

Vuto, Michelle

From: Tedder, Newton
Sent: Tuesday, April 23, 2019 1:43 PM
To: Vuto, Michelle
Subject: FW: RE: Stormwater Management in Gardner should be of concern
Attachments: Dunn's Pond.jpg

Newton Tedder
617- 918-1038

From: Moraff, Kenneth
Sent: Tuesday, April 23, 2019 1:19 PM
To: Murphy, Thelma (Hamilton) <murphy.thelma@epa.gov>; Tedder, Newton <Tedder.Newton@epa.gov>
Subject: FW: RE: Stormwater Management in Gardner should be of concern

From: Szaro, Deb
Sent: Tuesday, April 23, 2019 1:14 PM
To: Moraff, Kenneth <Moraff.Ken@epa.gov>; Murphy, Thelma (Hamilton) <murphy.thelma@epa.gov>
Subject: FW: RE: Stormwater Management in Gardner should be of concern

From: PAUL DEMEO <ryanrealty@comcast.net>
Sent: Tuesday, April 23, 2019 10:22 AM
To: adonlon@ctriver.org; afisk@ctriver.org; Ivan Ussach (MRWC) <ivan@millersriver.net>; Jo-Anne Burdin <jo0@verizon.net>; Anne Gilda <gildac2002@yahoo.com>; Michellewells11@icloud.com; Alan <rousseaua@verizon.net>; Conway, Timothy <Conway.Tim@epa.gov>; Olson, Bryan <Olson.Bryan@epa.gov>; Johnson, Arthur <Johnson.Arthur@epa.gov>; Hunter, Johanna <Hunter.Johanna@epa.gov>; Szaro, Deb <Szaro.Deb@epa.gov>; watershed@millersriver.net; dep.waterways@mass.gov; Melanson, Kate <Melanson.Kate@epa.gov>; therese.beaudoin@state.ma.us; ryanrealty <ryanrealty@comcast.net>; scott@smgravesassociates.com
Cc: Andrew Mansfield <amansfield@thegardnernews.com>; Matt Garay <mgaray@thegardnernews.com>; spotlight@globe.com; Michellewells11@icloud.com
Subject: Fwd: RE: Stormwater Management in Gardner should be of concern

Greetings All,

Gardner is currently in the review process of the EPA MS4 Permit comment period. ***Interesting a permit was last issued in 2003 when I thought it was a Five Year Permit. "we are discharging under the City's 2003 NPDES Permit"***

Very interesting information here including the written comment made by the mayor! (Mark Hawke)

EPA Officials please take note.

Keep in mind the stormwater in Gardner does affect the fish population in the brooks, rivers, and ponds in Gardner.

It appears Dunn Pond (photo attached) was not included in the report which is of major concern as the new proposed school will affect the pond with stormwater pollutants!

It behooves the Millers River and Connecticut River Organizations to make comment on this application as it affects your watersheds. I will be writing a review and complaint.

**It appears the City of Gardner has been identified by the United States Department of the Interior
FISH AND WILDLIFE SERVICE as having a problem. I am not surprised!**

Best Regards,

Paul DeMeo

----- Original Message -----

From: Chris Coughlin <ccoughlin@gardner-ma.gov>
To: "ryanrealty@comcast.net" <ryanrealty@comcast.net>
Cc: Dane Arnold <darnold@gardner-ma.gov>
Date: April 23, 2019 at 8:11 AM
Subject: RE: Stormwater Management in Gardner

