft Site Assessment Report* (email) was prepared by Mr. Paul Pisinski, part-time Public Health Director and Board of Health Agent for the Town. According to the email, Mr. Pisinski visited the Site on September 29, 2020. Following the Site visit, Mr. Pisinski estimated that the solid waste was distributed throughout an approximately 400 feet by 800 feet oval-shaped area located on Town-owned property and the western abutting 60 Breakneck Hill Road property; however, Mr. Pisinski indicated that a survey would need to be conducted to provide an accurate estimate and identify pertinent property lines. Mr. Pisinski stated that the Site was overgrown with brambles, vines, trees, shrubs and weeds, and several void spaces were observed throughout the Site.

The email also references a Site visit performed by Mr. Pisinski and Mr. Philip Mauch, a former Board of Health Chairman, in 2005 or 2006. In the approximately 15-year period between Site visits, the Site reportedly became significantly more overgrown with vegetation. Solid waste at the Site was documented to consist of “old tires, abandoned cars, trucks, farm vehicles and farm equipment, broken metal and plastic pails, broken metal parts, metal and wooden cases, broken glass windows and broken glass bottles, ceramics, demolition debris, discarded furniture, bookcases, desks, and all manner of household trash”.

According to the email, the Conservation Commission hired consultants to document conditions at the Site. Mr. Pisinski indicated that an LSP previously collected surface “leachate” samples at the Site. According to Mr. Pisinski, the work performed by the hired consultants “did not detect any hazardous or toxic public health harm”. Although limited sampling activities performed by hired consultants did not reveal the presence of harm to

the public, Mr. Pisinski acknowledged that the partially buried and exposed solid waste at the Site is a public safety concern.

To address the dumping ground, Mr. Pisinski recommended the following actions to the Town: hire a Massachusetts Registered Land Surveyor to perform a survey; hire a tree and brush removal company to clear vegetation from the Site; hire a company to remove the solid waste and restore the Site to the satisfaction of the Conservation Commission and MassDEP. The October 20, 2020 *Draft Site Assessment Report* (email) prepared by Mr. Paul Pisinski is provided as **Appendix D**.

3.3 Land Survey

In June 2021, land surveying activities were conducted to outline the extent of visually apparent surface waste/debris; document local topography and existing conditions; and overlay the extent of surficial waste/debris on an aerial photograph. Prior to the existing conditions survey, TRC performed a site reconnaissance to stake out the extent of the visually apparent surficial waste/debris, identify the general area of focus for the surveyors, and conduct a photographic survey. The photograph log documenting conditions encountered during the site reconnaissance is provided as **Appendix B**.

TRC retained Land Planning, Inc. (Land Planning) of Hanson, Massachusetts to survey the wetland flags (previously placed by others); the perimeter of surficial waste/debris; and the northern and northeastern bank of the pond. In addition, Land Planning collected ground surface elevations to prepare localized topography in 1-foot contours. Based on the Site reconnaissance and survey, the area of visually apparent waste/debris convers approximately one acre. The survey prepared by Land Planning is provided as **Appendix E**.

4.0 Proposed Assessment Activities – September 2022

The following sections outline solid waste assessment activities that were proposed to be conducted on behalf of the Town to further evaluate the nature and extent of dumping at the Town-owned portion Site. Proposed assessment activities included installing test pits, managing soil and debris, screening and sampling activities, and other protocols in the event that oil and/or hazardous materials (OHM) were encountered at the Site.

4.1 Test Pit Installation

To further evaluate the nature and extent of solid waste at the Site, TRC proposed to install up to 14 test pits throughout, and in the vicinity of, the suspected dumping area located on Town-owned property. The originally proposed test pit locations for the Town-owned portion of the Site are depicted on **Figure 3**.

The test pits were proposed to be installed up to five feet below ground surface (bgs); however, the final termination depths and dimensions of each test pit were based on field observations. During the test pitting program, TRC proposed to document the following: location, dimensions, and contents of each test pit; types of solid waste encountered; and soil and groundwater conditions (if encountered). A Department of Labor Standards (DLS) certified asbestos inspector was proposed to be present during all test pit work to identify and sample any suspect asbestos-containing materials (ACM) unearthed during the test pit excavations (refer to Section 4.6 for more details). Test pits were proposed to be installed using a track-mounted excavator capable of accessing the Site, and limited land clearing activities were required to provide access to the excavator. It should be noted that a *Notice of Intent* application was required to implement proposed solid waste assessment activities at the Site.

4.2 Soil Screening & Sampling

TRC proposed to collect soil samples from the sidewalls and base of each test pit for logging and screening purposes. Soil samples collected from the test pitting program were proposed to be screened with a photoionization detector (PID) on a parts per million by volume (ppmv) basis to evaluate for the presence of volatile organics. If elevated sustained PID headspace readings were encountered during soil screening activities (i.e., concentration greater than 10 ppmv), TRC proposed to submit the suspect soil to a Massachusetts-certified laboratory within three days for analyses of volatile organic compounds (VOCs), extractable petroleum hydrocarbons (EPH), volatile petroleum hydrocarbons (VPH), priority pollutant metals, polychlorinated biphenyls (PCBs), pesticides and herbicides. Laboratory analytical results (if any) were proposed to be compared to the applicable Reportable Concentrations in accordance with 310 Code of Massachusetts Regulations (CMR) 40.0000, commonly referred to as the Massachusetts Contingency Plan (MCP). If reportable conditions were encountered during the assessment program, the Town proposed to notify MassDEP in the appropriate time frame (i.e., 2-hours, 72-hours, and/or 120-days). In addition, the Town proposed to provide the laboratory analytical results (if any) to MassDEP within seven days of receipt.

4.3 Backfill

Soil and debris removed during the installation of test pits were proposed to be temporarily placed adjacent to the respective test pit. Material excavated during the test pitting program was proposed to be utilized as backfill and returned to a similar location and depth from where it originated, as feasible.

4.4 Drums and Containers

Assessment activities performed at the Site had the potential to encounter drums or other containers housing hazardous waste or materials. If drums or other containers were encountered during assessment activities that potentially house hazardous waste or materials, solid waste assessment activities were proposed to cease immediately, and the Town proposed to notify Kevin Daoust (Section Chief, Emergency Response and Risk Reduction, Bureau of Waste Site Cleanup, MassDEP Central Regional Office) to determine whether notification was required pursuant to the MCP. In addition, the Town proposed to notify James A. McQuade (Section Chief, Solid Waste Management, Bureau of Air and Waste, MassDEP Central Regional Office) within seven days of identifying drums or other containers potentially housing hazardous waste or materials.

4.5 Leachate, Sheens & OHM Seeps

Assessment activities performed at the Site had the potential to encounter leachate, sheens, and/or OHM seeps. If encountered on the Town-owned portion of the Site, TRC proposed to submit representative samples of the suspect media to a Massachusetts-certified laboratory within three days for analyses of VOCs, EPH, VPH, priority pollutant metals, PCBs, pesticides and herbicides. Following receipt, the laboratory analytical results (if any) were proposed to compare to the applicable Reportable Concentrations in accordance with the MCP. If reportable conditions were encountered during the assessment program, the Town proposed to notify MassDEP in the appropriate time frame (i.e., 2-hours, 72-hours, and/or 120-days). The Town also proposed to provide the laboratory analytical results (if any) to MassDEP within seven days of receipt.

4.6 Asbestos Assessment

Prior to initiating cleanup activities at the Site, the Town proposed to retain the services of a Massachusetts DLS certified asbestos inspector to thoroughly inspect all debris located at the Town-owned portion of the Site for the potential presence of ACM. The certified asbestos inspector was proposed to collect representative samples of suspect ACM to determine asbestos content. Following completion of the asbestos assessment, the Town proposed to provide MassDEP with a written copy of the certified asbestos inspector's report within seven days of receipt and no later than 30 days after the certified asbestos inspector has completed the Site inspection. The DLS certified asbestos inspector was proposed to be present during all test pit work to identify and sample any suspect ACM unearthed during the test pit excavations.

