



LANCASTER SELECT BOARD
Special Meeting Agenda - REVISED*
Prescott Building – Nashaway Room
Wednesday, June 15, 2022
6:00 P.M.

In accordance with the Open Meeting Law, please be advised that this meeting is being recorded and broadcast over Sterling-Lancaster Community TV

I. CALL TO ORDER

Chairman Jason Allison will call the meeting to Order at 6:00 P.M. in the Nashaway Meeting Room located on the second floor in the Prescott Building, 701 Main Street, Lancaster, MA 01523

This Meeting Will Also Be Held Virtually at:

Join Zoom Meeting

<https://us02web.zoom.us/j/88374223626>

Meeting ID: 883 7422 3626

One tap mobile

+13017158592,,88374223626# US (Washington DC)

+13126266799,,88374223626# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

Meeting ID: 883 7422 3626

Find your local number: <https://us02web.zoom.us/j/88374223626>

Residents Have the Ability to Ask Questions via ZOOM.

II. APPROVAL OF MEETING MINUTES

- Review and take action on Select Board's Regular Meeting Minutes of June 6, 2022

III. SCHEDULED APPEARANCES & PUBLIC HEARINGS

- PJ Keating Permit Peer Review Report
 - Presentation of Findings - Comprehensive Environmental
 - Discussion – PJ Keating & Tighe & Bond

IV. BOARDS, COMMITTEES AND DEPARTMENTS REPORTS

Joint Meeting with the Planning Board

1. Discuss the Planning Board's plan on revising the Town's Master Plan



LANCASTER SELECT BOARD
Special Meeting Agenda - REVISED*
Prescott Building – Nashaway Room
Wednesday, June 15, 2022
6:00 P.M.

In accordance with the Open Meeting Law, please be advised that this meeting is being recorded and broadcast over Sterling-Lancaster Community TV

2. Discuss North Lancaster Settlement agreement and any impact it currently has on the Planning Board scheduling public hearings.
3. Discuss the Planning Board's plan on scheduling the public hearing for the Enterprise rezone.
4. Discuss when the Planning Board will switch from Zoom only to hybrid meetings?
5. Joint discussion on the Planning Board's appointment.

V. PUBLIC COMMENT PERIOD

Opportunity for the public to address their concerns, make comment and offer suggestions on operations or programs, except personnel matters. Complaints or criticism directed at staff, volunteers, or other officials shall not be permitted.

VI. TOWN ADMINISTRATOR REPORT

VII. ADMINISTRATION, BUDGET, AND POLICY (Vote may be taken)

1. Discussion and Motion on the following: *(tabled from Select Board Meeting 6/6/22)*
 - a. Delegation of Personnel Authority to Town Administrator
 - b. Delegation of Contract Administration and Signatories to Town Administrator
2. Select Board appointment to the Montachusett Joint Transportation Committee (MJTC)

VIII. APPOINTMENTS AND RESIGNATIONS *

Appointments

Economic Development Committee – moving from 7 members to 5. Discussion and possible vote.

Government Study Committee (term to expire automatically when final report is presented to Select Board)

- | | |
|--|-----------------------|
| – Jay Moody | – Monica Tarbell |
| – Christine Burke | – Everett Moody |
| – Anne Ogilvie | – Michael Hanson |
| – Kathy Hughes | – Rob Zidek |
| – David Mallette | – Melinda Apgar |
| – Russ Williston | – Rebecca Young-Jones |
| – Denise Hurley* | – Jean Syria* |
| – Sue Thompson* | – Phil Lawler* |
| – Steve Kerrigan (Select Board representative) | |
| – Kate Hodges (ex-officio) | |



LANCASTER SELECT BOARD
Special Meeting Agenda - REVISED*
Prescott Building – Nashaway Room
Wednesday, June 15, 2022
6:00 P.M.

In accordance with the Open Meeting Law, please be advised that this meeting is being recorded and broadcast over Sterling-Lancaster Community TV

IX. LICENSES AND PERMITS (Vote may be taken) - NONE

X. NEW BUSINESS *

**This item is included to acknowledge that there may be matters not reasonably anticipated by the Chair*

1. Reorganization of the Select Board (Allison)*
2. Temporary reorganization of reporting structure for Council on Aging Director and Community Center Director (Allison)*

XI. COMMUNICATIONS

- Town Offices will be closed on Monday, June 20, 2022, in observance of Juneteenth Independence Day

XII. ADJOURNMENT

II. APPROVAL OF MEETING MINUTES



LANCASTER SELECT BOARD

Meeting Minutes of June 6, 2022

Nashaway Meeting Room, 2nd Floor, Prescott Building, 701 Main Street, Lancaster MA

I. CALL TO ORDER

Chairman Jason Allison called the Regular Meeting of the Select Board to Order at 6:00 P.M. will be held both live and via ZOOM™, noting that the meeting was being recorded.

Join Zoom Meeting

<https://us01web.zoom.us/j/82938443432>

Meeting ID: 829 3844 3432

Roll call vote taken, Jason A. Allison, present, Stephen J. Kerrigan, present, and Alexandra W. Turner, present.

II. APPROVAL OF MEETING MINUTES

Ms. Turner moved to approve the meeting minutes of April 20 and May 2, 2022. Mr. Allison seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Abstain; Alexandra W. Turner, Aye. Approved, [2-0-1].*

Ms. Turner moved to approve the Regular Meeting minutes of May 16, 2022, and the Special Meeting Minutes of May 23, 2022. Mr. Allison seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

III. SCHEDULED APPEARANCES & PUBLIC HEARINGS

- PJ Keating Permit Peer Review Report* - Comprehensive Environmental (CEI) – Postponed to Select Board Meeting of June 15, 2022

The Town has received the initial peer review study from CEI. Ms. Hodges has forwarded the report to PJ Keating, and it is in the Select Board packets and posted online. PJ Keating has responded, and their notes are available online. She recommends that to create a robust meeting that it would be good to have all parties present, including Tighe & Bond. There will be opportunities for the Board to ask questions. Ms. Hodges has received emails from citizens on this topic; people want to know if there will be an opportunity for citizens to participate in questions. Ms. Hodges has replied to residents that if they have questions, they are welcome to submit them in writing to the Board prior to the meeting.

Mr. Allison noted that this topic will not be complete in a single meeting, so there will be time for the public to submit questions.

IV. BOARD, COMMITTEE, AND DEPARTMENT REPORTS – NONE
--

V. PUBLIC COMMENT PERIOD

Opportunity for the public to address their concerns, make comments, and offer suggestions on operations or programs, except personnel matters. Complaints or criticism directed at staff, volunteers, or other officials shall not be tolerated.

Mr. Allison offered the first public comment. At a previous meeting he offered a free car wash to any student who could beat him in a recent road race. He was disappointed that only one student in Lancaster was able to beat him, so he will be washing that family's truck.

Mr. Allison recognized Dave Carr 71 White Tail Lane, who was outside the building and the doors were locked. Mr. Kerrigan let him in.

Mr. Allison recognized Cara Sanford, 350 Bull Run Road, Ms. Sanford spoke about PJ Keating, saying that she appreciates the rigorous process that is process. She notes that the PJ Keating Lunenburg facility was fined \$30,000 in 2018 by the EPA for violations in air pollution and surface water discharges. Ms. Sanford has sent this information to the Select Board. She asks that the Select Board *"expect better behavior from PJ Keating and proactively safeguard our residents and wetlands health by considering CES recommendations."*

Mr. Allison recognized Greg Jackson, 40 Farnsworth Way. Mr. Jackson had comments on the Select Board Policies and Procedures on Public Comment, citing Section 4-23, Relations with Citizens. He stated that if the Board is considering matters of citizen concern at a regular meeting, the public will be allowed to ask questions and make statements relative to those matters, and that while public comments are at the discretion of the Board, they can be allowed by the Chair or by request of any other member of the Board. He said that furthermore, this document states that all questions and complaints are to be answered promptly, by the Chair or the Town Administrator, and when appropriate, any issues requiring further attention may be referred for inclusion in the next meeting agenda. Mr. Jackson stated, *"I would suggest that the Board take a more responsive approach to public comment by consistently following its' established Policies and Procedures so residents' concerns are not ignored or left unanswered.... Residents often bring timely insights or needed clarification to the discussion."* And *"contrary to its Policies and Procedures, the Board has also adopted the practice of allowing public comment only during the Public Comment agenda item. Residents are typically not recognized at any other time during the meeting. This practice limits residents' participation in matters before the Board to only those questions and concerns that can be anticipated in advance of the meeting."* He went on to say this policy was pertinent to discussion of PJ Keating and requested a response from each of the Board members.

Mr. Allison recognized Carol Jackson, 40 Farnsworth Way. Ms. Jackson said, *"That is a good leeway [sic] into my question. I never seem to get answers to my emails written to the Select*

Board, so I feel it's falling on blocked ears. Any of my questions have not been answered, or my concerns, whether it's through public comment or through email. So what good is public comment if we don't get any responses or emails if we don't get any responses. It's not a good way to run a Board or a Town. So, to piggyback off Greg's comments, I think ignoring the citizens unless it's somebody maybe you like, I don't know. It's just not a good way or a comfortable way for people to feel their concerns are being addressed. Thank you."

Mr. Allison recognized Rob Zidek 103 Kaleva Road. Mr. Zidek wanted to follow up on what the previous two speakers said. He said that there have been some excellent meetings with the Affordable Housing Trust, the Economic Development Committee, and the Planning Board, and the reason that they work well is that they learn from each other; when a topic comes up, some members of the public have done lots of research and care about the Town, and it's very helpful. He encourages the Select Board to follow suit.

Mr. Kerrigan stated that he has not received any emails that he has not responded to and encouraged Ms. Jackson to email him at the address on the Town website. Ms. Turner said that public comments were very valuable and that residents should keep them coming, although it is not process to comment in the same meeting.

VI. TOWN ADMINISTRATOR'S REPORT

- **Background on Zoning Board of Appeals (ZBA) 5 year appointment background**

Ms. Hodges explained that at a recent meeting there were questions about a five year appointment to the Zoning Board of Appeals (ZBA). She explained that she has reviewed the Town code and MGL, and that this is a five year appointment. She looked back at year past, and this has always been a five year term. There may be some confusion because there have been shorter appointments in the past, but those would be filling an unexpired term, so the Board should be clear to appoint this evening.

- **Update on the Government Study Committee**

Three residents have indicated interest. The reason for the definition of nine members is that if following their study, the Committee decides to pursue a Charter, MGL calls for a nine member committee to create a charter, so this would be a natural segue. If nine people aren't interested in serving on the Government Study Committee, this will need to be looked at again. Ms. Hodges notes that there needs to be a Select Board designee; Mr. Kerrigan indicated that he would be interested in serving. Ms. Hodges recommends waiting until the application deadline before discussing changing the number of members.

- **DRAFT Budget Calendar**

Ms. Hodges reported that she met with Finance Committee Chair Susan Smiley last Friday and that it was a productive meeting about how to have a more robust and intuitive budget process. Ms. Hodges was able to share with Ms. Smiley a draft of the calendar she is working on and that she hopes to bring to the Board at the next regularly scheduled meeting.

Essentially this calendar has work starting with the capitol budget in July, with budget instructions to departments in August, to start the process of having a draft for public discussion sometime in September through October.

Ms. Hodges would like the Board to have a discussion about having at least one public forum prior to the Annual Town Meeting. This would allow people to see what the budget drivers are, to see a presentation of everything proposed with some dollars attached. She will be working with the Finance Director. Additionally, Ms. Hodges reported that she has heard from a lot of department heads that they do not often receive a budget after the first of the year, so it will be important to fix this.

Ms. Turner clarified that the process will also focus on revenues. Mr. Allison expressed concern that the School District budget is not available until very late in the Town's budget process. Ms. Hodges replied that she has already met with the School Superintendent and hopes to improve communication between the School District and the Town so that the final school budget does not present any surprises.

Ms. Turner stated that there used to be Tri-Town meetings so that all the Select Boards and Finance Committees would meet jointly with the School Department to hash out budgetary issues; Ms. Hodges notes that this happens on a regular basis on a Town Administrator level.

- **Town response to Capital Group 40B Proposal, letter sent to MassHousing 5/26/22**

Ms. Hodges reported that the letter was sent to MassHousing on 5/26/22, and they confirmed receipt within hours. The Town is now awaiting their response. Today a response was received from MHCD response on the Smart Growth Zoning, with a lot of documentation, the article, and the Zoning Map. This has been loaded onto the town website and shared with the Planning Board, the Lancaster Affordable Housing Trust (LAHT), and the ZBA. Ms. Hodges extended thanks to Victoria Petracca and members of the LAHT.

VII. ADMINISTRATION, BUDGET, AND POLICY
--

- 1. **Economic Development Committee – Review terms and assignments**

Mr. Allison noted that the Economic Development Committee was made a standing committee at Town Meeting, so as the appointing authority, the Select Board now needs to trim two persons from the existing committee. There are currently seven members and there need to be five. Ms. Turner suggested that persons whose terms expire not be re-appointed; Mr. Allison noted that there are three members whose terms will expire June 30, 2022.

Mr. Kerrigan asked for some background on the formation of this committee. Mr. Allison said that in his opinion he is looking for members who wish to take a path forward on economic development; he hopes that this committee will support bringing options forward to Town Meeting to allow citizens to vote. Mr. Allison praised the job that Phil Eugene has done as Chair. Mr. Kerrigan asked that the Board table this discussion so that she can go back through previous minutes and get a better feel for this committee. Ms. Turner would like to see a

committee with diverse opinions so that by the time it gets to the citizens all issues have been worked through.

2. Discuss date for joint Planning Board/Select Board meeting regarding appointment for open Planning Board seat

Mr. Allison reports that he has been working with the Planning Board Chair, Mr. Mirabito, and that the suggested date, 6/13, will not work. Mr. Kerrigan suggested that an hour before the PJ Keating meeting might have a similar audience; Mr. Allison said that if the appointment did not include public comment, then it should be able to be completed in an hour. Ms. Turner in her role as Planning Board Liaison offered to assist with scheduling.

Mr. Allison proposes that the agenda include the Planning Board's plan on revising the Town's Master Plan; Discuss North Lancaster Settlement Agreement and any impact it currently has on the Planning Board scheduling public hearings; Discuss the Planning Board's plans on scheduling public hearing for the Enterprise re-zone; filling Planning Board opening. Mr. Kerrigan suggested taking these topics in reverse order.

Mr. Allison recognized Roy Mirabito, Chair of the Planning Board. Mr. Mirabito asked if the procedure for appointing a member to the Planning Board will be the same as last time, and if there will be questions posed in advance to the applicants. Mr. Allison has been reaching out to Town Counsel to make sure appropriate laws, procedures, and guidelines are followed. The 15th has been proposed if it will work for all parties. Mr. Mirabito confirmed that all Planning Board members are available on the 15th. Mr. Allison will meet offline with Ms. Hodges to schedule the meeting.

3. Social Media Policy Update – Vote may be taken

Mr. Allison moved to assign ownership of the Social Media policy to the Town Administrator. Mr. Kerrigan seconded. Mr. Allison explained that he made this motion because this is a business function and needs to be developed and maintained by the Town Administrator, that the role of the Select Board would be to bless the policy but not to engage in the details. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

4. Discussion and Motion on the following:

a. Delegation of Personnel Authority to Town Administrator

Mr. Allison moved to assign the following power to the Town Administrator pursuant to Massachusetts General Law (MGL) Chapter 41, Section 23A, to appoint and remove, including those subjects to Civil Service laws and collective bargaining agreements, as applicable, all Town employees who the Select Board acts as appointing authority. Mr. Kerrigan seconded for purposes of discussion. Mr. Allison explained that it makes it challenging if the Select Board is the appointing authority for employees who report to the Town Administrator, especially when there is not an HR department. An example might

be the Town Clerk, where the reporting structure in the past has been unclear. It also blurs the line as to who is responsible for progressive discipline or for coaching; when the Select Board is in charge of discipline it would have to be called in Executive Session, with the level of publicity that comes along with that. Ms. Hodges explained that in terms of being a “respectful employer” much of this could be handled in a less public way.

Mr. Kerrigan had questions regarding how this applies to Civil Service and Union employees. Ms. Hodges notes that the Union contracts do not actually speak to the board but align more closely with this motion.

Mr. Kerrigan would like more time to consider this. Ms. Turner noted that the Town has a personnel management bylaw, which should either be adhered to, modernized, or abolished. She stated that the bylaw speaks to progressive discipline. Ms. Hodges explained that the Personnel Code that exists is extremely problematic for the Town in that it is both antiquated and overly specific. She states that this needs to be dealt with quickly, and that it protects neither the employee or the Town. Mr. Allison asked who this motion would include. Ms. Hodges explained that this would apply to any employee for whom the Select Board is the appointing authority. For example, it would not apply to the Library Director who is appointed by the elected Library Board of Trustees.

Mr. Allison noted that according to the Personnel bylaws, in the absence of a Personnel Board, authority falls upon the Select Board. Ms. Hodges explained that in most towns with a Town Administrator form of government, there is a Personnel Board made up of a member of the Select Board, a member of the public, a Union staff member, a member of the Professional Staff, and an at-large member.

Mr. Allison moved to table this to the next regularly scheduled meeting. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

b. Delegation of Contract Administration and Signatories to Town Administrator

Mr. Allison moved for the Select Board to assign the following power to the Town Administrator pursuant to Massachusetts General Law (MGL) Chapter 41, Section 23A, the full authority to negotiate, sign, and administer contracts, agreements, and other instruments, including but not limited to public works contracts, architecture and engineering contracts, agreements, memorandum of understanding of other government agencies, permit documents, brand documents, environmental review documents, enforcement documents, and amendments and change orders for town projects. Further, the Board delegates to the Town Administrator the authority to execute agreements, reports, and other town business, submittals relating to but not limited to, grant applications, State Aid, State and/or Federal program needs, or any other contract or agreement necessary for the administration of Town business, housing production, community development or human services. The Town Administrator shall have the authority to sign rental agreements and annual lease agreements for real property for which the Town is either the lessor or the lessee. Mr. Kerrigan seconded.

Mr. Allison shared his experience; he is often needed to sign things but is not an expert in many of the areas that the documents address, so he spends time asking the Town Administrator to explain to him what he is signing. He wants to empower and trust the paid staff and believes that this sort of action is important to the success of the Town.