Good Morning Paul,

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-Chris

Chris Coughlin

City Engineer

50 Manca Drive

Gardner MA 01440

978-630-8195

From: Dane Arnold <darnold@gardner-ma.gov>

Sent: Monday, April 22, 2019 3:47 PM

To: Chris Coughlin <ccoughlin@gardner-ma.gov>; Rob Oliva <roliva@gardner-ma.gov>

Subject: FW: Stormwater Management in Gardner

Thank you,

Dane E. Arnold, Director

Department of Public Works

50 Manca Drive

Gardner, MA 01440

Phone: 978-630-8195

darnold@gardner-ma.gov

From: PAUL DEMEO <ryanrealty@comcast.net>

Sent: Monday, April 22, 2019 3:37 PM

To: Dane Arnold <darnold@gardner-ma.gov>

Cc: therese.beaudoin@state.ma.us; conway.tim@epa.gov; olson.bryan@epa.gov; johnson.arthur@epa.gov; hunter.johanna@epa.gov; szaro.deb@epa.gov; watershed@millersriver.net; dep.waterways@mass.gov; melanson.kate@epa.gov; Jeffrey Legros <jlegros@gardner-ma.gov>; ryanrealty <ryanrealty@comcast.net>; Councillor S Graves <sgraveslawoffice37@gmail.com>

Subject: Stormwater Management in Gardner

Good Afternoon Dane,

As Gardner's Stormwater Management is controlled by the EPA, does the City of Gardner have a current permit with a copy you can e-mail me? MS4 Permit. Who in the City of Gardner is responsible for this and held accountable?

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Thank you for your time and attention to this matter.

Best Regards,

Paul DeMeo

Vuto, Michelle

From: Tedder, Newton
Sent: Tuesday, April 23, 2019 1:42 PM
To: Vuto, Michelle
Subject: FW: Stormwater Management in Gardner

Newton Tedder
617- 918-1038

From: Moraff, Kenneth
Sent: Tuesday, April 23, 2019 1:20 PM
To: Tedder, Newton <Tedder.Newton@epa.gov>; Murphy, Thelma (Hamilton) <murphy.thelma@epa.gov>
Subject: FW: Stormwater Management in Gardner

From: Szaro, Deb
Sent: Tuesday, April 23, 2019 1:15 PM
To: Moraff, Kenneth <Moraff.Ken@epa.gov>; Murphy, Thelma (Hamilton) <murphy.thelma@epa.gov>; Gutro, Doug <Gutro.Doug@epa.gov>
Subject: FW: Stormwater Management in Gardner

From: PAUL DEMEO <ryanrealty@comcast.net>
Sent: Tuesday, April 23, 2019 10:49 AM
To: Dane Arnold <darnold@gardner-ma.gov>
Cc: therese.beaudoin@state.ma.us; Conway, Timothy <Conway.Tim@epa.gov>; Olson, Bryan <Olson.Bryan@epa.gov>; Johnson, Arthur <Johnson.Arthur@epa.gov>; Hunter, Johanna <Hunter.Johanna@epa.gov>; Szaro, Deb <Szaro.Deb@epa.gov>; watershed@millersriver.net; dep.waterways@mass.gov; Melanson, Kate <Melanson.Kate@epa.gov>; Jeffrey Legros <jlegros@gardner-ma.gov>; Scott Graves <sgraveslawoffice37@gmail.com>
Subject: Re: Stormwater Management in Gardner

Greetings ALL,

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Gardner is planning a new elementary school in the Dunn Pond Watershed which will add much stormwater to Stump Pond and affect the water quality in Dunn Pond and that of the Connecticut River Headwaters.

It is very interesting and concerning that the US Fish and Wildlife is taking an active interest in Gardner and its stormwater practices. Why? We need to find out as the city is under a mandate to clean up something or be fined.

EPA, an investigation is warranted of Gardner's Stormwater Practices and Permit as to whether or not all has been complied with which doesn't appear to be the case.

Best Regards,
Paul DeMeo

On April 22, 2019 at 3:37 PM PAUL DEMEO <ryanrealty@comcast.net> wrote:

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Conservation Commission has not been involved and it appears the Conservation Agent is supportive of construction in the "watershed".