If ACM was identified at the Town-owned portion of the Site, the Town proposed to contact Gregory Levins (Section Chief, Asbestos Program, MassDEP Central Regional Office) to determine whether a Non-Traditional Asbestos Abatement Work Plan is required or if traditional abatement procedures were feasible. Upon receipt of the Department's determination, the Town proposed to retain the services of a DLS licensed asbestos contractor to conduct necessary asbestos abatement activities (anticipated to be performed in conjunction with Site cleanup operations beginning in July 2023). The Town proposed to notify James A. McQuade (Section Chief, Solid Waste Management, Bureau of Air and Waste, MassDEP Central Regional Office) within seven days of receiving the asbestos inspections results and any subsequent asbestos abatement actions. As necessary, the Town proposed to provide Mr. Levins with copies of ACM shipment and disposal documentation within seven days of receipt.

5.0 Reporting & Conclusions

Proposed assessment activities for the Town-owned portion of the Site were implemented in September 2022 in accordance with the May 2022 *Final Assessment Plan*, which was approved by MassDEP in June 2022. This document has been revised to remove assessment activities originally proposed for the abutting residential property due to access restrictions. Findings associated with the September 2022 solid waste assessment associated with the Town-owned portion of the Site are provided in the October 2022 (Revised February 2023) *Final Solid Waste Assessment Summary Report*.

The October 2022 (Revised February 2023) *Final Solid Waste Assessment Summary Report* summarizes solid waste assessment activities completed at the Town- owned portion of the Site and includes tables and figures, as necessary. In addition, the summary report provides findings, conclusions, and recommendations for cleanup, as necessary. No additional assessment activities are proposed for the Town-owned portion of the Site prior to initiating cleanup. As requested by the Town and MassDEP, TRC will develop a Cleanup Plan consisting of waste removal and restoration activities for the Town-owned portion of the Site.

6.0 Schedule

TRC anticipates that the Town will provide this Revised Plan and the October 2022 (Revised February 2023) *Final Solid Waste Assessment Summary Report* to MassDEP for review and approval in February 2023. In addition, TRC will prepare a Cleanup Plan in February 2023 as requested by the Town and MassDEP for waste removal and restoration in connection with the Town-owned portion of the Site. Once completed, the Cleanup Plan will be submitted to MassDEP for review and approval.

TRC understands that the Town is required to select contractors to implement the proposed and approved Cleanup Plan for the Town-owned portion of the Site via a bidding process, and funds for the cleanup operation will be available beginning in July 2023.

7.0 References

Solid Waste Management Facility Regulations (310 CMR 19.000) prepared by MassDEP dated February 14, 2014.

Wetland Delineation & Aerial Photo Review, Breakneck Hill Conservation Land, Southborough, Massachusetts prepared by Lucas Environmental, LLC dated June 29, 2020.

Draft Site Assessment Report prepared by Board of Health Agent dated October 20, 2020.

Existing Conditions Plan, Off Breakneck Hill Road, Southborough, Massachusetts prepared by Land Planning, Inc. dated June 23, 2021.

Phase I Site Assessment Map, Breakneck Hill Farm Dumping Site, Breakneck Hill Road, Southborough, Massachusetts provided by the MassDEP – Bureau of Waste Site Cleanup on October 25, 2021.

Figures

MassDEP - Bureau of Waste Site Cleanup

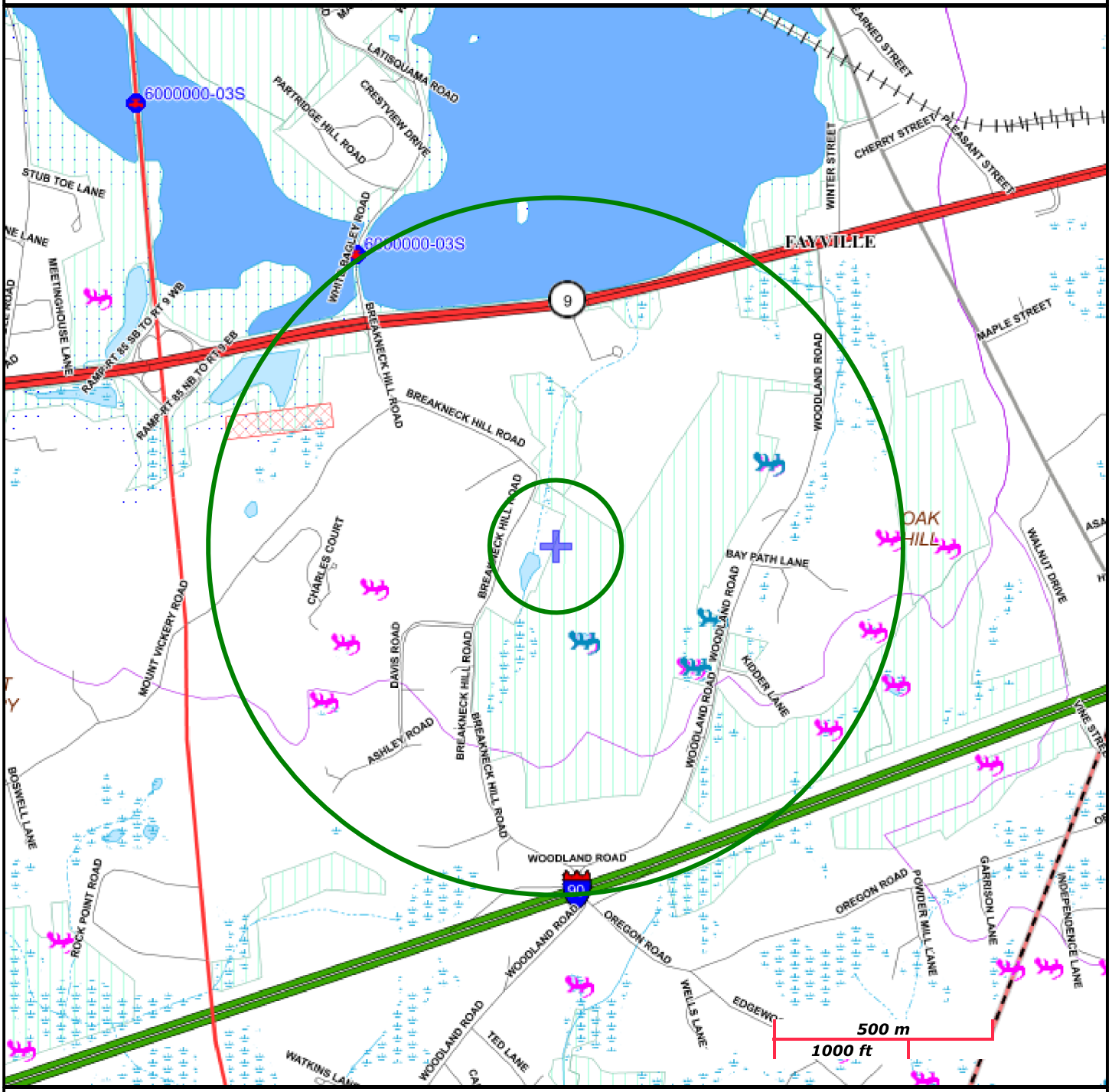
Phase 1 Site Assessment Map: 500 feet & 0.5 Mile Radii

Site Information:
BREAKNECK HILL FARM DUMPING SITE
BREAKNECK HILL ROAD SOUTHBOROUGH, MA

NAD83 UTM Meters:
4684796mN , 292602mE (Zone: 19)
October 25, 2021

The information shown is the best available at the date of printing. However, it may be incomplete. The responsible party and LSP are ultimately responsible for ascertaining the true conditions surrounding the site. Metadata for data layers shown on this map can be found at: https://www.mass.gov/orgs/massgis-bureau-of-geographic-information.