Ms. Turner stated that she agrees in general, and assuming that Ms. Hodges will bring the substance of any documents to the Board, this is in large part a formality. Ms. Hodges agrees, stating that in no circumstances should the TA sign documents creating actions that have not been fully vetted. Ms. Turner stated that her expectation would be that the Select Board would hear about actions prior to the TA signing documents. Mr. Kerrigan said that he understands the intent and wants to empower Ms. Hodges.

Mr. Allison offered a recent example, where he received a call from the Chair of the Historic Commission who needed a grant application signed immediately. The first thing he needed to do was to see Ms. Hodges so that she could explain what it was that he was being asked to sign. Ms. Turner expressed concern that the Board would not have been advised of a grant application prior to the request for a quick signature; Mr. Allison responded that this “is not a full time job; the Select Board is the Board of Directors of a company, and we’ve hired a President to run it, and we need to let her run it.” Mr. Kerrigan suggested striking the word “full” from the motion; Mr. Allison suggested tabling the discussion.

Mr. Allison moved to table this agenda item to the next regularly scheduled meeting. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

5. Clarifying Vote: Select Board Member Stephen Kerrigan to serve two (2) year term on Lancaster’s Affordable Housing Trust consistent with the Trust’s Charter

Ms. Hodges explained that in a recent vote Mr. Kerrigan had been appointed to the Lancaster Affordable Housing Trust (LAHT) for a term to coincide with his term on the Select Board. It was later clarified that LAHT terms are for two years. Ms. Turner moved to repeal Mr. Kerrigan’s appointment and to appoint him to a two-year term consistent with the Trust’s charter. Mr. Kerrigan seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

6. Discussion on Juneteenth Independence Day (June 19)

Ms. Hodges explained that Juneteenth is now a state holiday. Most communities in the Commonwealth are playing catch-up. Lancaster does not have anything representing Juneteenth as a holiday, and so it becomes incumbent on the Select Board to act. This would necessitate a side letter to the unions recognizing the holiday. She suggested that for Public Safety it might be a floating holiday. This year the holiday would be recognized on Monday.

Mr. Kerrigan moved that the Town of Lancaster approve June 19 as Juneteenth Independence Day and we empower the Town Administrator to act in a manner thereof to execute that with town employees and collective bargaining agreements and facilities and closings and all the like, in perpetuity. Mr. Allison seconded. Ms. Turner noted that she would abstain from the vote because she is an employee. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Abstain. Approved, [2-0-1].*

VIII. APPOINTMENTS AND RESIGNATIONS

Annual Appointments

Memorial Day Committee (Annual Appointment – term to expire 6/30/2023)

Ms. Turner moved to appoint Barbara Foster, Donna Sanginario, Karen Shaw, Ann Fuller, and Jennifer Lapen to the Memorial Day Committee, term to expire 6/30/23. Mr. Kerrigan seconded. Board members noted this committee does an excellent job and could use more members. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Re-Appointments

Agricultural Commission

Ms. Turner moved to appoint Eric Jakubowicz, as a member of the Agricultural Commission, term to expire 6/30/25. Mr. Kerrigan seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Board of Appeals (ZBA)**

Ms. Turner moved to appoint Frank Sullivan as a Member of the Zoning Board of Appeals, term to expire 6/30/27. Mr. Kerrigan seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Ms. Turner moved to appoint Dennis Hubbard, as an Associate Member of the Zoning Board of Appeals, term to expire 6/30/25. Mr. Kerrigan seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Appointments*

Historical Commission

Ms. Turner moved to appoint Martha Moore, as an Associate Member of the Historical Commission, term to expire 6/30/25. Mr. Kerrigan seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Nashua River Wild & Scenic Stewardship Council

Ms. Turner moved to appoint Justin Smith, as a Member of the Nashua, Squannacook, and Nissitissit Rivers Wild & Scenic Stewardship Council, term to expire 6/30/25. Mr. Kerrigan seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

IX. LICENSES AND PERMITS

Ms. Turner moved to approve the Application for Use of the Town Green/Gazebo from the Friends of Thayer Memorial Library, requesting use of the Town Green/Gazebo for their Music on the Green Concert Series, to be held every Wednesday from 5:30pm (Set-up) to 8:30pm, starting June 29, 2022 – August 3, 2022. Mr. Allison seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Ms. Turner moved to approve the Application for License Theatrical Exhibitions, Public Shows, Public Amusements and Exhibitions of Every Description Held on Weekdays for Nashoba Rock & Brew at the Lancaster Fairgrounds, 318 Seven Bridge Road, on June 25, 2022, from 2pm-6pm. (Carr Foundation Fundraiser). Mr. Allison seconded. Mr. Allison recognized David Carr, 71 xxx Lane in Lancaster, President of the Carr Foundation, who explained that the Foundation's mission is to feed families. The event will include music, 20+ vendors of spirits and beer, and food trucks. He has spoken to Fire and Police Chiefs. More information can be found at nashobabrewfest.com. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

Ms. Turner moved to approve the Application for a Special (One Day) Liquor License – All Alcohol, for Nashoba Rock & Brew (Carr Foundation Fundraiser) to be held at the Lancaster Fairgrounds 318 Seven Bridge Rd on June 25, 2022, 2pm-6pm. Mr. Allison seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. Approved, [3-0-0].*

X. NEW BUSINESS

**This item is included to acknowledge matters not reasonably anticipated by the Chair.*

XI. COMMUNICATIONS

- Select Board's Special Meeting will **NOT** be held on Monday, June 13, 2022.
- Select Board's Special Meeting will be held on Wednesday, June 15, 2022, at 6:00pm in the Nashaway Room and via ZOOM (Hybrid)
- Town Offices will be closed Monday, June 20, 2022, in observance of Juneteenth Independence Day.

XIII. ADJOURNMENT

Mr. Kerrigan moved to adjourn the meeting. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Stephen J. Kerrigan, Aye; Alexandra W. Turner, Aye. [3-0-0].*

Respectfully submitted

Kathleen Rocco
Executive Assistant

Alexandra W. Turner, Clerk
Approved and accepted:

III. SCHEDULED APPEARANCES & PUBLIC HEARINGS



June 1, 2022

Town of Lancaster Select Board
Attn: Kate Hodges, Town Administrator
By email (khodges@lanasterma.net)
701 Main Street
Lancaster, MA 01523

RE: P.J. Keating Company Response to CEI Peer Review of Special Permit to Remove Earth Products

Dear Ms. Hodges,

Thank you for forwarding the CEI peer review report. Please see comments by P.J. Keating (PJK) compiled with the assistance of our professional consultants, TRC's Andrew Smyth, Professional Geologist and Principal Consultant, Gary Hunt, Vice President and Air Sciences Technical Director and North American Reserve's Michael Wright, Principal Geologist. We have included CEI comments verbatim. PJK's comments may be found in **green font** following those comments.

1. SPECIAL PERMIT CONDITIONS

Special Permit Conditions are presented verbatim below in **blue font** followed by related CEI review comments. The numbering below is based on the Condition numbering in the Special Permit. Conditions not listed below did not have suggested revisions or comments from CEI.

Condition 2. The shoreline of the end-use quarry pond and all disturbed non-bedrock surfaces shall be restored with a minimum depth of nine inches of loam which shall be capable of supporting grass growth. These areas shall be restored upon completion of the earth removal authorized by this special permit. These areas shall be hydroseeded and the planted area shall be protected from erosion during the establishment period using sound conservation practices. Areas that wash out shall be repaired immediately. Trees or shrubs of prescribed species shall be planted to provide screening and reduce erosion during the establishment period.

CEI Comments:

- A minimum width of 25 feet is recommended for the required loam and vegetation establishment around the perimeter of the quarry pond. This width is based on (1) the assumption that end use quarry pond will become a wetland resource area protected per 310 CMR 10.00 and the Lancaster Wetlands Protection Bylaw after the quarry has been inactive for five or more consecutive years, and (2) establishment of a vegetated buffer consistent with the Bylaw 25-foot no disturb zone.

At the end of the life of the quarry, P.J. Keating (PJK) will provide a 25-foot natural vegetative perimeter around the rim of the quarry for those areas that are not naturally revegetated. The establishment of the 25-foot zone will include, if necessary, the application of loam to establish the vegetative zone which may include the planting of trees and shrubs based on site conditions at the time.

The quarry will naturally fill with groundwater and rainfall and become a static height at the approximate elevation of the nearest wetland, which is located at the southwestern end of the quarry. That wetland complex is at elevation 393± and the quarry rim is at elevation 403±

(MassMapper). Further, the quarry rim will be fenced, and the entire property is and will continue to be posted for no trespassing.

- A specification for loam should be required to ensure good quality planting conditions, including a minimum organic content of 4-6% by weight.

As stated above, at the end of the quarry life, a 25-foot vegetative perimeter around the rim of the quarry will be established for those areas not vegetated with natural vegetation. The establishment of the 25-foot zone will include, if necessary, the application of loam to establish the vegetative zone. It should be understood, that by the time the quarry is abandoned there will be vegetation all along the perimeter as PJK is going deeper over the next several decades, not horizontally. It would make little sense to remove this natural vegetation.

- Planted trees and shrubs should be species native to the Northeastern U.S. and from a list submitted by the Applicant and approved by the Town. In areas where trees or shrubs will be planted, a minimum topsoil depth of 18 inches is recommended. An equal depth of subsoil is also recommended to allow for an adequate rooting zone for woody species. Spacing for trees and shrubs should be specified (e.g., 8-feet on center for tree species, 5-feet on center for smaller shrub species).

Native vegetation present will continue to establish and encroach closer to the quarry rim. In particular, at the end of the life of the quarry. Should non-vegetated areas exist, supplemental endemic plantings (trees and shrubs) will take place based on the site conditions at the time.

Condition 5: Dust Control measures shall be undertaken as specified in the approved plans.

CEI Comments:

- There are no approved plans associated with the Special Permit that specify dust control measures. Dust control appears to be an ongoing challenge for the portion of Fort Pond Road (Route 70) near the quarry, and inclusion of a plan and/or a detailed narrative specifying dust control measures is recommended.

Dust suppression is paramount to PJK, and the quarry operation utilizes two water trucks and two street sweepers that circulate all areas of the facility on a daily basis. Also, as indicated to the CEI reviewers, PJK was about to, and since has made improvements to the grade of the paved surface at the exit drive (in Lunenburg) from the quarry to better shed water and control water tracking onto Fort Pond Road in Lunenburg. PJK will continue to monitor the situation on a constant basis.

Tighe & Bond conducted a site inspection on April 1, 2022, and noted that:

“Water Truck on site, used throughout the day on haul roads and quarry base. Two sweepers run daily at road crossings.”

Tighe & Bond did not identify any corrective action that needed to be taken by PJK and found that permit conditions were being met.

As a reference, CEI reviewed the current Storm Water Pollution Prevention Plan (SWPPP) associated with the National Pollutant Discharge Elimination System (NPDES) permit for the Site. Although no reference to dust control measures is included in the SWPPP plans, (PJK does not understand the inclusion of this statement; CEI indicates the SWPPP does not discuss dust control but then goes on to reference section 3.7.7 of the SWPPP which does include dust management; further, dust control measures are also included in other sections of the SWPPP).

Note the SWPPP document includes the following narrative:

3.7.7 Dust Generation and Vehicle Tracking of Industrial Materials

Dust generation and vehicle tracking activities potentially occur in each of the Drainage Areas at the facility. The Lunenburg facility maintains dust control by pumping water from the detention basins and using it for dust suppression as necessary. A mobile water truck is also used at the facility to wet down on-site roads to minimize the amount of dust generated by vehicle traffic and the transport and deposition of sediment on surrounding public roadways. Locations where vehicles enter and exit the site are inspected regularly for sediment that has been tracked off site. If sediment has been tracked off site, the paved surfaces are swept.

- Based on dust control measures required at similar quarry operations, the Town should consider requiring the following:

- Dust monitoring (e.g., by installation of a high-volume air sampler) to identify periods when/if fugitive dust conditions warrant additional control actions to protect public health.

Given that aggressive dust control measures are currently in place as noted above air monitoring is not warranted. Further, the absence of nuisance dust complaints supports this position. In the event that PJK elects to perform air monitoring in the future, high volume air sampling methodology would not be the appropriate methodology.

- Additional control actions could include installation of a dust suppression system for haul trucks along the quarry interior roadways, such as a wheel wash system comprised of roadside sprinklers which spray trucks as they pass by.

PJK does not understand what “a wheel wash system comprised of roadside sprinklers which spray trucks as they pass by” would accomplish. Adding additional water to the wheels of 80-ton haul vehicles would merely track out additional haul road dirt into the roadway, not less. The balance of water addition directly to the road is carefully monitored and additional sprinkler water on the haul road would not serve to reduce water and soil tracking at the haul crossroads.

Condition 25: The permit holder shall continue to undertake a hydrogeologic study that shall continue for the duration of the earth product removal operation. To facilitate the continuation of the long term hydrogeologic monitoring program the permit holder shall collect a minimum of monthly measurements of the groundwater water table and behavior in the monitoring wells, continuous weather station measurements, monthly stormwater flow measurements for the lower quarry and upper quarry flow meters, and monthly measurements of the sump water elevation for the duration of the earth product removal operation. Pressure transducers shall be implemented within groundwater monitoring wells to monitor groundwater water table behavior at hourly increments. Upon failure of any pressure transducers, the permit holder has 90-days to replace the equipment. These measurements shall be provided to the Board of Selectmen quarterly, or more frequently as requested by the Board of Selectmen, and these measurements shall be reviewed by the Town’s consultant as requested by the Town. All costs for outside consultant services used for inspection, data review, comment, and recommendation purposes shall be paid for by the permit holder. The hydrogeologic study shall be modified, when needed, based on recommendations by the Board’s consultant.

- a. New hourly reporting pressure transducers shall be replaced in all groundwater monitoring wells by April 15, 2022.

CEI Comments:

1. Hydrogeologic Study

In addition to ongoing monitoring of groundwater levels and stormwater flow volumes, Keating conducted a hydrogeologic study in 2005 (NAR) to partially address this permit condition. This study focused on a review of the general bedrock geology and a review of existing bedrock wells in the

area. The 2005 NAR study concludes that the existing bedrock wells have fairly uniform characteristics based upon specific capacity calculations and that any higher yielding bedrock wells are likely influenced by proximate surface water bodies. One exception was existing bedrock well #33, which had the highest yield of the sample group, likely associated with its location along the Weepee (Wekepeke) Fault System. Final recommendations of the 2005 NAR study were to install four bedrock monitoring wells, drilled to the permitted depth of quarry excavation. The recommended well locations were based on installing one in each direction (north, south, east, west) with the north/south monitoring wells located along the Wekepeke fault line.

The conclusions and recommended monitoring plan of the 2005 NAR study do not fully correlate with the geologic features and data limitations identified in the study. Specifically, we note the following key issues:

- The 2005 NAR study notes that the landfill site in general has a “*complicated array of jointing*” and “*near vertical fractures*” as observed at several of the NAR field reconnaissance locations. These features are due to the quarry site being transected by the Wekepeke Fault System. This extent of fracturing would logically increase the potential for groundwater movement in a multitude of directions.

NAR performed an evaluation of the fractures within the quarry. The fractures observed were all on faces of rock that had been blasted. This is not what the rock looked like in any of the core holes that were drilled to construct the wells. In fact, the core showed quite the opposite. The rock core was evaluated for Rock Quality Designation (RQD), which is expressed as a percentage and its formula is the sum of the length of intact core pieces that are longer than twice the diameter of the core recovered during the core run divided by the total length of the core run. The quality (strength) of the rock core from the borehole is thereby assessed on a scale from very poor to excellent: 0-25% = very poor, 25-30% = poor, 30-75% = fair, 75-90% = good, and 90-100% = excellent. Therefore, RQD denotes the degree and depth of fracturing, weathering, shearing, and other areas of weakness in a rock mass. The RQD of the cores for the deep bedrock wells are typically between 90-100%.

The presence of intact massive bedrock at the quarry site indicates that the fractures are not extensive and testing data indicates that the fault is not more permeable than the surrounding massive rock. This is not uncommon, as processes such as fault zone sediment mixing, clay smears, cataclasis, and geochemical precipitation can result in lower fault zone permeability than source rock. For example, the NAR report identified that:

“Wells 5 and 7 are almost directly on-strike of the fault line that identifies the Wekepeke fault zone. It would be intuitive to most hydrogeologists that these wells would have been expected to have some of the highest yields because of enhanced fracturing and interconnection of fractures caused by the faulting. However, these wells have yields that are below the average of the data set, so it appears that the fault is not an important hydrogeologic factor in the yield of these wells.” In other words, the statement by CEI that the fractures are more permeable and lead to increased groundwater movement is incorrect and misleading.

- The 2005 NAR study evaluated existing bedrock wells in the vicinity of the quarry, classifying the wells as above or below average yield (i.e., 10 gallons per foot of drawdown) based on readily available data from the well drillers. Based on the location of most of the high yield wells (proximate to a lake or pond), NAR inferred that the higher well yields were influenced by surface water, even though these wells were approximately 500 feet deep. Location alone does not necessarily mean there is any connection between a surface water body and a 500-foot-deep bedrock well, as it is common for surface water bodies to be “perched” and protected by a bottom impervious (or semi-impervious) layer.

The data from well drillers is not exactly the data you would use or quote unless you know how the drillers got their values. Most well drillers do not do this correctly. Each well was tested at 5-foot intervals to evaluate the K value of the well. NAR calculated by three (3) varied sets of formulas and then averaged over the interval to arrive at a “conservative” value. All the K values obtained were between 10-1 to 10-3 ft/day. This is an average value for metamorphic rock and illustrated that the rock is not a good transmitter of flow. That is very slow movement for ground water.

The closest public water supply well (well 08G) has been Zone 2 modelled and the public well draws water from the surface water at Turner Pond. CEI has not presented any data to show that the surface water is “common[ly]” “perched” and unable to be the principal water source for bedrock wells.

- The 2005 NAR study used well drilling records for the analysis, most likely from the date of installation for each bedrock well. These well drilling records are of limited value for determining regional groundwater flow patterns, since they are typically performed with the sole purpose of confirming sufficient water quantity and quality for a residential dwelling. A more detailed pump test (e.g., pumping to determine sustained yield) would be required as part of a hydrogeological study to determine overall regional groundwater flow patterns.