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Paul DeMeo

Vuto, Michelle

From: Tedder, Newton
Sent: Tuesday, April 23, 2019 1:42 PM
To: Vuto, Michelle
Subject: FW: Stormwater Management in Gardner Massachusetts

Newton Tedder
617- 918-1038

From: Moraff, Kenneth
Sent: Tuesday, April 23, 2019 1:35 PM
To: Tedder, Newton <Tedder.Newton@epa.gov>; Murphy, Thelma (Hamilton) <murphy.thelma@epa.gov>
Subject: FW: Stormwater Management in Gardner Massachusetts

From: Szaro, Deb
Sent: Tuesday, April 23, 2019 1:28 PM
To: Moraff, Kenneth <Moraff.Ken@epa.gov>; Murphy, Thelma (Hamilton) <murphy.thelma@epa.gov>
Subject: FW: Stormwater Management in Gardner Massachusetts

From: PAUL DEMEO <ryanrealty@comcast.net>
Sent: Tuesday, April 23, 2019 1:25 PM
To: tom_chapman@fws.gov
Cc: Szaro, Deb <Szaro.Deb@epa.gov>; ryanrealty <ryanrealty@comcast.net>; Melanson, Kate <Melanson.Kate@epa.gov>
Subject: Stormwater Management in Gardner Massachusetts

Greetings Mr. Chapman,

It appears the City of Gardner Massachusetts is having serious issues with their storm water which has greatly affected the ponds, streams, and rivers which are the headwaters of the Connecticut River. Much pollution is going into the local ponds and waterways which has surely affected fish and wildlife. **In the attached documents below you will see in the MS4 permit that Mayor Hawke is pushing back on US Fish and Wildlife mandates and the possible fine against the City of Gardner.** I am asking US Fish and Wildlife to do a thorough investigation of the City of Gardner and its waterways as they are being polluted. I believe the report Gardner submitted to the EPA is incomplete and that Gardner Officials are not in compliance with the MS4 permit.

Consultation Code: 05E1NE00-2018-SLI-3035
Event Code: 05E1NE00-2018-E-07159
Project Name: EPA NOI

May I have all documentation on this violation please?

I have contacted Senator Elizabeth Warrens office for assistance with this matter.

Gardner is now planning to build a new school in the 500 Acre Dunn Pond Watershed which is also the headwaters of the Connecticut River. **This must be stopped.** Fish and Wildlife are and will be affected. EPA was the major contributor to the clean-up of Dunn Pond in 1983 and fish restored to the now cleaned up pond.

I intend to stay involved until Gardner's waterways and ponds are cleaned up as the are a horrible mess. Now this has been brought to your attention for investigation and action.

Thank you very much for your time and attention to this most important matter.

Best Regards,

Paul DeMeo

9 Willis Road

Gardner, Massachusetts 01440

ryanrealty@comcast.net

Greetings All,

Gardner is currently in the review process of the EPA MS4 Permit comment period.

Very interesting information here including the written comment made by the mayor! (Mark Hawke)

Keep in mind the stormwater in Gardner does affect the fish population in the brooks, rivers, and ponds in Gardner.

It appears Dunn Pond was not included in the report which is of major concern.

It behooves the Millers River and Connecticut River Organizations to make comment on this application as it affects your watersheds. I will be writing a review and complaint.

It appears the City of Gardner has been identified by the United States Department of the Interior FISH AND WILDLIFE SERVICE as having a problem. I am not surprised!

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----- Original Message -----

From: Chris Coughlin <ccoughlin@gardner-ma.gov>

To: "ryanrealty@comcast.net" <ryanrealty@comcast.net>

Cc: Dane Arnold <darnold@gardner-ma.gov>

Date: April 23, 2019 at 8:11 AM

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-Chris

Chris Coughlin

City Engineer

50 Manca Drive

Gardner MA 01440

978-630-8195

From: Dane Arnold <darnold@gardner-ma.gov>

Sent: Monday, April 22, 2019 3:47 PM

To: Chris Coughlin <ccoughlin@gardner-ma.gov>; Rob Oliva <roliva@gardner-ma.gov>

Subject: FW: Stormwater Management in Gardner

Thank you,

Dane E. Arnold, Director

Department of Public Works

50 Manca Drive

Gardner, MA 01440

Phone: 978-630-8195

darnold@gardner-ma.gov

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To: Dane Arnold <darnold@gardner-ma.gov>

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Thank you for your time and attention to this matter.