MassDEP
Commonwealth of Massachusetts
Department of Environmental Protection



Roads: Limited Access, Divided, Other Hwy, Major Road, Minor Road, Track, Trail

Boundaries: Town, County, DEP Region; Train; Powerline; Pipeline; Aqueduct

Basins: Major, PWS; Streams: Perennial, Intermittent, Man Made Shore, Dam

Aquifers: Medium Yield, High Yield, EPA Sole Source

Non Potential Drinking Water Source Area: Medium, High (Yield)

PWS Protection Areas: Zone II, IWPA, Zone A

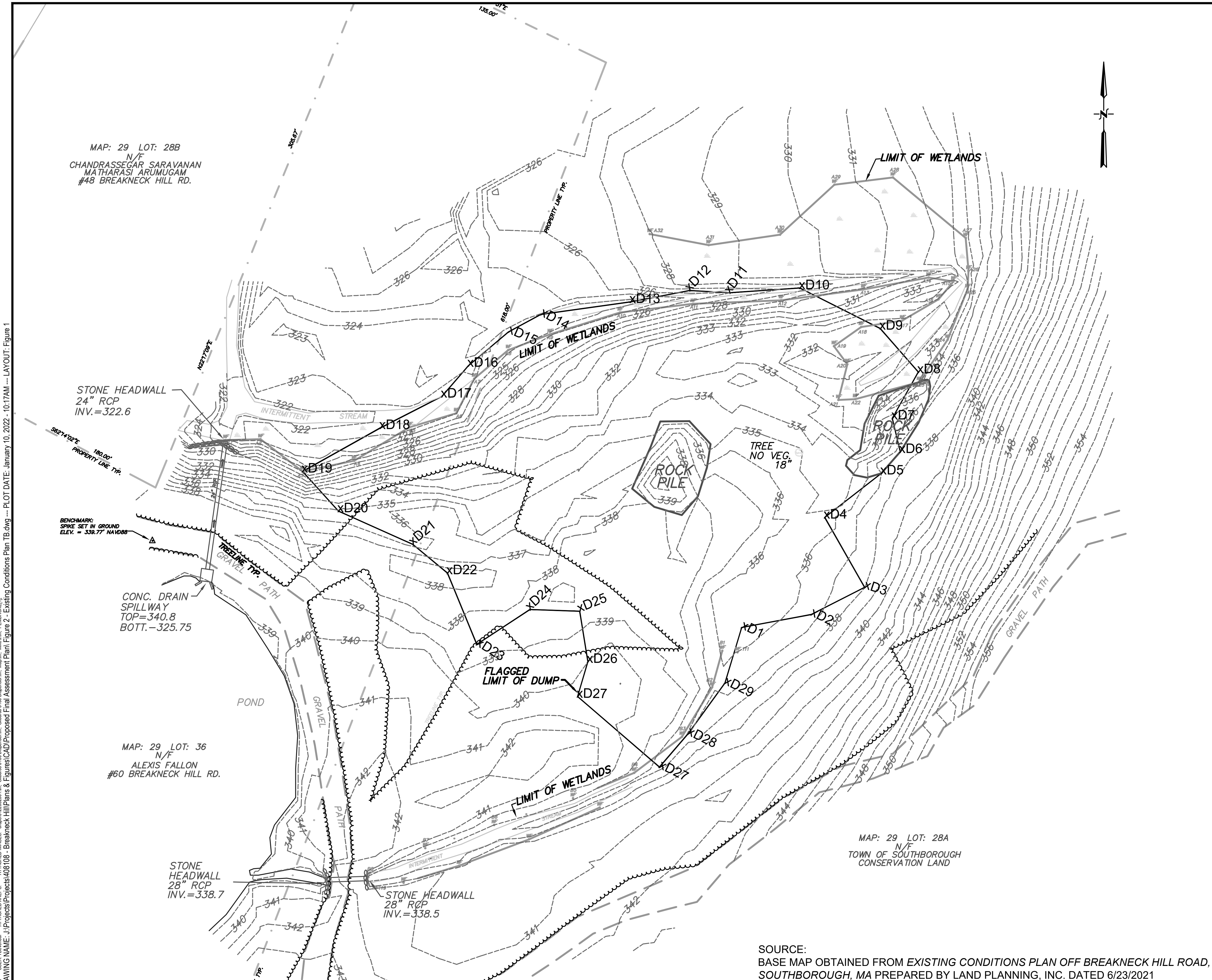
Hydrography: Open Water, PWS Reservoir, Tidal Flat

Wetlands: Freshwater, Saltwater, Cranberry Bog

FEMA 100yr Floodplain; Protected Open Space; ACEC

Est. Rare Wetland Wildlife Hab; Vernal Pool: Cert., Potential

Solid Waste Landfill; PWS: Com.GW,SW, Emerg., Non-Com.



SOURCE:
BASE MAP OBTAINED FROM *EXISTING CONDITIONS PLAN OFF BREAKNECK HILL ROAD, SOUTHBOROUGH, MA* PREPARED BY LAND PLANNING, INC. DATED 6/23/2021

LEGEND

- WF — LIMIT OF WETLANDS AND ASSOCIATED WETLAND FLAGS PLACED BY OTHERS
- —xD1— LATERAL EXTENT OF VISUALLY APPARENT DEBRIS AND ASSOCIATED DELINEATION FLAGS
- PROPERTY LINE
- ---335--- GROUND SURFACE ELEVATION CONTOUR BASED ON NAVD88
- TREE LINE

0 50 100 Feet
SCALE 1"=60'

PROJECT:
BREAKNECK HILL FARM DUMPING SITE
SOUTHBOROUGH, MA 01772

TITLE:
EXISTING CONDITIONS PLAN

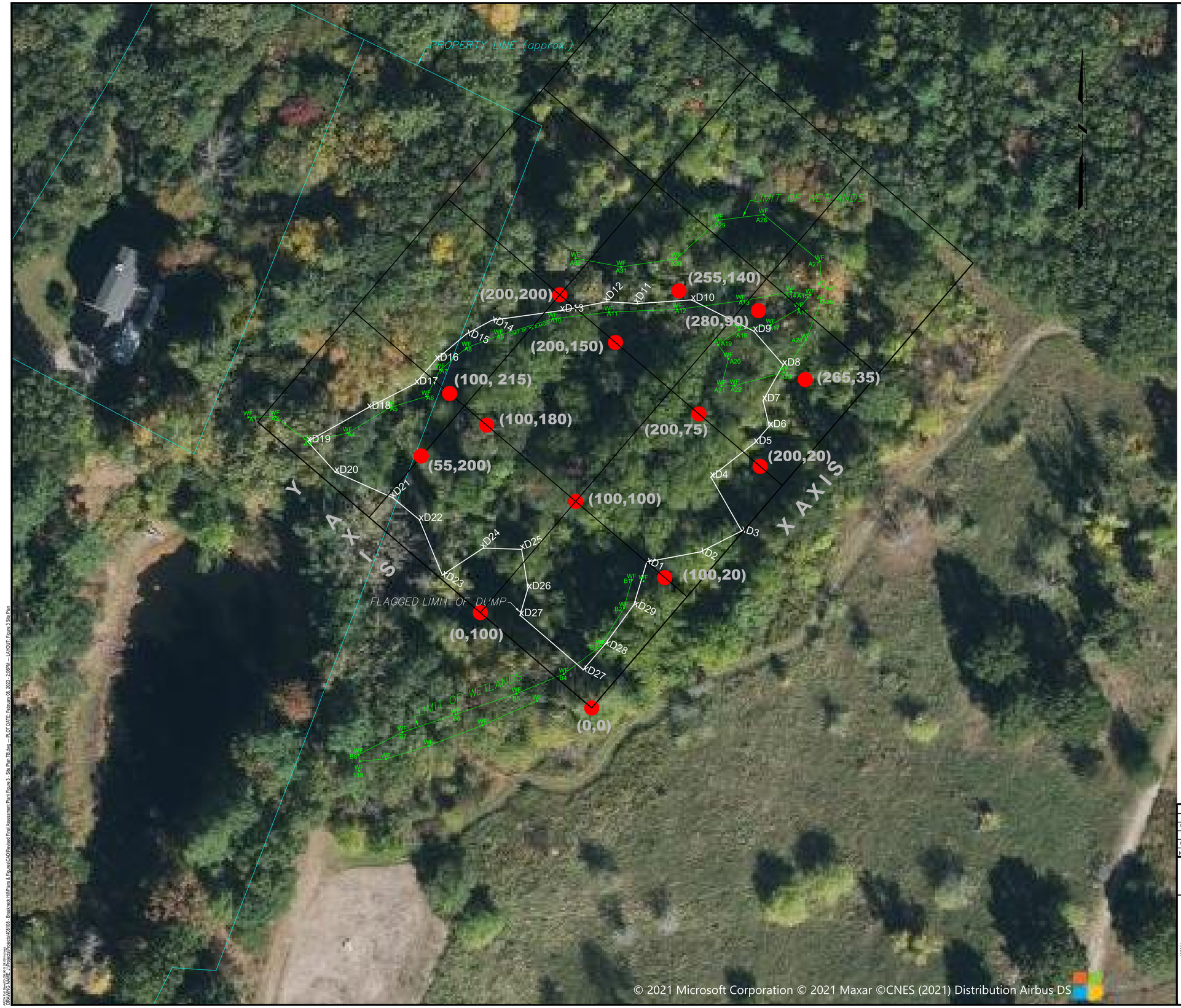
DRAWN BY:	TB	PROJ NO.:	408108.0000.0000
CHECKED BY:	MP		**FIGURE 2**
APPROVED BY:	TB		
DATE:	January 2022		