See above. The wells were installed according to the lineaments. There has never been any substantive evidence presented that the quarry has had any impact on private wells. These unsubstantiated allegations are convenient but without merit. A comprehensive study was conducted, and professional geologists and hydrogeologist hired by PJK have agreed with the Town’s consultant T&B, which also has Professional Geologists reviewing this work. It is PJK’s understanding that T&B will also be analyzing CEI’s findings and providing a letter to the Town.

- The 2005 NAR study specifically notes that the “*quarry is generally very dry*”, most likely due to the “*strongly developed fracture system...allowing infiltration and recharge*” associated with steeply dipping cleavage planes that can be near vertical in some locations.

These statements do not go together. The walls of the quarry are shattered and fractured due to blasting. At approximately 10 to 20 feet into the highwall, these fractures are not present. The quarry has minimal water entering it because it is very tight rock.

These observations and bedrock features appear to provide a potential viable path for surface water to flow deep into the bedrock and then travel along the extensive fracturing in a multitude of directions. The limited locations and depths of the four existing bedrock monitoring wells are not sufficient to identify potential impacts of the quarry operation on groundwater flows and water quality in the area.

- CEI recommends that additional bedrock monitoring wells be installed around the perimeter of the quarry, as follows:

- Ideally, additional monitoring wells would be located along identified surface lineaments that reflect sub-surface bedrock fractures;

Wells were installed according to the lineaments. Additional wells are not needed as they would be redundant, providing no new information.

- Alternatively, new wells could be located at regularly spaced intervals along the quarry perimeter. If this approach is used, CEI recommends installation of six wells at approximate 550-foot intervals along the southern/eastern quarry perimeter (from the southern tip of the quarry to the intersection of the quarry haul road and Fort Pond Road).

See PJK response to Condition 30.

- CEI also recommends that water samples be collected and analyzed from these bedrock monitoring wells on an annual basis, to allow for assessment of any potential impacts of the quarry operation on off-site bedrock water supply wells. *See Section 2 for a list of recommended monitoring parameters.*

See PJK response to Condition 30.

2. Monitoring Equipment

During the site walk on April 22, 2022, NAR stated that they will be installing In-Situ Level TROLL® 400 pressure transducers in all of the monitoring wells with the ability to connect to the instruments with Bluetooth for profiling and downloading data. NAR stated that the transducers will be set to monitor groundwater water table behavior at hourly increments and they will collect data using a cloud storage service and complete a quality control check before they are sent to the town for review. These transducers have a battery life of 10 years or 2 million readings. The Bluetooth capabilities will allow for a quicker and easier download of data and will remove some likelihood for human error and damage to transducers as a result of removing the instrument to download readings, clear the device, and reinstall the instrument.

Presumably, this statement is in agreement with the installed transducers and the collection of data on an hourly basis.

Scheduled maintenance of these instruments is critical to sustain their accuracy and longevity, and should include the following:

- a. Scheduled maintenance should be required as described in the In-Situ Operator's Manual in order to sustain the accuracy and longevity of the probes and the cables.

In-Situ, among the largest manufacturers and distributors of water quality monitoring equipment in the world and the makers of the equipment under discussion, told us that by obtaining monthly elevation reading by hand and comparing them to the probes is a very good way to verify that the probes are operating correctly. This tests for equipment water level drift which is the basis for setting a maintenance plan for the instrument as described in the equipment manual.

- b. The transducers should be checked monthly for the first year to ensure they are working properly and then quarterly after that.

PJK and NAR follow In-Situ's operations manual

- c. The monitoring visits should include equipment inspections and documentation that the transducers are in the correct position, have been collecting measurements, that measurements are recording properly, and that the battery life as displayed in the Win-Situ software is sufficient.

PJK and NAR follow In-Situ's operations manual

- d. The transducers should undergo factory maintenance and calibration every year in May and proof of calibration should be submitted to the Town for review.

PJK and NAR follow In-Situ's operations manual

Condition 30: The deepest point of open excavation shall be no deeper than 20-ft above the elevation of the deepest groundwater monitoring well. Upon reaching this threshold, new monitoring wells shall be installed to deeper elevations.

CEI Comments:

- The monitoring wells are currently set at an elevation of 180 feet NAVD, approximately 50 feet below the existing bottom elevation of the quarry (elevation 230 feet NAVD). Based on Condition 30, these existing monitoring wells would ultimately allow for excavation to a depth of 200 ft NAVD. In comparison, most residential bedrock wells in the area are approximately 800 to 1000 feet deep and are therefore set at an elevation of approximately -400 feet to -600 feet NAVD, approximately 580 to 780 feet below the present depth of the quarry monitoring wells.

CEI and the Town were explicitly told that deeper wells will be installed in 2023 and that they will be 50- feet below the depth of the deepest quarry cut level as provided in the mine plan.

- Based on the extensive bedrock fracturing in a multitude of directions (as noted in the 2005 NAR hydrogeological study and discussed above in CEI's comments on Condition 25), and the substantial difference in depth/elevation between the monitoring wells and the depth of bedrock water supply wells in the area, we recommend that the quarry monitoring wells be extended to a depth that is comparable to the deepest existing bedrock water supply wells in the area (i.e., approximately 1000 feet).

This approximately \$200,000+ ask for six new wells and drilling the existing wells to 1,000 feet is entirely without merit and scientific basis. Assessing ground water movement and quality is done best nearest the quarry if it is believed the quarry is somehow negatively impacting groundwater quality. It would be very unusual to impossible for hypothetical quarry related contamination to be at higher levels 1,000 feet down than near the quarry floor. The classic plume is for highest concentrations near the source and declining away. Any water migrating off the quarry site would be easiest and best detected in the existing wells at their current/future depths.

The quarry wells should not be extended any deeper than necessary (within 50 feet of the mine plan final elevation). The suggestion that 1,000-foot-deep wells should be installed is reckless. It is well known that deeper wells have the potential to cause short circuiting of contamination from higher elevations to reach the deeper aquifer. The aquifer has a very low hydraulic conductivity and does not have sufficient vertical gradients to cause the downward flow of contaminants to reach any of the CEI proposed monitoring wells. The water supply well that seems to be CEI's concern (Lunenburg water supply well RW-08G "Keating well") has been groundwater tested for perchlorate and was non-detect. There is no basis for concern for perchlorate. CEI was provided the SDS sheet for blast emulsion used.

The closest town well raw water has also been tested for inorganic parameters including selenium, antimony, arsenic, fluoride, cyanide, cadmium, chromium, thallium, and beryllium and all were non-detect. The only inorganic parameter detected was barium (which is ubiquitous) and had a value of 0.014 mg/l versus a drinking water standard of 2.0 (142 times less than the standard). Therefore, there is no impact from inorganic parameters on the town well. CEI has also recommended sampling for nitrates but, once again, there is no problem with nitrates in the Town's Keating well. The measured value of nitrate in groundwater at this well varies from 0.46 to 0.86 mg/L but the water quality standard is 10 mg/L, much higher. Therefore, the proposed deep wells and suggested monitoring are not necessary and if anything could make a non-existent issue into one, when all water quality standards are already being met.

2. OTHER RECOMMENDATIONS

Additional CEI recommendations and comments that are not specific to a current Special Permit Condition are provided below.

2.1 Additional Water Quality Monitoring

Stormwater discharges from the Keating site in Lunenburg and Lancaster are authorized under a NPDES Multi-Sector General Permit (MSGP). Under the MSGP, monitoring of quarry stormwater effluent is required for the following:

- **Total Suspended Solids:** benchmark concentration of 100 mg/l; quarterly sampling (*Note: TSS in the quarry settling basin is measured with an in-situ instrument. Keating staff stated that water is pumped and discharged only when TSS concentration is below 15 mg/L*)
- **Turbidity:** benchmark concentration of 50 NTU; grab sample required once per year
- **pH:** effluent limitation of 6.0-9.0; grab sample required once per year
- **Polyaromatic Hydrocarbons:** report only (no threshold/benchmark values); biannual sampling

Other similar facilities have discharges (both process wastewater and stormwater) authorized under NPDES Individual Permits which require more extensive monitoring. CEI discussed the NPDES permit authorization for the facility with George Papadopoulos of EPA Region 1, to determine why this facility is permitted under the NPDES MSGP rather than an Individual Permit. Mr. Papadopoulos is the lead EPA staff for the current NPDES Individual Permit authorization for the Keating facility in Acushnet, MA. Key points of the discussion are summarized as follows:

The Acushnet facility – **What does the Acushnet facility have to do with the Lunenburg facility. Has CEI even visited the Acushnet facility?**

- From a NPDES permitting perspective, the Keating Lunenburg/Lancaster facility and operations are similar to the Acushnet facility. Both facilities conduct rock quarrying, aggregate processing, and production of hot mix asphalt.

The CEI discussion is based on hearsay only. Under any reasonable court or fair hearing without all parties present, such discussions should and would be disallowed. No permit conditions can be made on hearsay discussions.

- Mr. Papadopoulos stated that the type of operations and processing conducted at the Lunenburg/Lancaster facility and associated discharges to surface waters would appear to disqualify the facility from obtaining permit authorization under the MSGP.

The conditions for PJK's stormwater discharge permit are based on national standards and they are not less stringent at Lunenburg than elsewhere. The CEI discussion is based on hearsay only. It is not clear what CEI was telling Mr. Papadopoulos' about the Lunenburg operation. The facility does have a stormwater permit and has had a stormwater permit for many years. Nothing has changed. CEI has provided no details about what specific operation they consider that PJK conducts that would disqualify them from qualification under a MSGP stormwater permit. At this point the statements by CEI to Mr. Papadopoulos and others appear unfounded. No letter of correspondence is provided to backup that these were Mr. Papadopoulos' thoughts, nor was he copied on CEI's contentions of what he may or may not have said.

- Mr. Papadopoulos stated that the current MSGP permit authorization could have been approved because applications for coverage under the MSGP do not always get reviewed thoroughly.

Again, hearsay only. The facility has had a MSGP through several permit cycles and the EPA and MassDEP have had plenty of time to review the permit information if they thought there were errors. It is an affront by CEI to indicate that the EPA does not do a proper job of reviewing permits before approving. It is highly unlikely that anybody from EPA and in particular, Mr. Papadopoulos would indicate that they do not do an adequate job of reviewing permits.

- Mr. Papadopoulos stated that EPA staff plan to conduct a site inspection in the near future to determine if an Individual permit will be required for the facility.

Hearsay only and perhaps libelous if CEI indicated that EPA should conduct an inspection at a facility based on providing them inadequate and/or at the very least, inaccurate information. PJK provided all data that was requested, including all requested water quality reports that have been provided to EPA on its DMR site. PJK conducts inspections and record keeping, as required. There is no basis to suggest that PJK is polluting the environment and therefore somehow in need of further costly restrictions and baseless water quality analyses.

Monitoring parameters and associated effluent limitations for Individual Permits are typically established as needed to ensure that state and federal water quality standards are met for the receiving water bodies. Stormwater effluent from the quarry is discharged to a series of Class B, High Quality Waters as defined in Massachusetts Surface Water Quality Standards ([314 CMR 4.00](#)). The flow path from the Quarry Dewatering Discharge (Discharge Point 001) is shown in Figure 1. The Class B Water Quality Standards are the same for all segments of the flow path listed below.

This figure, in another format, was previously provided to the Town by PJK. That is except for the purple line shown in Lake Shirley. While the purple line might be endeavoring to show the general flow path of Easter Brook through the lake it is of no meaning in this instance as no detention times or other typical factors are provided. Moreover, the point of discharge of clean, quarry water that traverses two (2) miles through a multitude of natural wetland resource areas and Easter Brook (with a drainage area that dwarfs that of the quarry) prior to entering Lake Shirley is scarcely worth mentioning again and again.

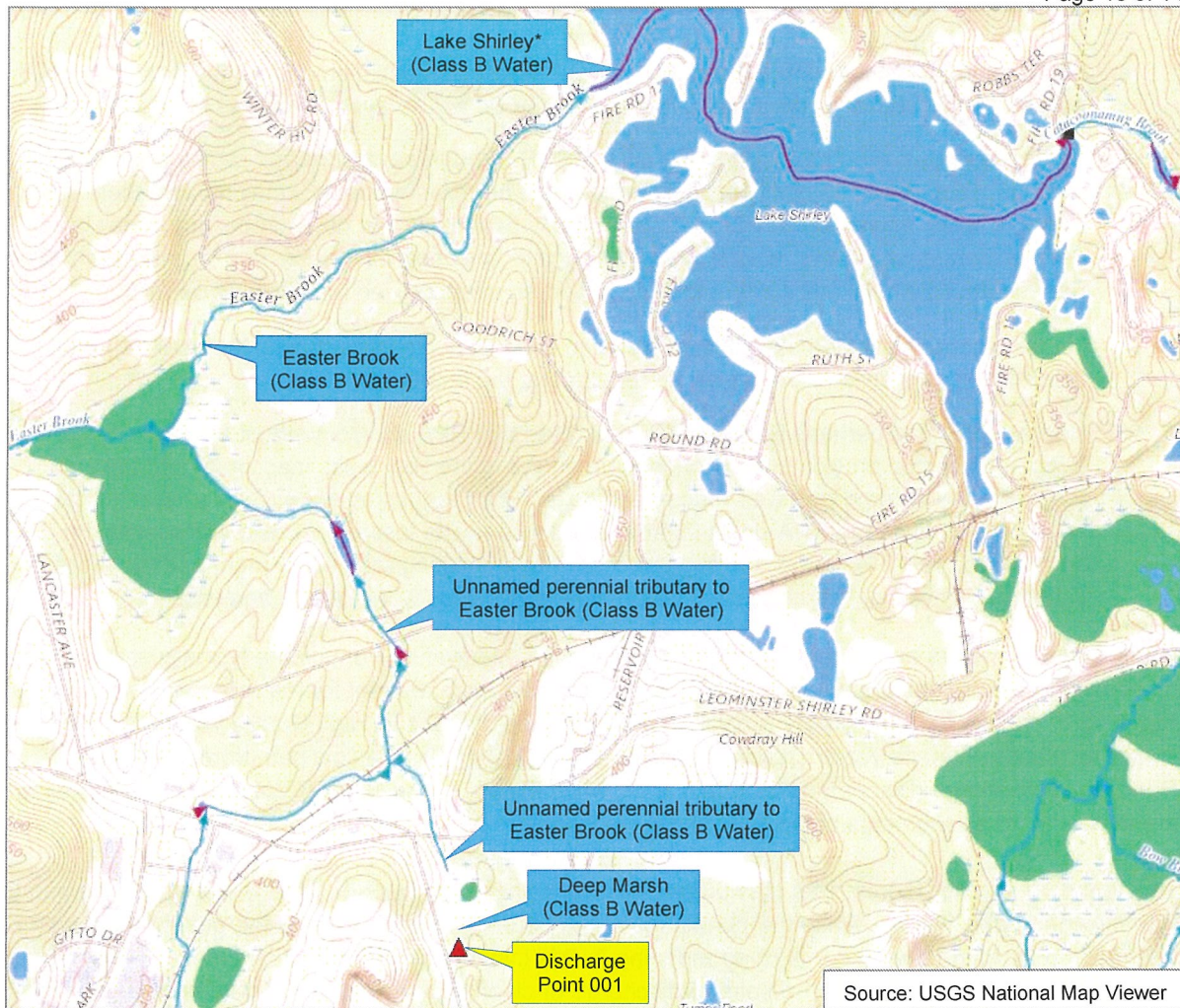


Figure 1: Flow Path from Quarry Dewatering Discharge to Lake Shirley

* Note: Lake Shirley is listed in the Massachusetts 2018/2020 Integrated List of Waters as a Category 5 Impaired Water, with impairments for:

- turbidity
- harmful algal blooms
- dissolved oxygen
- mercury in fish tissue
- non-native aquatic plants

Based on review of monitoring required for similar facilities in the region, CEI recommends that the Town should consider requiring the additional monitoring parameters discussed in Table 1 as a condition of a future Special Permit authorization.

Please provide the locations/institutions 'of monitoring required for similar facilities in the region.'

The PJK facility has a MSGP, and those monitoring conditions are established nationally. Adding additional monitoring is not based on any scientific reasoning. The MSGP monitoring requirements were purposefully established by the USEPA based on scientific studies and extensive comment and response from various regulatory agencies. The most recent MSGP added a number of sampling requirements based on extensive studies of similar mining operations. It would be inappropriate to modify stormwater monitoring requirements

at the local level based on an unsubstantiated/non-scientific request. MassDEP and USEPA issued the facility permit jointly.

The monitoring request is based on misjudged information such as a request to conduct WET monitoring because of explosives – the only source of potentially unnatural substance in the quarry. However, as was explained, 95-100% of blasting emulsion is vaporized upon blast and non-vaporized nitrogen compounds are unlikely to have any significant impact on a freshwater receiving body. As an example, and to our knowledge, no other quarries discharging to a freshwater wetland system in Massachusetts conduct WET monitoring because of explosives. Why should the PJK quarry conduct nitrate monitoring based on CEI's opinion that industries different from PJK do it? This would be a slippery slope as should a gasoline station have to meet the monitoring limits for a dairy farm or vice versa. In terms of metals, once again, these would have been looked at by the USEPA and were not chosen by them for quarry monitoring.