Best Regards,

Paul DeMeo

Vuto, Michelle

From: Tedder, Newton
Sent: Wednesday, April 24, 2019 10:57 AM
To: Vuto, Michelle; Velez, Glenda
Subject: FW: Re: Stormwater Management in Gardner
Attachments: ATT00001.txt

Thanks Glenda

Newton Tedder
617-918-1038

From: Velez, Glenda
Sent: Wednesday, April 24, 2019 10:50 AM
To: Tedder, Newton <Tedder.Newton@epa.gov>
Subject: FW: Re: Stormwater Management in Gardner

Hi Newt,
Not sure if you received this.

~*~*~*~*~*~*~*~*~*~*~*~*~*~*~*~*

Glenda Vélez
Water Permits Branch (OEP06-1)
5 Post Office Square, Suite 100
Boston, MA 02109
Phone: 617-918-1677
Fax: 617-918-0677

~*~*~*~*~*~*~*~*~*~*~*~*~*~*~*~*

From: PAUL DEMEO <ryanrealty@comcast.net>
Sent: Wednesday, April 24, 2019 10:42 AM
To: Chris Coughlin <ccoughlin@gardner-ma.gov>
Cc: william.galvin@sec.state.ma.us; cathy.molta@sec.state.ma.us; stephen.shorey@state.ma.us; Velez, Glenda <Velez.Glenda@epa.gov>; tom_chapman@fws.gov; Molly_Sperduto@fws.gov; Simmons, David <David_Simmons@fws.gov>; eric_derleth@fws.gov; therese.beaudoin@state.ma.us; adonlon@ctriver.org; Jo-Anne Burdin <jo0@verizon.net>; Ivan Ussach (MRWC) <ivan@millersriver.net>; Andrew Fisk <afisk@ctriver.org>; Andrew Mansfield <amansfield@thegardnernews.com>; Matt Garay <mgaray@thegardnernews.com>; spotlight@globe.com; Alan <rousseaua@verizon.net>; Alan Agnelli <aagnelli@gardner-ma.gov>; Szaro, Deb <Szaro.Deb@epa.gov>; Melanson, Kate <Melanson.Kate@epa.gov>; ryanrealty <ryanrealty@comcast.net>
Subject: RE: Re: Stormwater Management in Gardner

Chris,

If the City of Gardner did not publish the Storm-water Permit Application, how is the public to know its been submitted and they have a thirty-day period in which to comment?

I am sure the Miller's River and Connecticut River Associations would like to comment and they are copied here.

You state,

"Stump Pond & Dunn Pond are not specifically called out in the NOI as they are not on the MA State Impaired Water Body List, however the same Storm-water Regulations would still apply." I feel they should be included in the Storm-water application permit as a vast amount of Storm-water empties into Stump Pond then enters Dunn Pond eventually winding up in the Connecticut River.

My comment to the EPA and they are copied here is that Gardner's Storm-water Application is Incomplete.

Chris, whereas you are the "Custodian" of all correspondence from the Department of the Interior, US Fish and Wildlife, I am requesting all documents you have on file from them. "Good afternoon Mr. DeMeo, Under the Public Records law, the Custodian has ten (10) business days to respond to your request."

Something is amiss here and the EPA along with US Fish and Wildlife need to take a good look at Gardner and the Storm-water Practices because I feel the permit requirements have not been followed. There are further requirements of the new permit which you state will be completed at a future date. Shouldn't requirements be met before the application is filed?

Looking forward to receiving the documents requested.