TRC
650 Suffolk Street
Suite 200
Lowell, MA 01854
Phone: 978.970.5600

FILE NO.: Figure 2 - Existing Conditions Plan TB.dwg

11x17 --- USER: TBevenour --- ATTACHED XREFS: --- ATTACHED IMAGES: drape6122352501.tif; Gilbarco 3100 Dispenser.tiff; Gilbarco 3100 Dispenser.tiff; Map.tiff; Mike's.tiff; PEMBROKE[1]
DRAWING NAME: J:\Projects\Projects\408108 - Breakneck Hill\Plans & Figures\CAD\Proposed Final Assessment Plan\ Figure 2 - Existing Conditions Plan TB.dwg --- PLOT DATE: January 10, 2022 - 10:17AM --- LAYOUT: Figure 1

Version: 2017-10-21



LEGEND

WF — LIMIT OF WETLANDS AND ASSOCIATED WETLAND FLAGS PLACED BY OTHERS

—xD1— LATERAL EXTENT OF VISUALLY APPARENT DEBRIS AND ASSOCIATED DELINEATION FLAGS

(0,0) PROPOSED TEST PIT LOCATIONS & COORDINATES (FEET FROM ORIGIN)

NOTES:

FEATURES INCLUDING WETLAND AND DEBRIS DELINEATION FLAGS WERE OBTAINED FROM *EXISTING CONDITIONS PLAN OFF BREAKNECK HILL ROAD, SOUTHBOROUGH, MA* PREPARED BY LAND PLANNING, INC. DATED 6/23/2021

SOIL AND DEBRIS REMOVED DURING THE INSTALLATION OF TEST PITS WILL BE TEMPORARILY PLACED ADJACENT TO THE RESPECTIVE TEST PIT. MATERIAL EXCAVATED DURING THE TEST PITTING PROGRAM WILL BE UTILIZED AS BACKFILL AND RETURNED TO A SIMILAR LOCATION AND DEPTH FROM WHERE IT ORIGINATED, AS FEASIBLE.

TEMPORARY EROSION PREVENTION AND SEDIMENT CONTROLS WILL BE INSTALLED IN THE VICINITY OF EACH TEST PIT LOCATION, AS NECESSARY, PRIOR TO ADVANCEMENT

0 30 60 90 120
SCALE IN FEET
1 in = 30 ft

NO.	BY	DATE	REVISION	APP'D.
02	TB	2/6/23	SITE PLAN REV02	TB
01	TB	5/18/22	SITE PLAN REV01	TB
00	CH	1/24/22	SITE PLAN REV00	TB

TITLE:

SITE PLAN

COMMONWEALTH OF MASSACHUSETTS
TAYLOR A BEVENOUR
ENVIRONMENTAL
No. 55724
PROFESSIONAL ENGINEER

PROJECT:

BREAKNECK HILL FARM DUMPING SITE
SOUTHBOROUGH, MA 01772

DRAWN BY:	TB	PROJ. NO.:	408108.2023.0000
CHECKED BY:	LA		
APPROVED BY:	TB		**FIGURE 3**
DATE:	FEBRUARY 2023		

TRC
WANNALANCIT MILLS
650 SUFFOLK STREET
LOWELL, MA 01854
(978) 970 5600

FILE NO.: Figure 3 - Site Plan TB.dwg

Plotted By: Tyler Bevenour
DRAWING NAME: J:\Projects\Projects\408108 - Breakneck Hill\Plans & Figures\CAD\Revised Final Assessment Plan\ Figure 3 - Site Plan TB.dwg — PLOT DATE: February 06, 2023 - 2:09PM — LAYOUT: Figure 3 Site Plan

Appendix A

Final Assessment Plan Approval – June 8, 2022

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Bethany A. Card
Secretary

Martin Suuberg
Commissioner

June 8, 2022

(*VIA ELECTRONIC MAIL*)
mdanza@southboroughma.com

Melissa Danza, Conservation Agent
Town of Southborough
17 Common Street
Southborough, MA 01772

Re: CERO - SWM – Breakneck Hill Farm Dumping Site – Final Assessment Plan Approval, Southborough, Massachusetts

Dear Ms. Danza:

The Central Regional Office of the Department of Environmental Protection ("MassDEP") has completed its review of the Final Assessment Plan ("Plan") for the Breakneck Hill Farm Dumping Site ("Site") in Southborough, Massachusetts ("the Town").

Elements of the Plan are as follows:

1. Conduct up to seventeen (17) test pits throughout, and in the vicinity of, the dumping area. If necessary due to access restrictions, test pit installation activities will occur in two phases. The first phase will include up to 14 test pits on Map 29, Lot 28A (Phase I). If warranted, based on field observations, up to 3 additional test pits will be installed during Phase II at Map 29, Lot 36, as illustrated on Figure 3. The test pits are anticipated to be installed up to five feet below ground surface; however, the final termination depths and dimensions of each test pit will be based on field observations. During the test pitting program, TRC Environmental Corporation ("TRC"), the Town's consultant, shall document the following: location, dimensions, and contents of each test pit; types of solid waste encountered; and soil and groundwater conditions (if encountered). A Department of Labor Standards ("DLS") certified asbestos inspector shall be present during all test pit work to identify and sample any suspect asbestos-containing materials ("ACM") unearthed during the test pit excavations. Limited land clearing activities are expected to be required to provide access to complete the test pit operations. The Town shall obtain all necessary local, State, and Federal permits required to perform the assessment work detailed in the Plan. Soil and debris removed during the test pit operations will be temporarily placed adjacent to the respective test pit. Material excavated during the test pitting program shall be utilized as backfill and returned to a similar location and depth from where it originated.

2. TRC shall collect soil samples from the sidewalls and base of each test pit for logging and screening purposes. Soil samples collected from the test pitting program shall be screened with a photoionization detector ("PID") on a parts per million by volume ("ppmv") basis to evaluate for the presence of volatile organics. If elevated sustained PID headspace readings are encountered during soil screening activities (i.e., concentration greater than 10 ppmv), TRC shall submit the suspect soil to a Massachusetts-certified laboratory within three days for analyses of volatile organic compounds ("VOCs"), extractable petroleum hydrocarbons ("EPH"), volatile petroleum hydrocarbons (VPH), priority pollutant metals, polychlorinated biphenyls ("PCBs"), pesticides and herbicides. Following receipt, the laboratory analytical results shall be compared to the applicable Reportable Concentrations in accordance with 310 CMR 40.0000, the Massachusetts Contingency Plan ("MCP"). If reportable conditions are encountered during the assessment program, the Town shall notify MassDEP within the appropriate regulatory time frame (i.e., 2-hours, 72-hours, and/or 120-days). The Town shall also provide the laboratory analytical results (if any) to MassDEP within seven days of receipt.

3. Assessment activities performed at the Site have the potential to encounter drums or other containers housing hazardous waste or materials. If drums or other containers are encountered during assessment activities that potentially house hazardous waste or materials, solid waste assessment activities shall cease immediately, and the Town shall notify the Bureau of Waste Site Cleanup Emergency Response and Risk Reduction Section Chief for MassDEP's Central Regional Office to determine whether notification is required pursuant to the MCP. In addition, the Town shall notify James A. McQuade (Section Chief, Solid Waste Management, Bureau of Air and Waste, MassDEP Central Regional Office) within seven days of identifying drums or other vessels potentially containing hazardous waste or materials.