Table 1: Additional Water Quality Monitoring Recommendations

Parameter	Discussion/Recommendation
Stormwater Effluent Monitoring^{1,2}	
Turbidity	<ul style="list-style-type: none"> CEI recommends that more frequent turbidity monitoring should be considered as a condition preceding pumping from the quarry settling basin, with an effluent discharge limit of 25 NTU. This recommendation is based on the Individual Permit for the Keating Acushnet facility, which states “a turbidity value of 25 NTU is consistent with several states that have established numeric water quality criteria for turbidity, including the New England states of Vermont and New Hampshire as well as the turbidity limitations imposed on similar facilities in Massachusetts and New Hampshire.”
Whole Effluent Toxicity (WET)	<ul style="list-style-type: none"> Based on use of explosives at the quarry, WET monitoring is recommended once per year. WET evaluates pollutants in the discharge to determine if their additivity, antagonism, synergism, or persistence have potential to cause toxicity. Recommended monitoring requirements include: <ul style="list-style-type: none"> Use daphnid and fathead minnow as the test species Chronic No Observed Effect Concentration (C-NOEC) should be $\geq 100\%$ Acute effects based on LC50 (concentration lethal to 50% of test organisms) should be $\geq 100\%$.
Nitrate	<ul style="list-style-type: none"> Because nitrogen-based compounds (ammonium nitrate explosives from Austin Blasting) are used for blasting at the quarry, CEI recommends that monitoring for nitrate should be considered. Although there are no numeric nitrate criteria for NPDES MSGP Subsector J2 (Dimension and Crushed and Nonmetallic Minerals), a benchmark of 0.68 mg/L is recommended based on the NPDES MSGP criteria for Subsector J1 (Sand and Gravel Mining).
Total Metals	<ul style="list-style-type: none"> Heavy metals have been detected with quarry discharges at similar sites. CEI recommends an initial (year 1) sampling round for total metals (antimony, arsenic, cadmium, chromium, copper, iron, lead, nickel, selenium, silver, and zinc). Requirements for any additional testing should be based on the initial results.
Bedrock Monitoring Wells (annual monitoring for existing and additional recommended bedrock wells)	
Nitrate	<ul style="list-style-type: none"> Health concerns are associated with elevated nitrate levels (>10 mg/L) in drinking water.
Total Metals	<ul style="list-style-type: none"> Annual monitoring for antimony, arsenic, cadmium, chromium, copper, iron, manganese, lead, nickel, selenium, silver, and zinc.
Perchlorate	<ul style="list-style-type: none"> Sampling for perchlorate is recommended due to the use of nitrogen-based explosives at the quarry. The NPDES permit the Keating Acushnet facility states, “Perchlorate may also be present in nitrogen-based explosives as an impurity or contained in detonators up to 4 to 60 milligrams of potassium perchlorate. EPA’s Interim Drinking Water Health Advisory for perchlorate is 15 $\mu\text{g/L}$”.
pH	<ul style="list-style-type: none"> pH is an inexpensive parameter that can be helpful in identifying if surface waters (with relatively higher pH) are mixing with groundwater (with relatively lower pH) via bedrock fractures.

Table 1 Notes:

1. Based on CEI's review of operations at the quarry and related stormwater effluent discharges to Discharge Point 001, CEI recommends that additional monitoring is not needed for the following parameters listed for Class B Waters in 314 CMR 4.05(3)(b): pH, dissolved oxygen, temperature, taste and odor, oil and grease, and solids.

It is unclear as to whether CEI is suggesting that EPA-required sampling parameters (i.e., pH, dissolved oxygen, oil and grease and 'solids') be eliminated for discharge water?

2. CEI recommends that some additional monitoring parameters required at similar sites are not applicable to stormwater discharges from the Lancaster/Lunenburg quarry operation. For example, naphthalene monitoring is required at sites where petroleum products are stored, but there are no petroleum products stored within the Keating quarry area.
3. If additional monitoring is required as condition of a future Special Permit, CEI recommends that results should be reported to the Town for review on a quarterly basis. The Town should reevaluate required monitoring frequencies in future Special Permits based on results from the first year of monitoring data.

PJK is required to provide all WQ testing results to USEPA. If a benchmark effluent limitation is exceeded it is automatically 'red-flagged' and depending on the exceedance, the USEPA has strict guidelines and a stepped process that must be met to rectify the situation. These guidelines went through extensive regulatory review and consideration over a multi-year process. Is the Town of Lancaster and or its consultants prepared to or capable of being more scientifically inclined than the USEPA? All of the data is readily available on the USEPA website. This request is merely meant to be one more measure of the myriad of requirements the facility is already required to meet. Moreover, as part of this peer review, all the requested data reports were provided to the Town's consultant.

This is not a landfill as listed by CEI. Landfills require sampling of metals because of the nature of the leachate of a landfill and the landfills components. This is a quarry. Water that enters the quarry from rainfall and groundwater is discharged only as necessary to keep the quarry bottom level from filling in with water. How would the groundwater become tainted with any of these metals and find their way to the perimeter wells? NAR has operated in over 1,000 quarries in the US and Canada and have never come across an aggregate quarry with a metal's issues, unless there are some reasonable explanations, like a landfill next door or the presence of those metals naturally occurring in the rock. This rock is a quartzite. It does not have these rare metals leaching out of it.

pH is analyzed in the surface water leaving the quarry and is consistently within permit parameters of 6.5-9.0. If the surface water is within this range what would make the quarry impact groundwater pH? What is driving this request, there is no proof or otherwise that the quarry pH is acidic or alkaline and the discharge meets the permit limits designed to protect water quality.

2.2 Noise Monitoring

Based on requirements at similar quarry operations, please provide the locations and institutions 'of requirements at similar quarry operations' the Town should consider requiring continuous 24/7 noise monitoring to determine if there are periods when quarry operations result in nuisance noise levels in nearby residential areas. PJK has received no noise complaints from nearby residences, albeit whenever, you put this misconception in people's mind, it is likely that some should be expected soon. Further, why would 24/7 monitoring be suggested as an appropriate edict when PJK's operating hours per the Special Permit are from 7am to 5pm Monday thru Friday (with the ability to operate on Saturday from 8am to 12pm with prior permission of the Town). Such monitoring could be required as either a long-term, ongoing requirement of operations, or as a shorter-term requirement intended to:

1. Identify any time periods and sources of nuisance noise levels; and

Blasting operations are monitored with seismographs and are consistently under State guidelines. The Fire Departments in Lancaster and Lunenburg receive these data. All persons wishing to be on the pre-blast call line are notified well in advance of the blast.

2. Address any identified sources with actions to minimize nuisance noise levels.

No nuisance noise level sources have been identified. Residences are not in the near vicinity of the quarry and as stated operating hours are strictly controlled. A Contractor can build a subdivision and break rock with a hydraulic hammer but PJK needs to do 24/7 noise monitoring?

2.3 Potential Vernal Pools

The ANRAD Peer Review (LEC, 2016) notes the following with regard to two Isolated Vegetated Wetlands (IVWs) delineated with flags I-1 through I-6 and J-1 through J-15:

Both of the IVWs have potential vernal pools, but a definitive determination of vernal pools at this time of the year is difficult. The status of these potential pools should be determined by the Applicant in the Spring of 2017.

Based on communication with Keating staff, a field investigation to confirm the status of these potential vernal pools has not been conducted.

In fact, PJK's response was as follows: 'In reviewing the potential vernal pool(s) locations, these are not in an area we plan to ever enter – we have no need. J-1 thru J-15 is on the opposite side of the transmission corridor and the 150 East of Flag 17 reference, is immediately adjacent to the J series flagging. Again, there is no intent to go into this overall wet area for any reason. Looking thru records, I do not believe a vernal pool Certification was completed and there are no plans to go through the Certification process, at this time. These areas will be left as is, we have no reason to venture any closer in that area. The quarry rim is approximately 800 feet from these areas and will not be expanded further in that direction.'

CEI did not look at this area. The quarry has been operating for 100 years and the potential 'vernal pool' whether it exists or not and may or may not have been present for the 100 years of the quarry operations is not in the vicinity of any PJK operations and will not be going forward. PJK has no intention of examining or certifying areas that are not going to be encroached on its private property.

CEI recommends that a vernal pool investigation should be required as a condition of future permit approval, with field investigations specified for the spring vernal breeding season for obligate vernal pool species. If vernal pool conditions are documented, an application for vernal pool certification should be submitted to the Massachusetts Natural Heritage and Endangered Species Program (NHESP).

Note: The IVW J-series is located in Lancaster. The IVW I-series is located in Leominster, but if certified as a vernal pool would have a portion of its 100-foot buffer zone within Lancaster.

If you have any questions regarding this response, please contact Doug Vigneau, 978-732-3761 or by email at douglas.vigneau@pjkeating.com. PJK, TRC, and NAR would be pleased to meet with the Select Board.

Sincerely,
PJ Keating Company

Douglas E. Vigneau

Douglas E. Vigneau, CEP, ENV-SP
Environmental Compliance Manager

cc: Andrew Smyth, PG, Principal Consultant, TRC
Gary Hunt, VP, Air Sciences Technical Director, TRC
Michael Wright, PG, North American Reserve
Robert Robinson, VP, Aggregate Operations, PJK
Kayla M. Larson, PE, Project Manager, Tighe & Bond



COMPREHENSIVE
ENVIRONMENTAL
INCORPORATED

41 Main Street
Bolton, MA 01740
508.281.5160
www.ceiengineers.com

May 23, 2022

Town of Lancaster Select Board
Attn: Kate Hodges, Town Administrator
701 Main Street
Lancaster, MA 01523

RE: P.J. Keating Company
Peer Review of Special Permit to Remove Earth Products

Dear Ms. Hodges,

As requested by the Lancaster Select Board, Comprehensive Environmental Inc. (CEI) has provided a technical review of the P.J. Keating Company (Keating) facility located at 998 Reservoir Road in Lunenburg (the Site) and associated performance standards and monitoring as required per the Site's current Special Permit to Remove Earth Products (Special Permit; issue date of March 7, 2022).

CEI staff conducted a site walk with Keating staff on April 22, 2022 to observe conditions in the vicinity of the quarry operation, associated monitoring wells, the flow path of the quarry dewatering process, and other Site features relevant to the Special Permit. In addition to the site walk, CEI's review is based on the following documents provided by the Town and Keating:

- P.J. Keating Company, Town of Lancaster - Special Permit to Remove Earth Products (permit issue date March 7, 2022)
- P.J. Keating Company, Town of Lancaster - Special Permit to Remove Earth Products (permit issue date January 25, 2020)
- P.J. Keating Company, Town of Lancaster - Special Permit to Remove Earth Products (permit issue date January 25, 2005)
- Quarry Closure Plan Circa 2042 (S.J. Mullaney Engineering, Inc., rev. date 2/17/2022)
- SWPPP Figures 1-4 (TRC, January 2022)
- Site Plan – Drainage from Quarry to Lake Shirley (TRC, February 2022)
- Photo Log – Easter Brook Entering Lake Shirley (P.J. Keating, 2/24/2022)
- P.J. Keating Mining Plan 2022-2023 (P.J. Keating, 1/28/2022)
- Aerial Image of Quarry Seismograph Locations (2/22/2022)
- Lunenburg's Water System PWS ID # 2162000 (from MassDEP Online Map Viewer)
- Review of Application for Special Permit – Update (Tighe & Bond, 2/1/2022)
- Aerial Image of Extent of Existing Fence Around Quarry (Google Earth image)
- P.J. Keating Existing Conditions Plan (S.J. Mullaney Engineering, Inc., 1/26/2022)
- Response to Resident Questions and Concerns, Application for Special Permit Earth Products Removal, P.J. Keating Company (Tighe & Bond, 2/28/2022)
- Wetland Assessment, P.J. Keating Facility (Lucas Environmental, 11/30/2015)
- ANRAD Peer Review (LEC Environmental, 11/30/2016)

- Hydrogeologic Assessment of the Marble Quarry, P.J. Keating Company, Lancaster, MA (North American Reserve, June 2005)
- Hydrogeologic Monitoring Reports (2019, 2020; North American Reserve)
- Review of 2019 Groundwater Monitoring Report (Tighe & Bond, 9/16/2020)
- Quarterly Inspection Reports (2019, 2020, 2021; Tighe & Bond)
- Stormwater Pollution Prevention Plan (SWPPP), P.J. Keating Company, Lunenburg, MA Facility (TRC, February 20220)
- Quarterly Laboratory Analytical Reports and Year End Reports to EPA (2019-2022)

1. SPECIAL PERMIT CONDITIONS

Special Permit Conditions are presented verbatim below in **blue font** followed by related CEI review comments. The numbering below is based on the Condition numbering in the Special Permit. Conditions not listed below did not have suggested revisions or comments from CEI.

Condition 2. The shoreline of the end-use quarry pond and all disturbed non-bedrock surfaces shall be restored with a minimum depth of nine inches of loam which shall be capable of supporting grass growth. These areas shall be restored upon completion of the earth removal authorized by this special permit. These areas shall be hydroseeded and the planted area shall be protected from erosion during the establishment period using sound conservation practices. Areas that wash out shall be repaired immediately. Trees or shrubs of prescribed species shall be planted to provide screening and reduce erosion during the establishment period.

CEI Comments:

- A minimum width of 25 feet is recommended for the required loam and vegetation establishment around the perimeter of the quarry pond. This width is based on (1) the assumption that end use quarry pond will become a wetland resource area protected per 310 CMR 10.00 and the Lancaster Wetlands Protection Bylaw after the quarry has been inactive for five or more consecutive years, and (2) establishment of a vegetated buffer consistent with the Bylaw 25-foot no disturb zone.
- A specification for loam should be required to ensure good quality planting conditions, including a minimum organic content of 4-6% by weight.
- Planted trees and shrubs should be species native to the Northeastern U.S. and from a list submitted by the Applicant and approved by the Town. In areas where trees or shrubs will be planted, a minimum topsoil depth of 18 inches is recommended. An equal depth of subsoil is also recommended to allow for an adequate rooting zone for woody species. Spacing for trees and shrubs should be specified (e.g., 8-feet on center for tree species, 5-feet on center for smaller shrub species).

Condition 5: Dust Control measures shall be undertaken as specified in the approved plans.

CEI Comments:

- There are no approved plans associated with the Special Permit that specify dust control measures. Dust control appears to be an ongoing challenge for the portion of Fort Pond Road (Route 70) near the quarry, and inclusion of a plan and/or a detailed narrative specifying dust control measures is recommended.

As a reference, CEI reviewed the current Storm Water Pollution Prevention Plan (SWPPP) associated with the National Pollutant Discharge Elimination System (NPDES) permit for the Site. Although no reference to dust control measures is included in the SWPPP plans, the SWPPP document includes the following narrative:

3.7.7 Dust Generation and Vehicle Tracking of Industrial Materials

Dust generation and vehicle tracking activities potentially occur in each of the Drainage Areas at the facility. The Lunenburg facility maintains dust control by pumping water from the detention basins and using it for dust suppression as necessary. A mobile water truck is also used at the facility to wet down on-site roads to minimize the amount of dust generated by vehicle traffic and the transport and deposition of sediment on surrounding public roadways. Locations where vehicles enter and exit the site are inspected regularly for sediment that has been tracked off site. If sediment has been tracked off site, the paved surfaces are swept.

- Based on dust control measures required at similar quarry operations, the Town should consider requiring the following:
 - Dust monitoring (e.g., by installation of a high-volume air sampler) to identify periods when/if fugitive dust conditions warrant additional control actions to protect public health.
 - Additional control actions could include installation of a dust suppression system for haul trucks along the quarry interior roadways, such as a wheel wash system comprised of roadside sprinklers which spray trucks as they pass by.

Condition 25: The permit holder shall continue to undertake a hydrogeologic study that shall continue for the duration of the earth product removal operation. To facilitate the continuation of the long term hydrogeologic monitoring program the permit holder shall collect a minimum of monthly measurements of the groundwater water table and behavior in the monitoring wells, continuous weather station measurements, monthly stormwater flow measurements for the lower quarry and upper quarry flow meters, and monthly measurements of the sump water elevation for the duration of the earth product removal operation. Pressure transducers shall be implemented within groundwater monitoring wells to monitor groundwater water table behavior at hourly increments. Upon failure of any pressure transducers, the permit holder has 90-days to replace the equipment. These measurements shall be provided to the Board of Selectmen quarterly, or more frequently as requested by the Board of Selectmen, and these measurements shall be reviewed by the Town's consultant as requested by the Town. All costs for outside consultant services used for inspection, data review, comment, and recommendation purposes shall be paid for by the permit holder. The hydrogeologic study shall be modified, when needed, based on recommendations by the Board's consultant.

- a. New hourly reporting pressure transducers shall be replaced in all groundwater monitoring wells by April 15, 2022.

CEI Comments:

1. Hydrogeologic Study

In addition to ongoing monitoring of groundwater levels and stormwater flow volumes, Keating conducted a hydrogeologic study in 2005 (NAR) to partially address this permit condition. This study focused on a review of the general bedrock geology and a review of existing bedrock wells in the area. The 2005 NAR study concludes that the existing bedrock wells have fairly uniform characteristics based upon specific capacity calculations and that any higher yielding bedrock wells are likely influenced by proximate surface water bodies. One exception was existing bedrock well

#33, which had the highest yield of the sample group, likely associated with its location along the Wekepeke Fault System. Final recommendations of the 2005 NAR study were to install four bedrock monitoring wells, drilled to the permitted depth of quarry excavation. The recommended well locations were based on installing one in each direction (north, south, east, west) with the north/south monitoring wells located along the Wekepeke fault line.

The conclusions and recommended monitoring plan of the 2005 NAR study do not fully correlate with the geologic features and data limitations identified in the study. Specifically, we note the following key issues:

- The 2005 NAR study notes that the landfill site in general has a “*complicated array of jointing*” and “*near vertical fractures*” as observed at several of the NAR field reconnaissance locations. These features are due to the quarry site being transected by the Wekepeke Fault System. This extent of fracturing would logically increase the potential for groundwater movement in a multitude of directions.
- The 2005 NAR study evaluated existing bedrock wells in the vicinity of the quarry, classifying the wells as above or below average yield (i.e., 10 gallons per foot of drawdown) based on readily available data from the well drillers. Based on the location of most of the high yield wells (proximate to a lake or pond), NAR inferred that the higher well yields were influenced by surface water, even though these wells were approximately 500 feet deep. Location alone does not necessarily mean there is any connection between a surface water body and a 500-foot-deep bedrock well, as it is common for surface water bodies to be “perched” and protected by a bottom impervious (or semi-impervious) layer.
- The 2005 NAR study used well drilling records for the analysis, most likely from the date of installation for each bedrock well. These well drilling records are of limited value for determining regional groundwater flow patterns, since they are typically performed with the sole purpose of confirming sufficient water quantity and quality for a residential dwelling. A more detailed pump test (e.g., pumping to determine sustained yield) would be required as part of a hydrogeological study to determine overall regional groundwater flow patterns.
- The 2005 NAR study specifically notes that the “*quarry is generally very dry*”, most likely due to the “*strongly developed fracture system...allowing infiltration and recharge*” associated with steeply dipping cleavage planes that can be near vertical in some locations.

These observations and bedrock features appear to provide a potential viable path for surface water to flow deep into the bedrock and then travel along the extensive fracturing in a multitude of directions. The limited locations and depths of the four existing bedrock monitoring wells are not sufficient to identify potential impacts of the quarry operation on groundwater flows and water quality in the area.

