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Paul F. Alphen, Esquire
Maria L. Santos, Esquire

November 28, 2023

Groton Zoning Board of Appeals
c/o Mr. Takashi Tada
Town of Groton
173 Main Street
Groton, MA 01450

RE: Heritage Landing 40B/Plan Revisions

Dear Members of the Board:

Enclosed, please find a revised plan of land intending to address concerns raised by the Affordable Housing Trust and the Park Commission pertaining to restrictions on town land, the concerns regarding density expressed by the neighbors, the concerns regarding trespassing and lighting expressed by MIT, and the concerns raised by the Police Chief regarding the proximity of the gun range.

The enclosed plan has reduced the number of units from 40 to 28, and consequently the number of affordable units has been reduced from 10 to 7. The length of the roadway has also been reduced, as has the capacity of the septic systems. The amount of open space and protected land has increased. Our client is working with the Natural Heritage and Endangered Species Program with the goal of satisfying the applicable regulatory requirements within the land of our client. Likewise, with the number of units reduced, we expect that all septic system requirements can be fulfilled within the site (including nitrogen loading requirements). Our engineers will continue to work on the details of the endangered species habitat requirements and the septic system requirements.

Additionally, we had our septic system design expert (Jeff Hanniford) review the 2004 soil testing data and he confirmed with DEP that the data remains valid. See the enclosed correspondence. We trust this information will be helpful.

Very truly yours,
Alphen & Santos, P.C.



Paul F. Alphen, Esq.



Nashoba Design Services, Inc.

Septic Designs - Land Planning - Land Surveying

5 Tyngsboro Rd. Westford, MA 01886

Tel: 978-649-1966 E-Mail: nds@verizon.net

Nov. 17, 2023

Defcon 1, LLC
390 Broadway Rd.
Dracut, MA 01826

Re: Assessors Map 248, Parcel 42 Cow Pond brook Rd. Groton, MA

Sirs;

Soil testing was performed at this site on April 27, 2004 under the direction of this office. The intent of the soil testing was to find suitable areas for potential subsurface sewage disposal systems to be designed in accordance with Title 5 of the state regulations as well as the Town of Groton Board of Health regulations. The soil testing was witnessed that day by Nashoba Associated Boards of Health. The methodology of the soil testing is the same today as it was when the testing was performed. Also, the conditions at the site appear to be the same today as they were when the testing was performed.

Therefore, the results of the soil testing indicate acceptable soil conditions throughout the site for subsurface sewage disposal systems. Since there is no regulatory limit with regards to the date of the soil testing, these results are still valid and representative of the site.

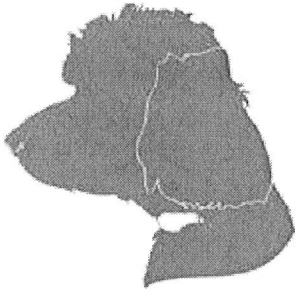
If you have any questions, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey Hannaford'. The signature is fluid and cursive, with the first and last names being clearly legible.

Jeffrey Hannaford, L.S.E. #999
President

E-Mail: nds@verizon.net



Important Confidentiality Notice:

From: Golden, Claire (DEP) [<mailto:claire.golden@mass.gov>]
Sent: Wednesday, November 15, 2023 9:31 AM
To: Jeff
Subject: RE: Soil testing

Your interpretation is correct provided the testing was done post-1995 Code (just have to cover all bases here!).

Claire

[illegible]

Claire A. Golden, Environmental Engineer
MassDEP
Surface Water Discharge/NPDES and Wastewater Management Programs

A 150 Presidential Way, Woburn, MA 01801
T 617-997-8874
W www.mass.gov/dep
E claire.golden@mass.gov

From: Jeff <nds@verizon.net>
Sent: Wednesday, November 15, 2023 9:28 AM
To: Golden, Claire (DEP) <claire.golden@mass.gov>
Subject: Soil testing

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Claire,

With regards to soil testing, does Title 5 indicate that the test results are invalid after a certain time?

I have always understood it to be that there is no time limit, provided that the testing requirements have not changed. Also, that the site conditions have not been altered in some way that the results would no longer be representative.

Of course, I know some local regulations specify a time limit, so I do check those first.

Thank you.

Best Regards,

Jeff Hannaford

NDS

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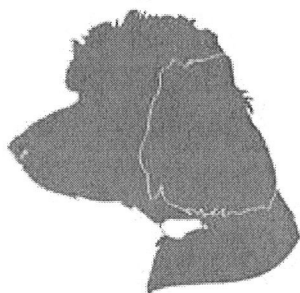
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NDS SUPPORTS
THE LOWELL HUMANE SOCIETY**

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