4. Assessment activities performed at the Site have the potential to encounter oil and/or hazardous material seeps, sheens, and/or leachate. If encountered, TRC shall submit representative samples of the suspect media to a Massachusetts-certified laboratory within three days for analyses of VOCs, EPH, VPH, priority pollutant metals, PCBs, pesticides and herbicides. Following receipt, the laboratory analytical results shall be compared to the applicable Reportable Concentrations in accordance with the MCP. If reportable conditions are encountered during the assessment program, the Town shall notify MassDEP within the appropriate regulatory time frame (i.e., 2-hours, 72-hours, and/or 120-days). The Town shall also provide the laboratory analytical results (if any) to MassDEP within seven days of receipt.

5. Prior to initiating cleanup activities at the Site, the Town shall retain the services of a Massachusetts DLS certified asbestos inspector to thoroughly inspect all debris located at the Site for the potential presence of ACM. The certified asbestos inspector shall collect representative samples of suspect ACM to determine asbestos content. Following completion of the asbestos assessment, the Town shall provide MassDEP with a written copy of the certified asbestos inspector's report within seven days of receipt and no later than 30 days after the certified asbestos inspector has completed the Site inspection. The DLS certified asbestos inspector shall be present during all test pit work to identify and sample any suspect ACM unearthed during the test pit excavations. Additionally, if ACM are identified at the Site, the Town shall contact Gregory Levins (Section Chief, Asbestos Program, MassDEP Central Regional Office) to determine whether a Non-Traditional Asbestos Abatement Work Plan is required or if traditional abatement procedures are feasible. Upon receipt of MassDEP's determination, the Town shall retain the services of a DLS licensed asbestos contractor to conduct necessary asbestos abatement activities. The Town shall also notify James A. McQuade (Section

Chief, Solid Waste Management, Bureau of Air and Waste, MassDEP Central Regional Office) within seven days of receiving the asbestos inspections results and any subsequent asbestos abatement actions. As necessary, the Town shall provide Mr. Levins with copies of ACM shipment and disposal documentation within seven days of receipt.

6. Findings associated with the solid waste assessment shall be provided in a Final Assessment Summary Report within 90 days of completion of the work detailed in the Plan. The report shall summarize initial solid waste assessment activities completed at the Site and include tables and figures, as necessary. In addition, the report shall provide findings, conclusions, and recommendations for further assessment and/or solid waste management, as warranted.

MassDEP herby approves the Town's Final Assessment Plan, dated May 2022, for the Breakneck Hill Farm Dumping Site.

Within 30 days of receipt of this approval, the Town shall submit an initial schedule for implementation of the approved assessment plan to MassDEP. The schedule shall include, but not be limited to, any necessary steps to gain the required funding to complete the project as well as any required permitting that must be obtained prior to starting the work. Additionally, any changes to this initial project schedule shall also be submitted to MassDEP throughout the progress of the assessment work.

If you have any questions or comments regarding this matter, please contact me at 508-767-2759 or james.mcquade@mass.gov.

Sincerely,

James A. McQuade
Section Chief
Solid Waste Management Program

Ecc: Mark Purple, Town Manager, Town of Southborough, 17 Common Street, Southborough, MA 01772 (mpurple@southboroughma.com)

Taylor A. Bevenour, P.E, TRC Environmental Corporation, 650 Suffolk Street, Lowell, Massachusetts 01854 (TBevenour@trccompanies.com)

Appendix B

Photograph Log

Appendix A
Photograph Log

Photo 1: Sparsely vegetated area and debris including brick, concrete, tires, plastic waste, and scrap metal observed at the eastern-central portion of the site; view to the west

Photo 2: Several wetland delineation flags observed at the northeastern portion of the site; view to the north

Photo 3: Rubber tire and refuse observed at the northern portion of the site; view to the south

Photo 4: Debris including scrap metal and a 55-gallon drum observed along the wetland area at the northwestern portion of the site; view to the southwest

Appendix A
Photograph Log

Photo 5: Rusted 55-gallon drum, metal tank, brick, wood debris, and bottles observed along the wetland area at the northwestern portion of the site; view to the north

Photo 6: Treated wood observed at the western portion of the site; view to the northeast

Photo 7: Densely vegetated area housing debris and holes located at the northeastern portion of the site; view to the north

Photo 8: Abandoned car/tractor components and miscellaneous scrap metal observed at the northwestern portion of the site; view to the southwest

Appendix A
Photograph Log

Photo 9: Very densely vegetated area housing miscellaneous trash and debris observed at the southern-central portion of the site; view to the southwest

Photo 10: Partially buried metal and debris observed in the densely vegetated area at the southern-central portion of the site; view to the west

Photo 11: Partially buried cinder black and brick observed along the steep slope at the southwestern portion of the site; view to the west

Photo 12: Outfall observed at the southwestern portion of the site; view to the south

Appendix A
Photograph Log

Photo 13: Debris including plastic pots and bottles observed along the wetland area at the western portion of the site; view to the east

Photo 14: Metal siding and rubber tires observed at the western portion of the site; view to the east

Photo 15: Rubber tires and miscellaneous debris observed throughout the western portion of the site; view to the northeast

Photo 16: Debris including a plastic cone, a rubber tire, and metal waste located at the northern portion of the site; view to the northeast

Appendix A
Photograph Log

Photo 17: Debris including plastic waste, a pipe, and scrap metal located at the northern portion of the site; view to the east

Photo 18: Sparsely vegetated area and debris including brick, concrete, tires, plastic waste, and scrap metal observed at the eastern-central portion of the site; view to the southwest

Photo 19: Asphalt debris observed at the southeastern portion of the site; view to the west

Photo 20: A hole observed in the densely vegetated area located at the northeastern portion of the site; view to the west

Appendix A
Photograph Log

Photo 21: Walking path located to the east/southeast of the dumping area; view to the southwest

Photo 22: Pond located to the southwest of the dumping area; view to the west

Photo 23: Wetland delineation flags observed at the southwestern portion of the site; view to the northeast

Photo 24: Pond located to the southwest of the dumping area; view to the south

Appendix C

Wetland Delineation & Aerial Photo Review
Lucas Environmental, LLC

LUCAS
ENVIRONMENTAL, LLC

500A Washington Street, Quincy, MA 02169

MEMORANDUM

TO: Town of Southborough
Conservation Commission
17 Common Street
Southborough, MA 01772

FROM: Matthew Varrell
Project Manager, PWS

DATE: June 29, 2020

PROJECT NUMBER: 10030.40

RE: Wetland Delineation &
Aerial Photo Review
Breakneck Hill Conservation Land
Southborough, MA

Lucas Environmental, LLC (LE) was retained by the Town of Southborough to conduct a detailed wetland investigation of the northwestern portion of the Breakneck Hill Conservation Land (the Study Area). The Study Area is generally defined as the area to the west of the existing man-made pond which has received dumping of various man-made debris historically. The wetland investigation consisted of an inspection and delineation of the wetland resource areas within the Study Area. In addition to the delineation, LE was tasked with reviewing available historic aerial photos to assess the estimated limits of wetland resources prior to the dumping activities. No survey services, hazardous materials or subsurface soil explorations were conducted as part of this investigation.

1.0 WETLAND DELINEATION

A Professional Wetland Scientist (PWS) from Lucas Environmental, LLC (LE) conducted site investigations of the Study Area in Southborough, Massachusetts on May 6, 2020 for the purposes of delineating regulated wetland resource areas. The current delineation supplements a previous delineation conducted by LE in 2016.

The wetland investigation was performed in accordance with the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, § 40) and regulations (310 CMR 10.00 *et seq*.); Section 404 of the Clean Water Act (33 U.S.C. 1344); Massachusetts Department of Environmental Protection (MassDEP) publication "Delineating Bordering Vegetated Wetlands" under the Massachusetts Wetlands Protection Act (1995); and the U.S. Army Corp of Engineers (USACE) Wetland Delineation Manual (1987); the Northcentral and Northeast Regional Supplement (2012); and the Town of Southborough Wetland By-law (Chapter 170) and its implementing regulations.