- CEI recommends that additional bedrock monitoring wells be installed around the perimeter of the quarry, as follows:
 - Ideally, additional monitoring wells would be located along identified surface lineaments that reflect sub-surface bedrock fractures;
 - Alternatively, new wells could be located at regularly spaced intervals along the quarry perimeter. If this approach is used, CEI recommends installation of six wells at approximate 550-foot intervals along the southern/eastern quarry perimeter (from the southern tip of the quarry to the intersection of the quarry haul road and Fort Pond Road).

- CEI also recommends that water samples be collected and analyzed from these bedrock monitoring wells on an annual basis, to allow for assessment of any potential impacts of the quarry operation on off-site bedrock water supply wells. *See Section 2 for a list of recommended monitoring parameters.*

2. Monitoring Equipment

During the site walk on April 22, 2022, NAR stated that they will be installing In-Situ Level TROLL® 400 pressure transducers in all of the monitoring wells with the ability to connect to the instruments with Bluetooth for profiling and downloading data. NAR stated that the transducers will be set to monitor groundwater water table behavior at hourly increments and they will collect data using a cloud storage service and complete a quality control check before they are sent to the town for review. These transducers have a battery life of 10 years or 2 million readings. The Bluetooth capabilities will allow for a quicker and easier download of data and will remove some likelihood for human error and damage to transducers as a result of removing the instrument to download readings, clear the device, and reinstall the instrument.

Scheduled maintenance of these instruments is critical to sustain their accuracy and longevity, and should include the following:

- a. Scheduled maintenance should be required as described in the In-Situ Operator's Manual in order to sustain the accuracy and longevity of the probes and the cables.
- b. The transducers should be checked monthly for the first year to ensure they are working properly and then quarterly after that.
- c. The monitoring visits should include equipment inspections and documentation that the transducers are in the correct position, have been collecting measurements, that measurements are recording properly, and that the battery life as displayed in the Win-Situ software is sufficient.
- d. The transducers should undergo factory maintenance and calibration every year in May and proof of calibration should be submitted to the Town for review.

Condition 30: The deepest point of open excavation shall be no deeper than 20-ft above the elevation of the deepest groundwater monitoring well. Upon reaching this threshold, new monitoring wells shall be installed to deeper elevations.

CEI Comments:

- The monitoring wells are currently set at an elevation of 180 feet NAVD, approximately 50 feet below the existing bottom elevation of the quarry (elevation 230 feet NAVD). Based on Condition 30, these existing monitoring wells would ultimately allow for excavation to a depth of 200 ft NAVD. In comparison, most residential bedrock wells in the area are approximately 800 to 1000 feet deep and are therefore set at an elevation of approximately -400 feet to -600 feet NAVD, approximately 580 to 780 feet below the present depth of the quarry monitoring wells.
- Based on the extensive bedrock fracturing in a multitude of directions (as noted in the 2005 NAR hydrogeological study and discussed above in CEI's comments on Condition 25), and the substantial difference in depth/elevation between the monitoring wells and the depth of bedrock water supply wells in the area, we recommend that the quarry monitoring wells be extended to a depth that is comparable to the deepest existing bedrock water supply wells in the area (i.e., approximately 1000 feet).

2. OTHER RECOMMENDATIONS

Additional CEI recommendations and comments that are not specific to a current Special Permit Condition are provided below.

2.1 Additional Water Quality Monitoring

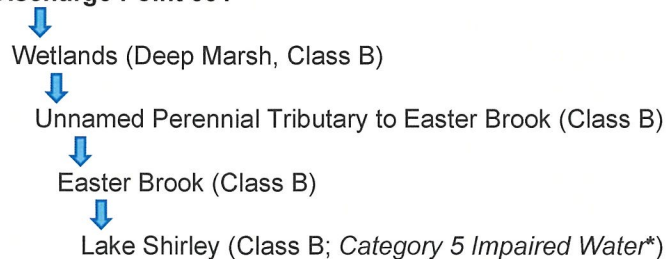
Stormwater discharges from the Keating site in Lunenburg and Lancaster are authorized under a NPDES Multi-Sector General Permit (MSGP). Under the MSGP, monitoring of quarry stormwater effluent is required for the following:

- **Total Suspended Solids:** benchmark concentration of 100 mg/l; quarterly sampling (*Note: TSS in the quarry settling basin is measured with an in-situ instrument. Keating staff stated that water is pumped and discharged only when TSS concentration is below 15 mg/L*)
- **Turbidity:** benchmark concentration of 50 NTU; grab sample required once per year
- **pH:** effluent limitation of 6.0-9.0; grab sample required once per year
- **Polyaromatic Hydrocarbons:** report only (no threshold/benchmark values); biannual sampling

Other similar facilities have discharges (both process wastewater and stormwater) authorized under NPDES Individual Permits which require more extensive monitoring. Monitoring parameters and associated effluent limitations for Individual Permits are typically established as needed to ensure that state and federal water quality standards are met for the receiving water bodies.

Stormwater effluent from the quarry is discharged to a series of Class B, High Quality Waters as defined in Massachusetts Surface Water Quality Standards ([314 CMR 4.00](#)). The flow path from the Quarry Dewatering Discharge (Discharge Point 001) is listed below and shown in Figure 1. The Class B Water Quality Standards are the same for all segments of the flow path listed below.

Discharge Point 001



* Lake Shirley is listed in the [Massachusetts 2018/2020 Integrated List of Waters](#) as impaired for:

- turbidity
- harmful algal blooms
- dissolved oxygen
- mercury in fish tissue
- non-native aquatic plants

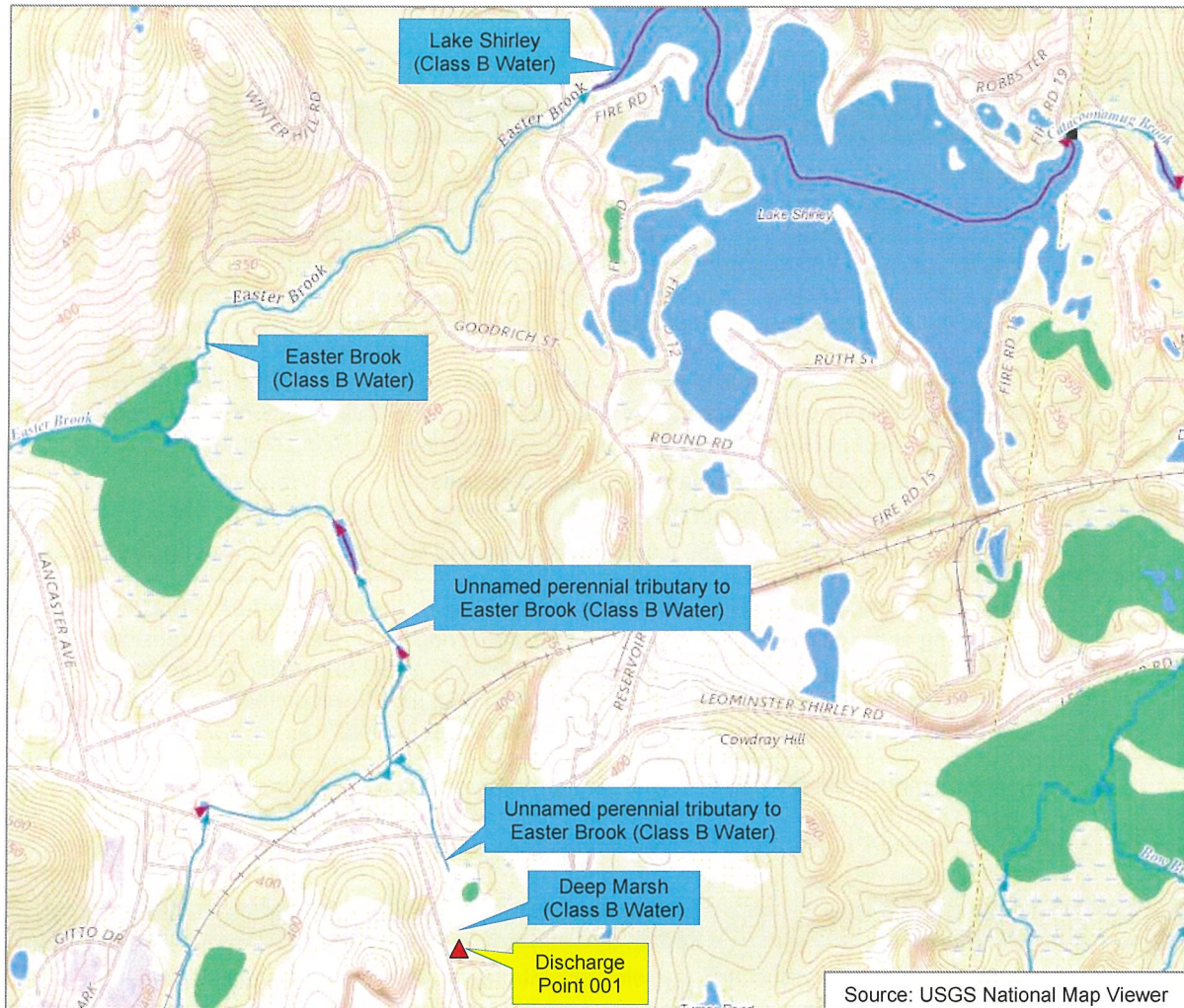


Figure 1: Flow Path from Quarry Dewatering Discharge to Lake Shirley

Based on review of monitoring required for similar facilities in the region, CEI recommends that the Town should consider requiring the additional monitoring parameters discussed in Table 1 as a condition of a future Special Permit authorization.

Table 1: Additional Water Quality Monitoring Recommendations

Parameter	Discussion/Recommendation
Stormwater Effluent Monitoring^{1,2}	
Turbidity	<ul style="list-style-type: none"> CEI recommends that more frequent turbidity monitoring should be considered as a condition preceding pumping from the quarry settling basin, with an effluent discharge limit of 25 NTU. This recommendation is based on the Individual Permit for the Keating Acushnet facility, which states “a turbidity value of 25 NTU is consistent with several states that have established numeric water quality criteria for turbidity, including the New England states of Vermont and New Hampshire as well as the turbidity limitations imposed on similar facilities in Massachusetts and New Hampshire.”
Whole Effluent Toxicity (WET)	<ul style="list-style-type: none"> Based on use of explosives at the quarry, WET monitoring is recommended once per year. WET evaluates pollutants in the discharge to determine if their additivity, antagonism, synergism, or persistence have potential to cause toxicity. Recommended monitoring requirements include: <ul style="list-style-type: none"> Use daphnid and fathead minnow as the test species Chronic No Observed Effect Concentration (C-NOEC) should be $\geq 100\%$ Acute effects based on LC50 (concentration lethal to 50% of test organisms) should be $\geq 100\%$.
Nitrate	<ul style="list-style-type: none"> Because nitrogen-based compounds (ammonium nitrate explosives from Austin Blasting) are used for blasting at the quarry, CEI recommends that monitoring for nitrate should be considered. Although there are no numeric nitrate criteria for NPDES MSGP Subsector J2 (Dimension and Crushed and Nonmetallic Minerals), a benchmark of 0.68 mg/L is recommended based on the NPDES MSGP criteria for Subsector J1 (Sand and Gravel Mining).
Total Metals	<ul style="list-style-type: none"> Heavy metals have been detected with quarry discharges at similar sites. CEI recommends an initial (year 1) sampling round for total metals (antimony, arsenic, cadmium, chromium, copper, iron, lead, nickel, selenium, silver, and zinc). Requirements for any additional testing should be based on the initial results.
Bedrock Monitoring Wells (annual monitoring for existing and additional recommended bedrock wells)	
Nitrate	<ul style="list-style-type: none"> Health concerns are associated with elevated nitrate levels (>10 mg/L) in drinking water.
Total Metals	<ul style="list-style-type: none"> Annual monitoring for antimony, arsenic, cadmium, chromium, copper, iron, manganese, lead, nickel, selenium, silver, and zinc.
Perchlorate	<ul style="list-style-type: none"> Sampling for perchlorate is recommended due to the use of nitrogen-based explosives at the quarry. The NPDES permit the Keating Acushnet facility states, “Perchlorate may also be present in nitrogen-based explosives as an impurity or contained in detonators up to 4 to 60 milligrams of potassium perchlorate. EPA’s Interim Drinking Water Health Advisory for perchlorate is 15 $\mu\text{g/L}$.”
pH	<ul style="list-style-type: none"> pH is an inexpensive parameter that can be helpful in identifying if surface waters (with relatively higher pH) are mixing with groundwater (with relatively lower pH) via bedrock fractures.

Table 1 Notes:

- Based on CEI’s review of operations at the quarry and related stormwater effluent discharges to Discharge Point 001, CEI recommends that additional monitoring is not needed for the following parameters listed for Class B Waters in 314 CMR 4.05(3)(b): pH, dissolved oxygen, temperature, taste and odor, oil and grease, and solids.

2. CEI recommends that some additional monitoring parameters required at similar sites are not applicable to stormwater discharges from the Lancaster/Lunenburg quarry operation. For example, naphthalene monitoring is required at sites where petroleum products are stored, but there are no petroleum products stored within the Keating quarry area.
3. If additional monitoring is required as condition of a future Special Permit, CEI recommends that results should be reported to the Town for review on a quarterly basis. The Town should reevaluate required monitoring frequencies in future Special Permits based on results from the first year of monitoring data.

2.2 Noise Monitoring

Based on requirements at similar quarry operations, the Town should consider requiring continuous 24/7 noise monitoring to determine if there are periods when quarry operations result in nuisance noise levels in nearby residential areas. Such monitoring could be required as either a long-term, ongoing requirement of operations, or as a shorter-term requirement intended to:

1. Identify any time periods and sources of nuisance noise levels; and
2. Address any identified sources with actions to minimize nuisance noise levels.

2.3 Potential Vernal Pools

The ANRAD Peer Review (LEC, 2016) notes the following with regard to two Isolated Vegetated Wetlands (IVWs) delineated with flags I-1 through I-6 and J-1 through J-15:

Both of the IVWs have potential vernal pools, but a definitive determination of vernal pools at this time of the year is difficult. The status of these potential pools should be determined by the Applicant in the Spring of 2017.

Based on communication with Keating staff, a field investigation to confirm the status of these potential vernal pools has not been conducted. CEI recommends that a vernal pool investigation should be required as a condition of future permit approval, with field investigations specified for the spring vernal breeding season for obligate vernal pool species. If vernal pool conditions are documented, an application for vernal pool certification should be submitted to the Massachusetts Natural Heritage and Endangered Species Program (NHESP).

Note: The IVW J-series is located in Lancaster. The IVW I-series is located in Leominster, but if certified as a vernal pool would have a portion of its 100-foot buffer zone within Lancaster.

If you have any questions regarding this review letter, please contact Bob Hartzel at 508-281-5160.

Sincerely,



Robert M. Hartzel, Principal
Comprehensive Environmental, Inc.

IV. BOARDS, COMMITTEES & DEPARTMENT REPORTS

Kathi Rocco

From: Kate Hodges
Sent: Thursday, June 9, 2022 11:56 AM
To: Tom Christopher; kris mahabir; Frank Streeter; theelitecompany@yahoo.com
Cc: Jason A. Allison; roy mirabito; Carol Jackson; Stephen J. Kerrigan; electkendrad@gmail.com; Alexandra Turner; Jasmin Farinacci; Kathi Rocco; Peter Christoph
Subject: Open Planning Board Seat - 6/15/22 Joint Meeting
Importance: High

Good afternoon,

Thank you for your interest in becoming a member of the Lancaster Planning Board. As you may know, the matter is slated to be placed on the Select Board Agenda during a Special Meeting this coming Wednesday, June 15, 2022. The Board's meeting will begin at 6:00 PM and will be held in the Nashaway Meeting Room on the 2nd floor of the Prescott Building (Town Hall) and on Zoom. There are a number of matters which the Board will be discussing prior to the appointment item.

For your planning purposes, the Select Board and Planning Board will join a JOINT MEETING during this Wednesday's meeting beginning at approximately 8:00 PM. All interested planning board candidates, such as yourself, are being asked to attend the meeting and will be asked a series of questions. The impetus of my email today is two-fold. First, I would like to make you aware of the date and time of the meeting and agenda item; secondly, I have been asked to supply each candidate with the list of questions that are to be asked that evening.

Candidate Questions:

- Who do you feel you are representing as a member of the Planning Board?
- What do you believe to be the most important quality in a Planning Board member?
- What is the greatest strength you will bring to the Planning Board?
- Do you believe data can contribute to how Lancaster approaches its permitting process? If yes, in what ways?
- The Massachusetts Municipal Association has a guidebook on permitting best practices. How could or should this be leveraged in Lancaster?
- What would you like to see done in North Lancaster?
- What are some of the proactive measures the Planning Board could take with the Housing Trust to move forward in smart ways?

Procedurally, please know that each candidate will be allowed to make a 4-minute opening statement and the boards will then ask the questions outlined above. In the interest of time, we ask that each candidate's answers be kept as succinct as possible. The Boards will be hearing from four candidates total on Wednesday evening.

If you would please acknowledge receipt of this email by reply to me when you are able, I would appreciate it. Additionally, if you would advise me of your plan to either attend in-person or via zoom, it would be helpful. If you choose to participate via Zoom, I will send a separate link via a follow up email when the agenda is set to ensure there is no confusion. The link will also be posted on the Town's Website within the meeting calendar platform under the Select Board.

Please feel free reach out directly with any questions you may have. Thank you for your interest in serving the Town of Lancaster. Both Boards and departmental staff members are excited to speak with you about this important decision for our community.

Kate Hodges, ICMA-CM
Town Administrator, Lancaster MA
978-365-3326

The contents of this email and any attachments are the property of the Town of Lancaster Massachusetts and subject to the Public Records Law, M.G.L. c. 66, section 10. When writing or responding, please remember that the Massachusetts Secretary of State's Office has determined that email is a public record and not confidential.