The following data sources were examined prior to the site investigation:

- Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps
- United States Geological Survey Topographic Quadrangle;
- MassGIS MassDEP Wetland and Hydrography Datalayers;
- MassGIS Natural Heritage Atlas Datalayers; and
- United States Department of Agriculture, Natural Resources Conservation Service (USDA-NRCS) Soil Survey.

1.1 Existing Conditions

The Study Area consists of the portion of the Breakneck Hill Conservation Land located to the west and northwest of an existing off-site man-made pond. The pond itself is located on the abutting 60 Breakneck Hill Road property, which is privately owned. The Study Area is historically altered by its use as a working farm. The pond is believed to have been constructed in 1957 and was likely formed by impounding an existing stream channel through the construction of an earthen dam. The majority of the Study Area consists of forested uplands and wetlands, interspersed with trails and scattered man-made debris within an area best described as a dump. The uplands vary from maintained grassland to forested areas. The dump area is significantly overgrown with invasive species, including Oriental bittersweet (*Celastrus orbiculata*), tatarian honeysuckle (*Lonicera tatarica*), and garlic mustard (*Alliaria petiolate*).

According to the July 16, 2014 FEMA Flood Insurance Rate Maps (FIRM) for Worcester County, Map Number 25027C0667F, the Study Area is located within a Zone X (Other Areas), which is classified as an area determined to be outside the 0.2% annual chance floodplain (500-year flood). Therefore, Bordering Land Subject to Flooding (BLSF) does not occur within the Study Area.

A review of the current MassGIS data layer for the Massachusetts Natural Heritage Atlas (effective August 1, 2017) under the Natural Heritage and Endangered Species Program (NHESP) indicates that the Study Area is not located within Priority Habitat of Rare Species or within Estimated Habitat of Rare Wildlife. No Certified Vernal Pools under the jurisdiction of the Wetlands Protection Act Regulations (310 CMR 10.00 et seq.) or the Massachusetts Endangered Species Act (321 CMR 10.00 et seq.) occur within the Study Area.

The Study Area is located within an area designated as an Outstanding Resource Water (ORW) as it is tributary to the Sudbury Reservoir. The Study Area is not designated as an Area of Critical Environmental Concern (ACEC), Watershed Protection Area, or designated Cold Water Fisheries Resource. The Study Area does not lie within any MassDEP Wellhead Protection Areas.

1.2 Environmental Resource Areas

Wetland resource areas identified within the Study Area include Bordering Vegetated Wetlands (BVW), Inland Bank, and Land Under Water Bodies and Waterways (LUWW). Under the Massachusetts Wetlands Protection Act (WPA), the wetlands observed are regulated as follows:

Inland Bank – 310 CMR 10.54

Section 310 CMR 10.54 of the WPA defines a Bank *as the portion of the land surface which normally abuts and confines a water body. It occurs between a water body and a vegetated bordering wetland and adjacent flood plain, or, in the absence of these, it occurs between a water body and an upland. The upper boundary of a Bank is the first observable break in the slope or the mean annual flood level, whichever is lower. The lower boundary of a Bank is the mean annual low flow level*. The delineated Banks are described below.

Bordering Vegetated Wetlands – 310 CMR 10.55

Section 310 CMR 10.55 of the Wetlands Protection Act (WPA) defines Bordering Vegetated Wetlands *as freshwater wetlands which border on creeks, rivers, streams, ponds and lakes. The types of freshwater wetlands are wet meadows, marshes, swamps and bogs. Bordering Vegetated Wetlands are areas where the soils are saturated and/or inundated such that they support a predominance of wetland indicator plants. The boundary of Bordering Vegetated Wetlands is the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist. Wetland indicator plants are also those classified in the indicator categories of Facultative, Facultative+, Facultative Wetland-, Facultative Wetland, Facultative Wetland+, or Obligate Wetland in the National List of Plant Species That Occur in Wetlands: Massachusetts (Fish & Wildlife Service, U.S. Department of the Interior, 1988) or plants exhibiting physiological or morphological adaptations to life in saturated or inundated conditions.* The delineated BVW is described below.

Land Under Water Bodies and Waterways – 310 CMR 10.56

Land Under Water Bodies and Waterways is located within perennial streams, as well as ponds, and is defined as *the mean annual low water level* under section 310 CMR 10.56 (2)(c) of the WPA. As this resource area is located below the edge of Bank or the Mean Annual High Water (MAHW) mark of perennial streams and ponds, it is not field delineated, although would be located within the existing off-site pond which is part of the wetland system.

1.3 Resource Area Description

Wetland A & B

The entirety of the wetland resource areas within the Study Area are part of a single contiguous system, identified as Wetland A & B. Wetland A consists of an intermittent stream that drains from the eastern side of the man-made pond and the vegetated wetlands that border the channel. The system is described as a Palustrine Forested wetland and occurs on both the Town-owned Conservation Land and the abutting 60 Breakneck Hill Road property. The site delineation was generally restricted to the Town-owned land as could be determined in the field. The wetland is delineated with pink survey tape numbered sequentially with flag series WFA-1 to WFA-32 and WFB-1 to WFB-8.

The A-Series flagging identifies the limits of both BVW and Bank. Flags WFA-3 through WFA-15 identifies the limit of Bank which is formed by the extent of dumped material. Based upon the nature of the channel, it is likely man-made and may have been constructed to convey surface waters emerging from a hillside seep.

The B-Series flagging identifies the northern Bank of an intermittent stream originating from the man-made pond. This channel also appears to be man-made and flows contained within it appear to discharge to the ground at flag location WFB-1. LE could not identify a contiguous channel or BVW connection between the downgradient end of the B-Series channel and the upper portion of the A-Series wetland. LE theorizes this is due to historic alteration of the area.

Plant species observed include red maple (*Acer rubrum*), yellow birch (*Betula alleghaniensis*), multiflora rose (*Rosa multiflora*), northern spicebush (*Lindera benzoin*), tartarian honeysuckle, steeplebush (*Spiraea tomentosa*), Oriental bittersweet, grape (*Vitis* sp.), skunk cabbage (*Symplocarpus foetidus*), sensitive fern (*Onoclea sensibilis*), tussock sedge (*Carex stricta*), lady fern (*Athyrium filix-femina*), and horsetail (*Equisetum arvense*).

The wetland/upland boundary is generally located along a well-defined topographic break. In numerous areas, the topographic break consists of the limits of dumped debris. Soils exhibit hydric characteristics and indicators of wetland hydrology include shallow soil saturation, evidence of seasonal inundation, and drainage patterns. Local, state, and federal boundaries are coincident. Photographs of the Study Area are provided as Appendix A.

2.0 AERIAL PHOTO REVIEW

As part of the contract, LE was tasked with reviewing available historic aerial photos to assess the estimated limits of wetland resources prior to the dumping activities and report any other pertinent information gleaned from the review of the photos. LE inspected aerial images of the Study Area dated June 30, 1959 (high resolution), March 9, 1966 (stereoscopic pair), 1977 (low resolution), and a series of images taken since 1995 that are publicly available through Google Earth.

The 1959 image shows the Study Area within two years of the construction of the pond and provides good detail (see Figure 1). This image appears to show that the dam was still somewhat under construction at this time and the area contained significant open soil areas. The 1959 photo also appears to show in progress clearing of trees within the Study Area and possibly the placement (or exposure) of the boulders that are currently observable where soil has eroded. The eastern intermittent channel is not obvious in the 1959 photo, although it appears the culvert beneath the cart path may have existed at that time. LE theorizes that the channel would have been constructed between 1959 and 1966, as the channel appears to be visible in the 1966 photos.

The stereoscopic images obtained from 1966 provide a three-dimensional stereoscopic view of the Study Area at that time. These images depict a clearly defined limit of the top of the constructed dam. Having been built in only nine years previous, it is reasonable to expect that the top of the dam was being well maintained at this time and no significant mature vegetation had become established. Unfortunately, the remaining photos were not of sufficient resolution to determine when exactly the man-made debris (forming the dump) began to be deposited. A review of additional photographs may provide greater detail on the timeline, although the end result of the current condition would not be changed.

Figure 1. 1959 Image of Study Area

3.0 ESTIMATED TIMELINE

Based upon the delineation and associated observations made of the Study Area, information from the aerial photos, and best professional judgement, LE has the following hypothesis of the events that have occurred over the years leading to the current conditions:

- Based upon the date on the concrete outlet structure, it appears the earthen dam was constructed in 1957, forming the pond and a secondary, man-made channel. The pond was likely constructed within an existing stream channel that may have had a border of vegetated wetlands with a naturally occurring topographic valley at the base of the hill. This naturally occurring wetland was likely supported hydrologically by one or more natural hillside seeps or springs that seasonally discharged groundwater to the surface. Such a seep currently exists in the vicinity of LE flag number WFA-23.
- The pond is primarily drained though the main drop inlet at its northern end which discharges to the channel at the base of the dam on its northern face. The secondary channel exists on the eastern side of the pond (flagged with the B-series delineation). Any discharge from the pond to this channel must flow through a culvert beneath a cart path that runs along the eastern site of the pond. LE presumes this channel may have been constructed as an emergency spillway in the event that the main outlet became clogged.
- After construction of the pond and dam, the secondary channel provided hydrology to support wetland conditions to the northeast of the pond (the "Northeastern Area'). The hillside seeps would have likely also continued to support wetlands in this area. Based upon the aerial photos, it appears the Northeastern Area was lower in elevation that the dam itself, although perhaps not significantly. However, LE theorizes that that the top of the dam would have been an artificially elevated landform behind which may have been an attractive location to deposit unwanted materials over time.
- At some point in time (~1959), it appears large stones and boulders were deposited within the Northeastern Area, presumably to eliminate the wetland areas that may have not been desirable for the agricultural use of the property at the time. The boulders were likely then covered with a layer of soil to create usable land for the farming operations. However, the secondary channel from the pond was not eliminated, resulting in occasional continued flow of surface water to the area. Currently, the Northeastern Area that was not delineated as wetland (but exists within the 100-Foot Buffer Zone) exhibits numerous voids in the substrate, revealing the underlying stones and boulders. LE theorizes that the continued surface flows from the channel eroded the placed topsoil over time, resulting in the current condition. Evidence from the 1959 photo supports this theory.
- LE could not definitively determine exactly when the dumping of man-made debris commenced. However, based on the some of the materials observable on the surface, it appears the area continued to receive material until fairly recently. LE is unable to definitively ascertain if the dumping of man-made debris occurred within wetland resources or it if occurred on top of the stone and boulder material that appears to have been placed. However, it is not unreasonable to assume that materials were dumped in both areas.

- LE believes the historic alterations of the wetland resources within the Study Area are limited to the area defined by the two delineated stream channels. LE recommends the recent flagging be field surveyed and added to the existing site plan of the area entitled "*Wetland Resource Area Limits Breakneck Hill Conservation Land at Breakneck Hill Road in Southborough, Massachusetts*," dated May 10, 2018.

4.0 CONCLUSION

LE has completed a delineation of the currently regulated wetland resource areas within the Study Area. The dumping within the Study Area is partially on the Town-owned Breakneck Hill Conservation Land and partially on the abutting privately-owned 60 Breakneck Hill Road property. In general, observed dumped materials are immediately adjacent to, but not necessarily within the limits of the wetland resource areas. The entirety of the Study Area is significantly altered by historic uses, although some of the dumped materials do not appear to be terribly old.

In the event that the Town wishes to remediate the area, it may be possible to either remove materials or install a cap to permanently cover the materials with fairly minor direct alterations to regulated wetland resource areas, based on guidance from a Licensed Site Professional (LSP). However, any such remediation would be entirely within the 100-Foot Buffer Zone and would require permitting under the WPA and the local By-law. Depending on the need for any direct wetland alteration, federal wetland permitting may also be necessary. If so desired by the Town, there may be an opportunity to provide a more significant wetland restoration within the Study Area by removing all deposited materials (including boulders, etc.) and restoring the natural topography of the area. Any such work would appear to require close cooperation with the abutting property owner.

LUCAS ENVIRONMENTAL, LLC

APPENDIX A

PHOTOGRAPHIC DOCUMENTATION

LUCAS ENVIRONMENTAL, LLC

PHOTOGRAPHIC DOCUMENTATION

DATE: May 6, 2020

Photograph 1: Bank of A-Series wetland delineation.

Photograph 2: Bank of A-Series wetland delineation.

Photograph 3: Bank of A-Series wetland delineation.

Photograph 4: BVW of A-Series wetland delineation.

Photograph 5: Bank of B-Series wetland delineation.

Photograph 6: Bank of B-Series wetland delineation.

Photograph 7: Debris within wetland resource area Buffer Zone.

Photograph 8: Debris within wetland resource area Buffer Zone.

Photograph 9: Debris within wetland resource area (Bank).

Photograph 10: Debris within wetland resource area Buffer Zone.

Appendix D

Draft Site Assessment Report Email
Board of Health

Paul Pisinski

From:	Paul Pisinski
Sent:	Tuesday, October 20, 2020 1:14 PM
To:	Barbara Spiri; mary lou Woodford; Nancy Sacco; Dan O'Rourke
Subject:	DRAFT Site Assessment Report —Davis Farm Dump off Breakneck Hill Road, 10/19/20

What follows is a draft report of my finding at the Solid Waste Breakneck Hill Road Farm "Dump" site in the Northwest corner of property once belonging to a Mr. Davis and sold to the Town of Southborough. Melissa Danza and I walked the site on September 29, 2020. Solid waste covers an irregularly, oval shaped area approximately 400 feet by 800 feet . It appears that at the time of our walk- thru the site and based on the previous investigations by other professionals, THERE IS NO TOXIC OR HAZARDOUS CHEMICALS OR SUBSTANCES ON THE SURFACE OF THIS SITE , which in my opinion would pose a current Public Health Risk. Please refer to maps and drawings of this area attached to this report as well as documents submitted to the Southborough Conservation Commission. It would appear that the area with solid waste constitutes about 5 to 6 acres, although the exact size would need to be surveyed to better ascertain this estimate. Also, Mr. Davis must not have been aware of exact bounds and property lines of his property. Town assessor maps show solid waste which has "spilled " onto adjoining properties, particularly the property belonging to Number 60 Breakneck Hill Road and will need to be removed. A comprehensive site survey by a Massachusetts Registered Land Surveyor will need to be completed with appropriate boundary markers before any rectification of solid waste can be started. The site is overgrown with brambles, vines, trees, shrubs and weeds. The ground was "squishy in numerous places on the site, with unseen below ground voids,
indicating decomposing wooden or metal waste and could constitute a dangerous condition if a person were to fall through. There were numerous surface voids and openings where waste had rusted or decayed to such an extent that the site was pock-marked with these small craters.

The property was assigned to the care, protection and management of the Southborough Conservation Commission. The trash, solid waste and discarded debris at the site was on the property when the Town took possession of and Title to the property and to my knowledge no further material has been deposited or disposed at this site or in the last several years after the Town took possession.

I visited the site with the Board of Health Chairman (Mr. Phillip Mauch) in or around 2005 or 2006. The site has had considerably more vegetation and growth of trees, vines, shrubs and weeds in that 15 year period of time. The visible surface trash consists of old tires, abandoned cars, trucks, farm vehicles and farm equipment, broken metal and plastic pails, broken metal parts, metal and wooden cases, broken glass windows and broken glass bottles , ceramics, demolition debris, discarded furniture, bookcases, desks,
and all manner of household trash (broken containers, cans and plastic parts).

The Conservation Commission hired several consultants to document conditions at this site in the past. I am making their reports and findings as attachments to this brief site assessment. The essence of their reports, especially those of the Licensed Site Professional (LSP) fully document the Surface leachate and laboratory analysis of samples taken at the time of their visit. The leachate analysis did not detect any hazardous or toxic PUBLIC HEALTH harm at the time the samples were taken and analyzed.