Custom Building and Remodeling

2248 Main Street
Lancaster, Massachusetts 01523
508-450-6932 Cell

RECEIVED

APR 19 2021

Board of Selectmen

To The Board of Selectman:

My Family Have Been Residents of the Town of Lancaster since 1947. As a Lancaster resident the unutilization of our town economy concerns me. I would like to be part of a team that can address the proper growth for our residents and stabilize our taxes by introducing the proper revenue. No one person has all the answers, listening to all the information presented and making educated decisions is important. I am interested in being part of the team for Planning Board

Michael P. FAVREAU

508-450-6932

THE ELITE Company
C@yahoo.com

Thomas J. Christopher

252 Fort Pond Inn Road, Lancaster, MA 01523 Telephone: (508) 331-4889 FAX: (978) 728-4544 Email: tom.christopher@comcast.net

May 12, 2022

Town of Lancaster
Attention: Ms. Kate Hodges
Town Administrator
701 Main Street
Prescott Building 2nd Floor
Lancaster, Massachusetts 01523

Dear Administrator Hodges:

Although I wish there had been a different outcome to the recent Planning Board election, I am still interested in serving the Town as a member of the Planning Board. The recent vacancy caused by the resignation of Chairman Russ Williston provides that opportunity. Since I am the runner-up in the recent election and the former senior member of the Planning Board, I would ask the Select Board to consider returning me to the Board in Mr. Williston's seat.

I would be happy to interview with the Select Board and answer any questions they may have.

Sincerely,



Thomas J. Christopher

Kris N. Mahabir
679 George Hill Road
Lancaster, MA 01523

May 24, 2022

Ms. Kate Hodges
Town Administrator
Prescott Building
701 Main Street
Second Floor
Lancaster, MA 01523

Dear Ms. Hodges,

I am writing to express my interest in serving on the Lancaster Planning Board, to fill the recently vacated seat.

My first experience in Lancaster was attending a meditation weekend in 1993 at the Maharishi Center. It was a great surprise for my wife and I, to find that the Maharishi property was for sale. Since purchasing it, we have enjoyed the opportunity to meet many wonderful people in Lancaster and to become familiar with the issues that are important to the town, both on the side of conservation and on the side of economic development.

I can relate to both of these objectives. In drawing from my years on the Board of the New England Forestry Foundation, during which period we did conservation easements on over a million acres of ecologically sensitive forest land in New Hampshire and Maine, I have developed a real love of preservation and history. At the same time, my primary business is commercial real estate. The company I started twenty years ago has grown to own and operate office buildings, shopping centers and industrial parks across the country. I have worked with many cities that have structured economic incentives to stimulate local growth. I think there are several ways that we can benefit in Lancaster from using what has worked in other cities and towns that have dealt with the same issues that face us now.

Attached is my brief biography. I look forward to any questions and appreciate the consideration of the Select Board and Planning Board.

Best regards,


Kris N. Mahabir

Kris N. Mahabir

**679 George Hill Road
Lancaster, MA 01523**

+1 (917) 681-8741

Biography

Mr. Mahabir has held a wide range of money management responsibilities. At Fidelity, from 1990 – 1995, he was in charge of commodity and structured fixed income investments. The first of these was a commodity portfolio consisting of \$1 billion that he actively managed against the Goldman Sachs Commodity Index (GSCI) for the Fidelity Asset Manager Funds. Mr. Mahabir was the first portfolio manager to actively manage money with a GSCI benchmark and his experience at Fidelity marked one of the largest institutional investments that had been made in commodities as an asset class. The second consisted of a \$2 billion structured fixed income and currency portfolio that was allocated across Fidelity's retail funds. He also ran separately managed institutional retirement accounts for pension fund clients that invested in similar strategies.

At AIG International Inc., from 1995 – 1998, Mr. Mahabir was responsible for the formulation of global fixed income, foreign exchange and commodity trading strategies for AIG's investor base. He was responsible for developing many of AIG's institutional research products, including the AIG Global Investor through which he advised clients on long-term investment strategies. He started AIG's GSCI arbitrage trading desk and became the most active market maker in the GSCI futures contract, aside from Goldman Sachs. In addition, he ran a separately managed commodities portfolio for one of AIG's largest clients.

In 1998, Mr. Mahabir founded Olympus Venture Capital, a financial services company whose business consists of consulting and financing private equity infrastructure projects in emerging markets. From 1998 – 2001, he structured project finance for base metals, telecommunications, cement and maritime projects throughout Central and South America. His clients included Deutsche Telekom, Gerald Metals and Commodities Corporation. In addition, Mr. Mahabir has been engaged in a variety of consulting operations. These include being retained by JP Morgan to serve as an expert witness in certain structured finance transactions.

In 2001, after the events of 9/11, Mr. Mahabir moved from New York to his home in Falmouth, MA. In 2002, he formed Landmark Properties and acquired his first commercial building in Falmouth. He has since built Landmark Properties and its subsidiaries into a national business with office buildings, shopping centers and industrial parks in Massachusetts, Connecticut, Ohio and Georgia. His daughter and oldest son work with him in the daily management of the properties.

In 2004, Mr. Mahabir became active in environmental work and served as a director for three years of the New England Forestry Foundation, during which time the non-profit group acquired over one million acres of conservation easements in ecologically sensitive areas of New Hampshire and Maine. His interest in the environment led him to form Sunbeam Energy Holdings, Inc. in 2007, for the purpose of developing renewable energy projects. Sunbeam achieved its first governmental power sales agreements in 2009, for a waste to energy plant in Puerto Rico. The following year, Sunbeam entered into a joint venture agreement with T. Boone Pickens' BP Capital and Providence Energy to develop waste to energy projects.

Mr. Mahabir earned three degrees from the Massachusetts Institute of Technology. While doing his Ph.D. in Engineering, he minored in Finance. He spent eight years at MIT from 1982-1990 and graduated with a G.P.A. of 5.0 / 5.0.

He has spoken at numerous conferences including AIMR, Boston Security Analysts Society, Business Week, Center for International Securities and Derivatives Research, Euromoney, Grant's, Greenwich Forum, IBC, IIR Institutional Investor, NYMEX, Pension & Investments, Q-Group, Risk Magazine and Society of Actuaries, throughout the U.S., Europe, Asia and the Middle East. He served as a member of the Board of Directors for the MIT Sloan School program in Financial Engineering and was responsible for developing their curriculum on risk management. In addition, he has served on the Board of Advisors for the New York Mercantile Exchange and on the Board of Directors for the New England Forestry Foundation,

Mr. Mahabir is active in his community and is a third generation Free Mason. He spends his leisure time with his wife and children at his home in Lancaster Massachusetts, where he enjoys weight lifting and motorsports.

Dear Ms. Hodges and members of the Lancaster Select Board and Planning Board,

I am writing to express my interest in the open seat on the Lancaster Planning Board. I believe I have the right mix of skills, experience, judgment, and perspective to serve the Town's interests well, and it would be my pleasure to serve in these difficult times.

I have served the Town for over 20 years as an elected Library Trustee, many of those years as Secretary, so I have an appreciation of how much work needs to be done to be an active contributing member of a Town board. I have been attending Planning Board meetings regularly for some years now and have been reviewing the packets that need to be digested to be effective at the meetings, so I have an accurate sense of the skills and time commitment needed to be a productive member of the Planning Board.

In terms of my history and skills, I have been actively involved in various aspects of real estate for almost 40 years, including land planning courses at Harvard's Graduate School of Design. I am a past President and Treasurer of the Lancaster Land Trust, a past Chair of the Standing Committee of First Church, and I served on the Board of the Nashua River Watershed Association. I worked on real estate issues while I was on the NRWA Board, and I continue to be active in the Land Trust's land preservation activities today. I am also the Secretary of the Affordable Housing Trust and represent the Trust on the Select Board's MOU Committee negotiating with Capital Group.

In terms of my outlook and philosophy, while I am very much in favor of preserving open space, I am not per se opposed to development. However I believe there is huge difference between good development and bad development and I see the job of the Planning Board as representing the Town by discriminating between the two. I do not believe that anyone has a "right" to make money on any particular real estate project - a developer's claimed lack of profit is not a good reason to compromise on the Town's interests - and I have no problem with holding a developer's feet to the fire (as it were) to help make sure any particular development meets the Town's needs as much as possible.

Good judgment is a critical requirement for the Planning Board, and I believe that most people I have worked with in both the for-profit and the non-profit worlds feel I have it. I am skilled at working on complex real estate transactions and have used that judgment to bring those transactions to a successful conclusion and create value for my clients while still leaving others feeling they were treated fairly and equitably. Relating to this, I will not pre-judge any matters coming before the Planning Board before hearing each applicant's full presentation and reasoning. I firmly believe that all applicants need to feel that their applications will receive an unbiased review, and even if in the end they are rejected by the Board, those applicants should still feel they received a fair hearing.

In my work I have always believed in being able to disagree productively when working on difficult issues while still showing utmost respect for those who express a different viewpoint. I think this is essential for any Board, especially one that has to wrestle with problems of the complexity of the issues the Planning Board has to address. As a Library

Trustee our Board always strives for consensus, but even when we disagree we know we have years of working together ahead of us and so do not, and cannot, let those disagreements affect our successful working relationships.

I have been a resident of Lancaster for over 20 years, but I have been coming here since I was a child and my family has been in town for a very, very long time. I mention this only because I believe that history helps me to take the long view of the impact of development and the effects it can have on a town, often for generations. I would bring this perspective to my work on the Planning Board.

Finally I have spoken with Mass Ethics and in their opinion I do not have any conflicts of interest that would require my recusal from any issue presently in front of the Planning Board or likely to come before it in the near future. Of course I would disclose my work for the Land Trust and the NRWA if either came before the Planning Board, and I would recuse myself if the issue required. I would do the same in relation to my work for the Affordable Housing Trust, although Mass Ethics has said I won't need to do more than disclose my position on the Trust as I have no personal interest in any of its projects.

In sum I feel that I can well serve the interests of the Town and its citizens on the Planning Board and I would be glad to do it. I understand the commitment and I feel I could do a good job representing the interests of the Town as a whole. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Streeter". The signature is fluid and cursive, with the first name "Frank" being more prominent than the last name "Streeter".

Frank Streeter
135 Bull Hill Road
Lancaster, MA 01523

fstreeter@mac.com

617-497-5605

V. PUBLIC COMMENTS

VI. TOWN ADMINISTRATOR REPORT

Town of Lancaster
FY24 Budget Planning Calendar
for the 2023 May Annual Town Meeting

June 27, 2022	Capital Improvement Program (FY24-28) Instructions Issued	TA/Finance Dir.
August 1, 2022	Capital Improvement Program (FY23-27) Requests due	Department Heads
August 19, 2022	General Fund Budget Instructions issued to Departments	TA/Finance Dir.
August 26, 2022	Draft #1 – Capital Plan Due	TA/Finance Dir.
August 29, 2022	Capital Plan Draft Discussion & Initial Review	Select Board/FINCOM
September 16, 2022	General Fund Requests Due	Department Heads
September 19-30, 2022	Departmental Meetings Re: GF Requests	Department Heads TA/Finance Dir.
October 14, 2022	FY24 General Fund Outlook Draft #1 Out	TA/Finance Dir.
October 17, 2022	FY24 General Fund Budget Review	Select Board
November, 2022	Revisions of Budget, Meetings & Reviews	SB, FINCOM, TA, Finance Dir.
November 30, 2022	Budget Outlook Available to Public	TA
December 7, 2022	PUBLIC BUDGET FORUM: FY24 CIP & GF Budgets	SB, TA
December 20, 2022	FINCOM Additional Review of Budget & Guidelines	FINCOM
January 16, 2023	PUBLIC BUDGET FORUM/TOWN MEETING PREPARATION	Select Board, Town Moderator
January 16, 2023	FY24 General Fund Narratives sent out to Departments	Department Heads
January 23, 2023	FY24 Enterprise Budget Requests due	DPW, Water, Sewer
February 20, 2023	Select Board Opens Warrant	Select Board
March 20, 2023	Warrant Closes at 4:00 PM	Town Administrator/Town Clerk
March 21-31, 2023	Finalize Town Meeting Materials, Print Budget Books Publicize Town Meeting	All Town Departments All Town Boards & Committees

May 1, 2023

Town Meeting – 7:00 PM

**Mary Rowlandson Elementary
Auditorium**

¹ At this time, this budget calendar is for illustrative and informational purposes only. Once discussed with relevant Boards, Committees and Departments, the Select Board and Town Administrator may alter the dates and actions above to best serve the Town and ensure information is available to the community well in advance of Town Meeting. It is also worth noting that the availability of the Nashoba Regional School budget drivers, projections and capital needs are not yet known. Once a budget calendar is received from the school committee, the schedule above may be amended to ensure all available information is represented.

VII. ADMINISTRATION, BUDGET AND POLICY

#1

#2

**MONTACHUSETT JOINT TRANSPORTATION COMMITTEE (MJTC)
APPOINTMENT 2022 – 2023**

The Lancaster Selectboard on
COMMUNITY DATE

has officially appointed:

NAME:

ADDRESS:

TELEPHONE #:

EMAIL ADDRESS:

to represent us on the [Montachusett Joint Transportation Committee](#) for the year beginning July 1, 2022 to June 30, 2023.

Signed By:

NAME

TITLE

YOUR CURRENT REPRESENTATIVE TO
THE MJTC IS:

Vacant

CHECK THIS BOX TO RE-NOMINATE
THE CURRENT REPRESENTATIVE

☐

PLEASE MAIL, EMAIL OR FAX THIS FORM TO:

MONTACHUSETT REGIONAL PLANNING COMMISSION
464 ABBOTT AVENUE
LEOMINSTER, MA 01453
ATTENTION: Brad Harris
bharris@mrpc.org
(978) 348-2490 (FAX)

THANK YOU FOR YOUR PROMPT ATTENTION TO THIS MATTER.

VIII. APPOINTMENTS AND RESIGNATIONS

<p style="text-align: center;">ARTICLE 9 Economic Development Committee Bylaw Select Board</p>

To see if the Town will vote to amend Chapter 17 of the Town of Lancaster's General Bylaw by inserting a new Article XI, as follows:

Article XI Economic Development Committee

§17-39 Membership.

The Economic Development Committee shall be comprised of five members appointed by the Select Board as follows: two members to be appointed for one year, two for two years, and three for three years. Thereafter, each member shall be appointed to a three-year term, as each term expires.

§17-40 Powers and Duties.

The Economic Development Committee is an advisory committee. It is charged with working collaboratively with the Town's Planning Director, private property owners, and businesses, to promote responsible business and residential development in Lancaster. The Committee shall also carry out any other task delegated to it by the Select Board or required by the Town's General and Zoning bylaws.

or act in any manner relating thereto.

Select Board recommendation:

Finance Committee recommendation:

Summary: *Currently there is an ad-hoc EDC committee. This proposal would codify the committee in the town's bylaws and make it a permanent committee.*



Town of Lancaster
701 Main Street • Lancaster, MA 01523
www.ci.lancaster.ma.us
(978) 365-3326

Adopted: __/__/22

TOWN GOVERNMENT STUDY COMMITTEE 2022 – 2023

Committee Mission & Charge

The residents of Lancaster, together during Annual Town Meeting May 2, 2022, voted to establish a Government Study Committee which will work to advise the Select Board on matters related to the structure and effectiveness of Lancaster's form of government.

BACKGROUND: Local government operations have seen a great deal of change since Lancaster's incorporation. Developments in technology and changes in Federal, State, and local laws have affected people's lifestyles, the way we govern, and the way citizens and residents' interface with government officials. Residents have requested greater transparency and open access to their government. Many Town services exist today that were simply not imagined decades ago. In recognition of these changes, Lancaster residents are faced with several questions and decisions. The formation of a Government Study Committee is based on the idea that a comprehensive study of Lancaster's form of government is both necessary and prudent if we are to operate the Town in an effective, efficient, and transparent manner.

MISSION: The Committee's mission surrounds the need for the Town to review the efficacy of Lancaster's current Form of Government and organizational structure. Additionally, the committee will recommend changes to Lancaster's form of government and operations, as necessary, to reflect best practices and assure effective and equitable town management, policy adherence, and the timely and consistent delivery of excellent public service.

COMMITTEE CHARGE: The charge and duties of the Government Study Committee shall be to gather, review and make recommendations to the Select Board relative to Lancaster's Form of Government and its overall operation. Recommendations will be made in the spirit of collaboration and transparency and in-line with the goal of improving the Town's efficiency while ensuring the highest levels of professionalism, ethical standards, and transparency.

General duties of the Committee shall incorporate:

- A Summation of Lancaster's current form of government and governance practices.
- An examination of the various types of government used throughout the Commonwealth and within various comparable communities.
- The identification of the strengths and weaknesses of Lancaster's *current* form of government.
- Recommendations to the Select Board relative to creating an official Town Charter or making various amendments to the current Town Code, Bylaws, and other governing practices.
- The facilitation of a robust and clear public engagement process that integrates diverse perspectives, comments and notions which are representative of Lancaster's population.

Care and consideration shall be given to the following questions regarding the structure and operation of Lancaster's government:

- Is Lancaster's structure of government an effective one?
- Should Lancaster have an official Town Charter?
- Are there changes which Lancaster could make which would increase the Town's efficiencies or better manage the municipal operation more productively?
- Should Lancaster retain its form of government with a Board of Selectmen and an appointed Town Administrator?
- Are separately elected Boards, Committees and Town departments truly an effective way of governing? What are the pros and cons for this type of jurisdictional divide?
- Should Lancaster retain an Open Town Meeting as its legislative body?
- Should the Town seek to change, or update, various town job descriptions or revisit the roles and responsibilities of certain Boards and Committees.
- Should Lancaster recommend term limits for its elected officials in the form of an internal policy or board/committee procedures?
- Should changes in the Town's budget process, coordination and review be enacted?
- Should more robust training opportunities be made available for members of public boards and committees covering topics such as conducting board business, meeting rules of engagement, open meeting law and ethical considerations or general member codes of conduct.
- Are there changes the Town can make to improve citizen's access to information or strengthen the communications between Town officials and citizens.
- How can we, as a community, capitalize on the opportunities offered by technology in furtherance of Lancaster's mission and goals.

REPORTING REQUIREMENTS & DURATION: A draft report shall be submitted to the Select Board by February 1, 2023. This report may be presented by the Committee and will be discussed in open session where public comment will be received. A final report of the committee's findings including any recommended actions will be provided to the Select Board no later than March 30, 2023, to coincide with publication of the Annual Town Meeting Warrant.

The Committee shall consist of nine (9) members, at large, appointed by the Select Board. The Committee shall appoint a chair, vice-chair, and clerk at their first official meeting. The committee will receive staff support from the Town Administrator or his/her designee. A member of the Select Board shall serve on the Committee as a liaison but shall not have voting rights.

Upon submittal of the final report to the Select Board the committee shall be considered discharged.

Kathi Rocco

From: Kathi Rocco
Sent: Thursday, May 19, 2022 3:44 PM
To: Kate Hodges
Subject: FW: Government Study Committee

Follow Up Flag: Follow up
Flag Status: Flagged

Kate

Please see below

Kathi

Kathleen Rocco

Executive Assistant / Records Access Officer
Lancaster Select Board
701 Main Street, Suite 1
Lancaster, MA 01523
T: 978-365-3326 x 1201
www.ci.lancaster.ma.us



From: JAY MOODY <jaymdy@comcast.net>
Sent: Thursday, May 19, 2022 3:40 PM
To: Kathi Rocco <KRocco@lancasterma.net>
Subject: Government Study Committee

I would like to apply for an appointment to the Government Study Committee. I have served on many town committees and boards in the past. I have also served on the Select Board which gets a pretty complete view on how the town government is now conducted and in the past. I believe that I have a good perspective on the workings of the town.

I believe that there are always ways to improve the efficiency and openness of town government and would like to work with other members to discuss and recommend improvements and work for the betterment and future of Lancaster as gets stated in the charge for the committee

Jay Moody
144 Seven Bridge Rd
Lancaster, mA

The contents of this email and any attachments are the property of the Town of Lancaster Massachusetts and subject to the Public Records Law, M.G.L. c. 66, section 10. When writing or responding, please remember that the Massachusetts Secretary of State's Office has determined that email is a public record and not confidential.

May 25th, 2022

Monica Tarbell
310 Hilltop Road
Lancaster, MA 01523

Dear Kate Hodges,

I would like to be considered for the Government Study Committee. While I have not worked in the public sector, I have 15+ years of experience managing teams, evaluating and executing corporate reorgs, streamlining processes, and maximizing efficiency. Thank you for your consideration.

Sincerely,
Monica Tarbell

Kathi Rocco

From: Kate Hodges
Sent: Wednesday, May 25, 2022 12:19 PM
To: 'christine_burke@comcast.net'
Subject: RE: [Lancaster MA] Interested in a committee (Sent by Christine Burke, christine_burke@comcast.net)

Received. Thank you!

Kate Hodges, ICMA-CM
Town Administrator, Lancaster MA
978-365-3326

From: Contact form at Lancaster MA <cmsmailer@civicplus.com>
Sent: Wednesday, May 25, 2022 12:12 PM
To: Kate Hodges <KHodges@lancasterma.net>
Subject: [Lancaster MA] Interested in a committee (Sent by Christine Burke, christine_burke@comcast.net)

Hello KHodges,

Christine Burke (christine_burke@comcast.net) has sent you a message via your contact form (<https://www.ci.lancaster.ma.us/user/5191/contact>) at Lancaster MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.ci.lancaster.ma.us/user/5191/edit>.

Message:

Good Afternoon Mrs Hodges,
I am interested in being on the government study commission. I can be reach back by email at Christine_burke@comcast.net
Thanks
Christine Burke

Kathi Rocco

From: Everett L. Moody
Sent: Tuesday, June 7, 2022 4:29 PM
To: Kate Hodges
Subject: Lancaster Government study

Kate,

I would like to submit a request to be added to Lancaster's Government study committee.

I believe this a wonderful opportunity to better understand our current form of government and learn about other options of government available. If this is something that would be allowed, I'd be happy to participate. Thank you.

Have a great day.

Acting Chief Everett L. Moody

The contents of this email and any attachments are the property of the Town of Lancaster Massachusetts and subject to the Public Records Law, M.G.L. c. 66, section 10. When writing or responding, please remember that the Massachusetts Secretary of State's Office has determined that email is a public record and not confidential.

Kathi Rocco

From: Anne Ogilvie <anneogilvie@gmail.com>
Sent: Monday, June 6, 2022 7:39 PM
To: Kate Hodges
Subject: Government Study Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Ms. Hodges,

I would like to submit this letter of interest for Lancaster's Government Study Committee. I had the opportunity to speak to Interim Town Administrator Jeff Nutting about this committee a few months back, and I thought it sounded like an excellent idea. I am very interested in being part of the initiative to help study Lancaster's government structures and processes in order to help clarify and potentially make recommendations to improve them.

My previous volunteer experience in our local government and education system includes two years of service on the Mary Rowlandson Elementary School Council. I also served as a Trustee of the Thayer Memorial Library from 2019-2022. It was a pleasure to serve in those roles, and I look forward to the opportunity to work with other residents on this new committee.

Best Regards,

Anne Ogilvie
4 Turner Lane
617-645-5680

Kathi Rocco

From: Kathy Hughes <kathymbhughes@gmail.com>
Sent: Sunday, June 12, 2022 10:35 PM
To: Kate Hodges
Subject: Letter of Interest for the Government Study Committee

Hi Kate,

I would be grateful if you would include my name for consideration by the Select Board for the town of Lancaster's Government Study committee. My family has long history with Lancaster of over 50 years and although I have had the opportunity to live in a number of different locations, Lancaster has always been the town I call home. A few years ago, I was finally able to settle here in Lancaster, permanently. Since then, I have been learning about how Lancaster works as a municipality and I would welcome the opportunity to continue this study of the town's government system and work with other interested residents, to research, discuss, debate and consider recommendations that may improve the town's equality, inclusiveness, it's effectiveness and efficiency.

My diverse experience includes working in the financial industry as a trained credit analyst and corporate lender and as budget and workflow consultant, where I led domestic and international teams to analyze, brainstorm and generate efficiency ideas to reduce budgets by 20%. In addition, I also have a wide range of experience working and volunteering in the not-for-profit sector, developing and delivering personal finance programs, volunteering in citizen advocacy, as a community mediator. and as a trustee of a mentoring charity. I currently work in the conflict resolution field as a mediator, and youth program coordinator and trainer. My applicable skillset includes strong research, analytical and communication skills. As a conflict resolution facilitator, I am practiced in being neutral and unbiased, to brainstorm and gain knowledge of interests and perspectives of all parties. I believe my transparent and pragmatic approach, my reliability and my skills will ensure that I am open-minded to all ideas and that I will be a productive and contributing member to the government study committee. I am happy to provide further information on my career and skills as required.

Thank you for your consideration,

Kathy Hughes
80 Fire Rd 11
Lancaster, MA

Kathi Rocco

From: Rob Zidek <rzinaz@yahoo.com>
Sent: Thursday, June 9, 2022 3:27 PM
To: Kate Hodges
Subject: Government Study Committee Interest
Attachments: Zidek Intro v3.pdf

Dear Ms. Hodges:

I ask that you add my name as a candidate for the Government Study.

As I believe I have demonstrated with my public comments, I try to always balance opportunity with risk and would continue that practice if I am selected.

I also think that this is a good time to conduct such a study. We already have a solid foundation with the objectives in "The Town We Want." Whether on this committee or as an individual resident (or both), I can see benefits if we update the document to supplement each objective with some quantifiable or at least observable performance indicators.

As a resume, I am attaching the same introduction that I sent the Lancaster Town Administrator, Select Board, Affordable Housing Trust Chair, and Economic Development Chair one year ago, when I submitted my mark-up of the McGovern Boulevard Traffic Impact and Access Study (TIAS). That mark-up and that introduction are supposedly stored on a Town server somewhere. Because of the coronavirus, I had to drop the files off in a thumb drive at Town Hall, after which Orlando placed them on a server. If you cannot find them, I can send the mark-up over email.

If you wish any more information from me regarding my wishes or qualifications, then please don't hesitate to ask.

With Regards,

Rob Zidek
103 Kaleva Road
Lancaster, Massachusetts 01523
978-654-1776

1 Introduction

1.1 Hello, my name is Rob Zidek. My wife and I, who live in the northwest corner of Lancaster on Kaleva Road, have been homeowners here since June of 2018 after becoming Massachusetts residents a year earlier. Prior to then, we lived 21 years in Tucson, Arizona, preceded by 16 years in Orange County, California. My 40-year occupation before retiring in 2018 was defense contractor software, systems, and safety engineering. During our residence in California, we supplemented our income as landlords of Section 8 property.

1.2 Motivated by our fervent wish to enjoy the remainder of our lives in Lancaster; by an extensive engineering experience in trade studies, risk assessments, and failure investigations; and by the abundant personal rewards we gained from our association with lower income families, I present and attach my opinions regarding the proposed project at Lunenburg Road and McGovern Boulevard (hereinafter the Project).

1.3 I developed these opinions after participating in public discussions on this matter, and after reviewing the 537-page Traffic Impact Area Study (TIAS) authored by TEC, Incorporated on behalf of the developer Capital Group (my mark-up attached).

2 Objectives

2.1 When it comes to affordable housing, I attempt to view everything from the eyes of a potential affordable housing resident and welcomed new neighbor.

3 Report Deficiencies

3.1 I find three major inadequacies that I describe further in the TIAS mark-up:

3.1.1 The TIAS fails to recognize a unique but essential characteristic of Lunenburg Road, which is its role as the one and ONLY conduit between North Lancastrians and their neighbors to the south.

3.1.2 The TIAS fails to project beyond 2028 – a mere seven years from now.

3.1.3 The TIAS safety assessment fails to address the potentially high risk of severe pedestrian injuries including fatalities on Lunenburg Road and McGovern Boulevard in the area of this Project.

3.2 Besides the items supporting these three issues that I deem to be most critical, I found several other items in the TIAS that I question or challenge. These are documented in the comments I include in the accompanying marked up file.

3.3 I have not specifically addressed, though I heartily agree with others who *have* addressed, the environmental, air quality, noise, residential morale, property value, and physical appearance concerns with this proposed Project.

4 Recommendations

4.1 My initial recommendations are as follows:

4.1.1 Ensure the TIAS is comprehensively peer reviewed by the Town, by independent experts, or both. I will gladly volunteer my time and expertise in this review, through whatever written or in-person manner is deemed appropriate.

4.1.2 Spawn from the Project-focused TIAS an all-encompassing Town oriented impact study. Again, I volunteer my services.

4.1.3 Designate the personnel and the process necessary to finalize decisions concerning the acceptance or rejection of all identified and assessed risks, to provide the rationale for those decisions, and to document all agreed-upon mitigation to include, but not be limited to, the responsible parties, the financing, the timeline, and the data required to continuously evaluate the effectiveness of the mitigation.

4.1.4 Considering that this Project is happening primarily because of a critical need to ease the ever-increasing property tax burden on Lancaster residents, I further recommend that knowledgeable and empowered parties conduct an overarching traffic impact risk assessment from a cost/benefit and a cost risk/opportunity perspective. I am concerned that Lancaster's traffic mitigation costs – or worse yet, reactionary costs for unmitigated risks – could neutralize and possibly reverse our needed tax savings. Though I am not as skilled in financial analyses, I would be honored to help with this assessment in any way I could.

Kathi Rocco

From: David Mallette <neafc63@yahoo.com>
Sent: Monday, June 13, 2022 6:34 AM
To: Kate Hodges
Subject: Government Study Committee

Good Morning Administrator Hodges,

Please let the record reflect that my letter of interest sent in a previous email, is in being considered for the the Government Study Committee, not "reorganization" committee. My apologies for the error and if it caused any confusion.

Thank you
David Mallette
2748 North Main St
Lancaster MA
781-632-2501

Sent from my iPhone

Melinda Apgar
134 Brockelman Road
Lancaster, MA 01523
13 JUNE 2022

Ms. Kate Hodges
Town Administrator
Town of Lancaster, MA
701 Main Street
Lancaster, MA 01523

Dear Ms. Kate Hodges:

I am submitting this letter to you to pursue my interest in joining the Lancaster Government Study Committee. I have lived in Lancaster, MA since January 2012 with my husband and now our three boys.

As you will see from the enclosed resume, I am a highly experienced quality assurance professional with expertise in assessing, identifying, and prioritizing risk to help operations understand core compliance issues. I understand the balance between maintaining compliance, while accommodating the operational requirements of a business. I excel in identifying critical and major areas of concern and in generating new ideas that streamline internal procedures to ensure organizational efficiency. I hope to transfer the skills that I have acquired over the years to assist the Lancaster Government Study Committee in their charge.

If you have any questions, please feel free to contact me by phone or email any time. I appreciate your time in considering my request.

Sincerely,

Melinda Apgar

Enclosure

MELINDA BAXTER APGAR

134 Brockelman Road
Lancaster, MA 01523

Cell: 484-883-3453
mbaxter25@yahoo.com

Executive Summary

I am a highly experienced quality assurance professional with expertise in assessing, identifying, and prioritizing risk to help operations understand core compliance issues. I understand the balance between maintaining compliance, while accommodating the operational requirements of a business. I excel in generating new ideas that streamline internal procedures to ensure organizational efficiency. I have developed skills to identify problems early on, maintain focus on even the most challenging assignments, and simultaneously manage multiple projects.

I am looking for a career with a respectable organization that takes pride in being a quality-driven business, who aspires to improve people's lives by developing effective and efficient processes that drive consistency, competency and reliability. I am looking for a position where I can use my professional skills and experience to both enhance the organization's quality and continue to learn and develop both personally and professionally.

Core Qualifications

- Eighteen plus years work experience in assessing processes and procedures for inefficiencies in ineffectiveness
- Excel in identifying long term critical-major compliance issues
- Fourteen plus years work experience in GLP Quality Assurance with a thorough understanding of 21 CFR Part 58, Part 11, OECD, ICH, EMA, and other international guidelines
- Excel at developing and enhancing quality management systems
- Knowledgeable and capable of assessing risk and implementing inspection readiness procedures
- Experience in creating a GLP Quality Assurance Unit and establishing effective processes and procedures
- Extensive experience conducting multiple types of data, report, and study audits, including, but not limited to toxicity, toxicokinetic/pharmacokinetic, dose range finding, oncology, cardiovascular, bioanalytical assays, environmental monitoring studies, worker safety studies, molecular biology experiments, and neuropharmacological studies in support of research and development
- Proficient at observing processes, identifying compliance concerns and focusing in on a means of improving process efficiency to improve the level of regulatory compliance
- Proficient in conducting CRO/Vendor inspections; domestic and international
- Experienced in developing and providing training to junior staff and cross-functional areas in processes, procedures, and compliance
- Skilled in providing strategic leadership to meet company objectives
- Experience hosting and assisting with regulatory inspections
- Extensive experience conducting internal facility inspections
- Strong written, oral and organizational skills
- Excellent attention to detail
- Overall quality management of research studies
- Adept in quickly learning new business in order to immediately add value to the client
- Successfully manage multiple projects and meet or beat all timelines to support corporate and departmental goals
- Strong work ethic, dependable, productive, timely, and flexible
- Maintain knowledge of current industry trends, standards and methodologies through participation in the Society of Quality Assurance: Regulatory Forum Council, GLP Specialty Section, Computer Validation Initiatives Committee, and the Innovative Technology Subcommittee; NERCSQA; ASQ

Professional Experience

Unemployed, Lancaster, MA
Super Mom, The Apgar Household

November 2015 - Present

- Responsible for managing three boys, Silas (8), Calvin (7), and Rogue (3)
- Caretaker for oldest son with Spinal Muscular Atrophy (SMA), Type 1: quadriparesis, chronic respiratory failure, g-tube fed, severe osteopenia, hypotonia, bilateral hip subluxation, psychological factor in medical disorder, adjustment disorder
- Responsible for managing weekly - monthly enteral, respiratory, medicinal, and wound supply orders for oldest son
- Responsible for accurately completing and submitting applications and grants for assistance, care, and support
- Responsible for managing at least 4 nurses helping to care for my son in the home and at school
- Responsible for assessing and building processes and procedures both in the home and out to ensure efficiency and effectiveness, while also maintaining safety for my son
- Responsible for building a safe environment and a better quality of life for my oldest son and my family
- Responsible for training and educating personnel on the medical needs and complexities of oldest son
- Responsible for initiating, developing, and executing plans of action and contingency plans 'on the fly' to address or circumvent life's situations presented to us
- Responsible for sustaining the Apgar Household in an effectively efficient functioning and thriving state

Vertex Pharmaceuticals, Boston, MA
Associate Director, GLP Quality Assurance

April 2013 – November 2015
Reason for Leaving: Family obligations

- Responsible for managing a team of Quality Assurance professionals
- Responsible for providing strategic direction to the GxP business areas and Quality organization in alignment with the Vertex corporate strategy to ensure the success of the company
- Responsible for assisting with the strategic alignment of group or team goals with projects and activities and refining those projects and/or activities proactively
- Responsible for providing strategic direction to Vertex's GxP organizations in alignment with the Quality Manual to ensure the QMS meets its objectives
- Assists in establishing quality objectives in alignment with the overall corporate strategy
- Responsible for the technical development of personnel and ensuring the quality of deliverables
- Responsible for the development, implementation, and oversight of non-clinical and clinical activities related to GLP/GCP industry standards and regulations
- Responsible for assisting with the development and implementation of a robust quality management system
- Collaborates with internal departments on strategy and implementation of quality principles and regulation requirements
- Responsible for providing quality insight/feedback to internal departments
- Responsible for the development and reporting of compliance metrics related to GLP/GCP activities
- Responsible for coaching and mentoring staff as a means to ensure performance and professional development
- Responsible for establishing and maintaining effective cross functional team communications to advance quality activities of the company
- Responsible for managing the qualification and approval of new vendors providing services in support of pre-clinical and clinical studies
- Responsible for managing the GLP internal audit program
- Responsible for managing the GLP external vendor monitoring program and implementing appropriate Sponsor oversight
- Responsible for managing internal and external major and critical issues, including CAPA and developing appropriate paths forward
- Plans, adjusts, manages, and optimizes all resources for advancement of all goals and objectives
- Facilitates group or project team endeavors and responsible for building team unity
- Responsible for effectively communicating and influencing the outcomes of the decision making process

- Responsible for managing projects/teams of significant scope and complexity, while meeting all deliverables and timelines
- Responsible for maintaining a contemporary knowledge base of current industry trends, standards and methodologies as they relate to GLP quality systems and management
- Assists in crafting departmental goals and responsible for ensuring linkage to individual goals
- Responsible for providing effective coaching abilities as well as for developing junior staff
- Conduct presentations on quality issues, initiatives and projects at cross functional meetings
- Approves work related travel and expense reports for members of functional group