At this time, I have no reason to believe, nor do I have access to undertake or hire expertise to repeat any further testing to determine if the site poses a PUBLIC HEALTH THREAT to the neighborhood or the public who might visit this site. However, the trash dump site with partially buried and exposed SOLID WASTE IS A DEFINITE PUBLIC SAFETY DANGER TO THE GENERAL PUBLIC and the town must take action to remedy this situation.

The dump site most likely predates the Massachusetts DEP regulation requiring the formal process of establishing a Site Assignment —-310 CMR 16.00 which was enacted long after Mr. Davis started disposing of solid waste on his own land. This regulation is very specific and requires the Board of Health to hold a public hearing prior to allow anyone to dispose of solid waste on ANY site. Now that the trash is there and poses a PUBLIC SAFETY HAZARD THE TOWN and several town boards, commissions and departments will need to work cooperatively to rectify the situation at this site. I do not believe a Public hearing as required by 310 CMR 16.00 is necessary since the "dump" is there and the Conservation Commission, as owners/caretakers of the property are NOT seeking a new landfill.

RECOMMENDATIONS

I would like the Board to consider embarking on the following steps. Everything concerning these recommendations is entirely contingent upon many other Town Boards, Committees, Commissions and Departments working in concert similar to the manner that was established for going thru the process of closing the Parkerville Road landfill but without having to go through a caping, methane gas collection/elimination system , and quarterly monitor well analysis and reporting.

1. As was already mentioned, the property needs to be surveyed with clearly staked bounds, and plot plan duly stamped and certified by a Massachusetts Registered Land Surveyor
2. A tree and brush removal company will need to be hired with a wood chipper. Tree logs will need to be either chipped or removed off site.
3. The Town will need to prepare bid specifications to retain the services of a company that is qualified to remove the old partially decomposed trash, debris, stumps, glass, and other material that might pose a safety hazard to the general public and restore the site to the visual and environmental satisfaction of the Conservation Commission and the Massachusetts DEP, Central District Office, Section Chief, Solid Waste Management Program.

I have discussed the current situation and condition of this site with the Worcester District Office of DEP and the individual in charge. He was very helpful with suggestions. I think we should keep in contact with the DEP Section Chief as this project moves forward to whatever timeline and funding mechanisms the Town elected and appointed officials establish is doable and the Legislative Body decides it can afford.

Respectfully Submitted:

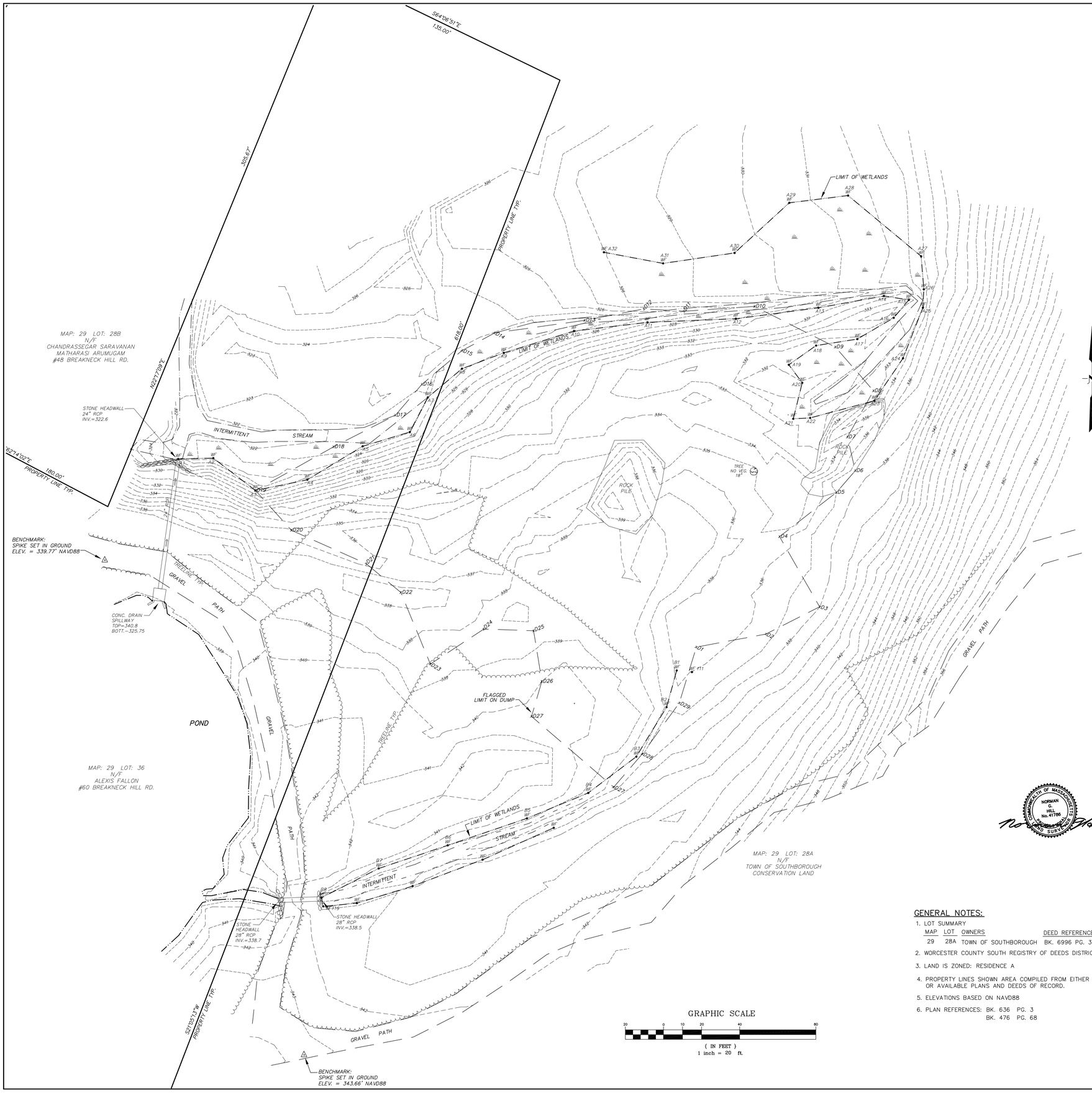
Paul Pisinski,
Part-Time Public Health Director/Board of Health Agent

The site:
The site was walked by me and Melissa Danza

Get Outlook for iOS

Appendix E

Existing Conditions Plan
Land Planning, Inc.



UTILITY NOTE:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND COMPILED FROM PROPOSED PLAN INFORMATION

THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

BEFORE DESIGN AND CONSTRUCTION PLEASE CALL "DIG SAFE" AT 1-888-344-7233.

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)

1 inch = 20 ft.

COMMONWEALTH OF MASSACHUSETTS
NORMAN G. HILL
No. 47786
REGISTERED PROFESSIONAL LAND SURVEYOR

GENERAL NOTES:

1. LOT SUMMARY

MAP	LOT	OWNERS	DEED REFERENCE
29	28A	TOWN OF SOUTHBOROUGH	BK. 6996 PG. 313

2. WORCESTER COUNTY SOUTH REGISTRY OF DEEDS DISTRICT
3. LAND IS ZONED: RESIDENCE A
4. PROPERTY LINES SHOWN AREA COMPILED FROM EITHER FIELD SURVEY INFORMATION OR AVAILABLE PLANS AND DEEDS OF RECORD.
5. ELEVATIONS BASED ON NAVD88
6. PLAN REFERENCES: BK. 636 PG. 3
   BK. 476 PG. 68

EXISTING CONDITIONS PLAN
OFF BREAKNECK HILL ROAD
SOUTHBROUGH, MA

PREPARED FOR:
TRC
650 SUFFOLK STREET
LOWELL, MA 01854

LAND PLANNING, INC.
HANSON: 1115 MAIN STREET 02341 (781) 294-4144
BELLINGHAM: 167 HARTFORD AVE. 02019 (508) 966-4130
N. GRAFTON: 214 WORCESTER ST. 01536 (508) 839-9526

CALCS.	JOB NO.	DWG NAME.	DATE	SHEET NO.
G.R.R.	P-3635	P3635-EXIST	6/23/2021	1 OF 1