Millennium Pharmaceuticals, Inc., Cambridge, MA
 Manager I, GLP-QAU, Investigational Quality Assurance

August 2009 – March 2013
 Reason for Leaving: Career advancement

- QA project manager for development programs: plan, schedule, and organize the necessary resources for audits, inspections and other assignments
- Provide quality assurance oversight for internal GLP activities and work closely with internal clients to provide support and guidance for process improvement and ensure best practices to achieve GLP compliance
- Responsible for inspecting and qualifying numerous contract research laboratories in the USA, Canada, Europe and China for adherence and compliance to GLP regulations
- Responsible for auditing all internal GLP study activities and conducting internal facility inspections
- Responsible for developing training and providing training to junior staff and cross-functional areas in GLP processes, procedures, and compliance
- Responsible for developing and reporting compliance metrics related to GLP activities
- Extensive experience in creating and revising GLP QAU Standard Operating Procedures (SOPs) to achieve GLP compliance
- Responsible for reviewing cross-functional SOPs and providing guidance
- Responsible for preparing and delivering presentations to support quality issues, initiatives and projects to senior management and at cross functional department meetings
- Support Investigational Quality Organization (IQO) business tools, quality systems, Audit Management System, GLP Master Schedule
- Provide support for regulatory agency and third party inspections
- Responsible for inspiring joint CRO inspections with our Japanese GLP QAU counterparts
- Worked with internal clients on preparing aggressive and realistic timelines for conducting audits to ensure that QA is consistently completing assignments on time and meeting or exceeding expectations
- Collaborated with colleagues to streamline the Toxicokinetic and Dose Concentration Analysis reports significantly. This has led to less preparation time in report writing, editing and the auditing process, by ensuring that we are only reporting the pertinent information that needs to be included in the reports and for which we are ultimately responsible, lessening our risk for regulatory scrutiny
- Collaborated with colleagues to create and implement an appropriate and effective QC process to ensure that data and reports are accurately reviewed prior to being sent to the QAU for auditing. This has helped alleviate many of the small issues arising during the auditing process and sped up timelines
- Streamlined the study documentation process, whereby laboratory notebooks are no longer required and access to the electronic data is made available. This has cut down on time to print out data, inconsistent data in the study file, generate and track notebooks/numbers, and has provided additional space in the archives
- Created a central file for QAU records and a method of indexing these records
- Participated as a member of the Regulatory Awareness Initiative and associated subcommittee
- Provide GLP support to software applications and system validations
- Interpret data to assist in budget planning and assessment of FTE resources
- Experience establishing and remediating CAPAs
- Chair the All-Quality Meetings for the Vice President of Corporate Quality Assurance
- Successfully developed, implemented and lead the ENGAGE (Evaluating the Need to Grow and Achieve Global Efficiency) Initiative, a grass-roots initiative designed to streamline processes by sharing information of “best practices” throughout the laboratories and across departments and identifying and removing unnecessary and/or redundant work

- Play an active role with the company to respond to Federal Register announcements
- Held the lead role to assist in writing Millennium's response to the proposed changes to the GLPs, which were submitted as part of BIO's response to the FDA
- Participate in batch record review to support Investigational GMP QA

Schering-Plough Research Institute, Lafayette, NJ
Auditor, GLP QAU Global Research Quality

February 2007 – July 2009
Reason for Leaving: Career advancement

- Planned, performed and prepared audit reports of inspections/assessments for study specific data, facilities, Contract Research Organizations, projects, validation packages, qualification packages, and other areas as identified by management against the FDA and OECD GLP regulations/guidelines, SOPs, protocols, and other governing documents
- Acted as the lead auditor for assigned studies and study support activities
- Prepared and reviewed Quality Assurance Statements for inclusion in final reports
- Lead internal facility inspections and external CRO inspections
- Lead internal process audits
- Provided guidance on GLP regulations to internal clients
- Provided training to junior staff
- Initiated, lead, participated in and provided input on various process improvement activities
- Assisted or acted as a liaison to interact with government inspectors during regulatory inspections
- Assisted in creating and presenting GLP training for staff
- Developed and maintained required knowledge of government regulations regarding compliance issues and their interpretation as well as industry standards
- Accepted assignments to conduct additional special projects and participated on various departmental and customer committees to provide guidance on GLP regulations to clients and increase professional development
- Developed skills to operate under departmental SOPs and participated in the development of departmental SOPs
- Provided guidance in the creation and revision of client SOPs
- Identified business practices/compliance issues
- Applied root cause analysis to CAPAs
- Collaborated and communicated within the GLP QAU and cross-functional departments
- Maintained accurate audit documentation
- Participated in management/departmental briefings regarding audit observations
- First Lieutenant on the Lafayette, NJ First Aid Team

Gene Logic Laboratories, Inc. (GLGC), Gaithersburg, MD
Quality Assurance Auditor, Drug Development Division

February 2005 – January 2007
September 2006 – January 2007
Reason for Leaving: To be closer to family

- Performed protocol, data, final report audits and post-audits of final reports and inspected in-life phases and facilities for compliance with U.S. FDA Good Laboratory Practice (GLP) Regulations for Non-Clinical Laboratory Studies (21 CFR Part 58), Organization for Economic Cooperation and Development (OECD) Principles of Good Laboratory Practice [ENV/MC/CHEM(98)17], current Japanese Ministry of Health, Labor, and Welfare (MHLW) Good Laboratory Standards (Ordinance No. 21), EPA (Title 40 CFR, Part 792), Standard Operating Procedures (SOPs), and/or government contracts
- Reported findings to Study Director and Management
- Responsible for attending departmental meetings
- Issued Quality Assurance statements for inclusion in final reports
- Assisted in maintaining copies of protocols and correspondence, properly indexed QA records, including inspection/audit status reports, studies inspected and phase of study inspected
- Observed technical and professional staff for strict observance of laboratory health and safety, SOP, and GLP standards
- Assisted in reviewing Health and Safety, AAALAC and facility programs

- Attended study pre-initiation meetings
- Conducted subcontractor inspections
- Assisted in maintaining the archive department

Gene Logic Laboratories, Inc. (GLGC), Gaithersburg, MD
 Technical Supervisor, Large Animal Toxicology, Drug Development Division

January 2006 – September 2006

- Responsible for the overall management of pre-clinical research studies in accordance with established protocols, SOPs, GLPs, AAALAC and other pertinent regulatory requirements
- Responsible for supervisory duties of six direct reports including, but not limited to recruitment, performance evaluations, positive and/or constructive feedback and disciplinary actions
- Responsible for ensuring the effective operation of one or more technical teams
- Delegated work assignments and ensured the successful execution of daily tasks
- Ensured that staff was trained and proficient in all phases of applicable laboratory operations
- Implemented and enforced departmental policies and procedures
- Proposed and implemented process improvements to reduce costs and increase efficiencies
- Generated reports and addressed audits and inspections
- Aided in the development and revision of SOPs
- Planned, scheduled, and organized the necessary resources for study conduct and other assignments

Gene Logic Laboratories, Inc. (GLGC), Gaithersburg, MD
 Quality Assurance Auditor, Drug Development Division

February 2005 – January 2006

- Responsibilities are concurrent as described above in the Quality Assurance Auditor position held September 2006 – January 2007

Absorption Systems LP (ASLP), Exton, PA

October 2001 – February 2005

Quality Assurance Coordinator, Archivist, Facilities Coordinator, Quality Control, and Health & Safety Officer
 Reason for Leaving: Pursued a career with a GLP toxicology facility

- Responsible for creating the GLP program
- Responsible for ensuring compliance with GLP regulations (21 CFR Part 58, 21 CFR Part 11, OECD Principles), guidelines, internal policies, SOP's, and internal operational manuals through audits and continued interaction with Study Directors and Management
- Responsible for managing multiple client audits
- Responsible for managing FDA inspections
- Conducted internal audits of client studies and reports and issued audits with findings and guidance for quality improvement of client service
- Conducted internal facility audits and identified trends and problems to recommend appropriate changes
- Coordinated and facilitated ongoing training, education, orientation, and consultation to all employees, managers/supervisors with regards to safety, procedural, operational functions, 21 CFR Part 58 compliance issues, company goals and strategy, and continuous quality improvement
- Responsible for developing, updating, maintaining, reviewing, and archival of current and obsolete Standard Operating Procedures (SOP's), Chemical Hygiene Plan (CHP), and Biological Safety Manual (BSM)
- Assisted in the development and implementation of a long-term quality improvement and risk management plan for the entire company
- Responsible for creating, implementing, and maintaining the Master Schedule of all current and completed GLP studies conducted
- Responsible for the maintenance, tracking, archival, and retrieval of all documentation pertaining to internal and client projects, as well as documentation for lab equipment, Material Safety Data Sheets

(MSDS's), employee training files, equipment manuals and associated documents, and laboratory notebooks

- Coordinated external service vendors for the calibration, validation, service and maintenance of equipment
- Responsible for and direct overseer of the Health and Safety Committee (HSC)
- Created and implemented a structure for the storage and retrieval of specific electronic data and records filed on the network
- Performed complex quality control analysis review work
- Maintained knowledge and awareness of trends, management techniques, measurement tools, and enhancing outcomes via continued education in the GLP regulations

Aquaterra Technologies, Inc., West Chester, PA

September 2000 - August 2001

Geologist

Reason for Leaving: Career change to GLP Auditor

- Responsible for generating original site plans, groundwater gradient/data maps, remediation maps, (AutoCAD 14) and topographic maps (using Delorme)
- Responsible for generating Site Characterization Reports
- Maintained database entry/data table construction, drill logs (Rockware 1999)
- Responsible for overseeing drilling operations and monitoring well installation
- Responsible for bedrock analysis
- Conducted and tested vacuum truck remediation techniques
- Responsible for the independent sampling of monitoring wells
- Oversaw remediation system operations
- Assisted in construction of remediation systems
- Sustained Incoming/Outgoing Correspondence

Planalytics (formerly Strategic Weather Services), Wayne, PA

May 1999 – September 2000

GIS Technician –Intern, Part-time, Full Time

Reason for Leaving: Career change to Geology

- Responsible for map production using ArcView and data transformation processes for map creation
- Avenue coding
- Created and maintained original ArcView applications and extension documentation
- Designed and implemented ArcView extensions
- Responsible for gathering and documenting software requirements
- Manipulated shape files and aggregated regions and districts within ArcView
- Maintained weather station database integrity

Additional Skills

Computer experience with the following software/languages/operating systems: Windows, Microsoft Office, Outlook, Word, Excel, Access, Power Point, Visio, Project, Audit Management System (Master Control - QAAD/QAADLink), Learning Management Systems, NexDoc and Galaxy (Electronic Data Management Systems), Trackwise (Audit and Excursion Management System), Electronic Document Control Systems, Watson, WinNonLin, Pharsight Knowledgebase Server, Provantis, PLACES, PathDataSystems, ToxDataSystems, Analyst, Totalchrom, COMMANDR, Share Point, eRoom, IRMS, SaPhE (Safety Pharmacology Evaluation), DataSciences ART Analog/Notocord-hem, ArcView, Visual Basic, Arc/Info, Q-Basic, Geo-Media, Avenue, MicroStation, C, Lotus Notes, Rockworks '99, Delorme, AutoCAD 14, Unix (Solaris 2.6, 2.7)

Education

West Chester University, West Chester, PA

Bachelor of the Arts degree – Geography

Gamma Theta Upsilon, International Geographic Honor Society

Minor in Geology

Affiliations

- SQA Active Member (RQAP-GLP): February 2011 – December 2015
- ASQ Member: November 2010 - December 2015
- NERCSQA Member: February 2010 - December 2015
- SQA Affiliate Member (RQAP-GLP): March 2004 – December 2005, February 2007 – February 2011
- NCARSQA Member: June 2005 – December 2005
- MARSQA Member: November 2002 – December 2005
- Drug Information Association (DIA) Member: November 2001 – December 2005
- Gamma Theta Upsilon Honor Society: Fall 1998 - Winter 1999

Significant Contributions with SQA

- Chair of the Regulatory Forum Council of SQA - 2014
- Nominated to Board of Directors - 2014
- Participated in the development of the GLP Competition for the 29th Annual SQA Meeting, April 2013
- Session Chair and presenter of GLP Basic Training: March 2011, April 2012, October 2012, April 2013
- Nominated to lead the Educational Committee – 2012
- Received 2011 GLPSS SQA Annual Meeting Scholarship
- Registered Quality Assurance Professional – GLP (RQAP-GLP) - 2010
- Work directly with Regulatory Authorities to provide feedback on hot topics in industry
- Responsible for leading Rapid Response Team and participated in authoring “SQA Perspectives on Pathology Peer Review in Good Laboratory Practice (GLP) Studies
- Participant on Rapid Response Team to respond to FDA on 483 item #1 of the SNBL Warning Letter issued August 2010
- Panel Member of Are You Smarter Than a QA Auditor? - March 29, 2011
- Session Chair for Oh No! QA Got a 483! & Test Article Stability Requirements - March 29, 2011
- Member of the GLP Specialty Section (GLPSS)
- Member of the Computer Validation Initiatives Committee (CVIC)
- Member of the Innovative Technology Subcommittee

June 10th, 2022
4 Highfield Drive
Lancaster, MA 01523

Lancaster Select Board
701 Main Street
Lancaster, MA 01523

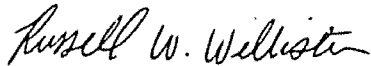
Dear Lancaster Selectboard,

I am interested in volunteering for the Government Study Committee. I have lived in Lancaster for 15 years. I have previously served Lancaster on the:

- Lancaster Planning Board, 2016 – 2022 (Chair, 2020-2022)
- Montachusett Regional Planning Commission, 2018-2022
- Affordable Housing Trust Bylaw Ad-Hoc Committee, 2020
- North Lancaster Development Ad-Hoc Committee, 2020
- North Lancaster Memorandum of Understanding Ad-Hoc Committee, 2022

I look forward to working on this new committee.

Sincerely,



Russell W. Williston
russwilliston@gmail.com
508-735-8628

Kathi Rocco

From: rebeccayoungjones@comcast.net
Sent: Monday, June 13, 2022 11:37 AM
To: Kate Hodges
Subject: interested in Town government study

Dear Ms. Hodges,

I am interested in participating in the town government study. With a minor in government and history from college days and a sincere desire to see Lancaster Government be more effective in promoting our community, I would like to be included in the government study for town governance.

Thank you.

Sincerely,
Rebecca R. Young-Jones
PO Box 486
Lancaster, MA
01523-0486

Kathi Rocco

From: Contact form at Lancaster MA <cmsmailer@civicplus.com>
Sent: Tuesday, May 3, 2022 8:45 AM
To: Kate Hodges
Subject: [Lancaster MA] Government Study Committee (Sent by Denise Hurley, deehurley@hotmail.com)

Hello KHodges,

Denise Hurley (deehurley@hotmail.com) has sent you a message via your contact form (<https://www.ci.lancaster.ma.us/user/5191/contact>) at Lancaster MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.ci.lancaster.ma.us/user/5191/edit>.

Message:

Hi Kate,

My name is Denise Hurley and I would be interested in being part of the Government Study Committee....I definitely think it is time to look at how we can improve our town government....

I have lived here 43 years and I have been on many committees so I know how important it is to be engaged with my town. I am presently the president of the Friends of the Lancaster Seniors.

I hope you will consider me for this committee.

Take care,

Denise Hurley

Kathi Rocco

From: Jean Syria <bearsyria@hotmail.com>
Sent: Tuesday, June 14, 2022 1:44 AM
To: Kate Hodges
Subject: Fwd: Gov Study

Sent from Samsung Galaxy smartphone.
Get [Outlook for Android](#)

From: Jean Syria <bearsyria@hotmail.com>
Sent: Tuesday, June 14, 2022, 1:42 AM
To: Jean Syria <bearsyria@hotmail.com>
Subject: Gov Study

I would like to be considered for the Gov Study Committee. I have lived in Lancaster my whole life.. I am also a former member of the select board.

Sent from Samsung Galaxy smartphone.
Get [Outlook for Android](#)

From: Jean Syria <bearsyria@hotmail.com>
Sent: Monday, May 23, 2022 3:30:23 PM
To: Kate Hodges <KHodges@lancasterma.net>
Subject: Re: Request for public records .That went unanswered.

I did get a reply from Jeff Nutting .I sent it on Patriots Day weekend.. Jeff replied that they would work start working on it Tuesday.. I will search my email. When I get home.

Sent from Samsung Galaxy smartphone.
Get [Outlook for Android](#)

From: Kate Hodges <KHodges@lancasterma.net>
Sent: Monday, May 23, 2022 3:05:10 PM
To: Jean Syria <bearsyria@hotmail.com>
Subject: RE: Request for public records .That went unanswered.

Understood.

On that end, did you receive a reply to your April email? To whom did you send the request? It will help me figure out how we got here ... I hope anyway.

Kate Hodges, ICMA-CM
Town Administrator, Lancaster MA
978-365-3326

Kathi Rocco

From: sue thompson <sue.thompson@comcast.net>
Sent: Monday, June 13, 2022 9:23 PM
To: Kate Hodges
Subject: Government Study Committee

Dear Ms Hodges

I would like you to consider me to become a member of the new Government Study Committee. I have served Lancaster as Town Clerk for ten years, as a member of the Finance Committee of 6 years, as a long-time member of the Town Green Buildings Committee and as a volunteer at the Town Recycling Center for many years. I have a lot of experience with town government and think I could bring a lot of knowledge and expertise to this committee. If you need more information or a copy of my resume, please let me know and I will be happy to provide you with anything you need.

Sue Thompson\
1473 Main St
Lancaster MA 01523
978-365-7682

Kathi Rocco

From: Phil Lawler <philipflawler@gmail.com>
Sent: Monday, June 13, 2022 11:56 AM
To: Kate Hodges
Subject: government study committee

Dear Kate Hodges,

Belated congratulations on your new position. You have certainly taken on a challenge!

After serving for 12+ years on the Planning Board— the last couple as chairman— I resigned in 2020 out of frustration, having concluded that the town's political system was not working. I would like to help restructure that system and make it work. But to be frank I would not want to become involved in another dysfunctional committee. So if you and others think that I might have something to contribute, I'd be happy to talk about it. If not, that's OK too.

Phil Lawler
978 365- 6046