Best Regards,

Paul DeMeo

On April 24, 2019 at 9:12 AM Chris Coughlin <ccoughlin@gardner-ma.gov> wrote:

Paul,

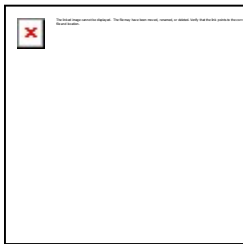
The NOI would not have been published in The Gardner News. The EPA is responsible for the notification policy. Glenda Velez velez.glenda@epa.gov should be able to share their procedure with you. Stump

Pond & Dunn Pond are not specifically called out in the NOI as they are not on the MA State Impaired Water Body List, however the same Stormwater Regulations would still apply.

I'm happy to provide any correspondence I've had from US Fish & Wildlife but you will need to fill out a "Freedom of Information Act Request" through the City Clerks Office.

Thanks

-Chris



Chris Coughlin

City Engineer

50 Manca Drive

Gardner MA 01440

978-630-8195

From: PAUL DEMEO <ryanrealty@comcast.net>
Sent: Tuesday, April 23, 2019 11:00 AM
To: Chris Coughlin <ccoughlin@gardner-ma.gov>
Cc: ryanrealty <ryanrealty@comcast.net>
Subject: Fwd: Re: Stormwater Management in Gardner

Good Morning Chris,

Thank you for the response this morning and information.

Was the MS4 application published in The Gardner News? How was the public notified?

I found no mention of Stump Pond or Dunn Pond which receive stormwater in Gardner.

Please send me all correspondence from US Fish and Wildlife.

How is the City of Gardner meeting the following mandate by the EPA currently and during the past twenty years? It's the first time I saw that this was a requirement by the city but not sure what the city has done to meet this mandate. Are any reports available to support the city has done anything? What have you sent to the EPA proving this mandate has been met? It appears there has been no public education or involvement.

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johnson.arthur@epa.gov, hunter.johanna@epa.gov, szaro.deb@epa.gov,
watershed@millersriver.net, dep.waterways@mass.gov, melanson.kate@epa.gov,

Jeffrey Legros <jlegros@gardner-ma.gov>, Scott Graves

<sgraveslawoffice37@gmail.com>

Date: April 23, 2019 at 10:48 AM

Subject: Re: Stormwater Management in Gardner

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Vuto, Michelle

From: Tedder, Newton
Sent: Thursday, April 25, 2019 1:07 PM
To: Vuto, Michelle
Subject: FW: Gardner's mayor believes he is above the law!

Newton Tedder
617- 918-1038

From: Velez, Glenda
Sent: Thursday, April 25, 2019 12:37 PM
To: Tedder, Newton <Tedder.Newton@epa.gov>
Subject: FW: Gardner's mayor believes he is above the law!

From: PAUL DEMEO <ryanrealty@comcast.net>
Sent: Thursday, April 25, 2019 11:46 AM
To: spotlight@globe.com
Subject: Gardner's mayor believes he is above the law!

Spotlight Team,

Gardner is applying for a new Storm-Water Permit through the EPA. Last one was issued 2003!

Here is the info:

<https://www.epa.gov/npdes-permits/regulated-ms4-massachusetts-communities>

<https://www3.epa.gov/region1/npdes/stormwater/ma/tms4noi/gardner.pdf>

Read the mayor's hand-written note. He does not feel he has to comply with EPA Regulations for a Permit.

The "Public" was never notified of the Thirty-Day Public Comment Period. Where was the "Legal Notice" as the City of Gardner states they did not post a legal ad in "The Gardner News".

Above all, the application submitted to the EPA is incomplete as it did not list "all bodies of Water where Storm-Water is emptied. Specifically Stump Pond and Dunn Pond and that of the Connecticut River Headwaters.

If such is the case, a permit should not be issued to Gardner and the city should be fined!

Please investigate.

Paul DeMeo

Gardner

Vuto, Michelle

From: Tedder, Newton
Sent: Monday, May 06, 2019 2:38 PM
To: Vuto, Michelle
Subject: FW: Submitted comments on Gardner's MS4 Stormwater application submitted 4/1/2019 (MA041109)

Newton Tedder
617- 918-1038

From: Reports Stormwater
Sent: Monday, May 06, 2019 2:26 PM
To: Tedder, Newton <Tedder.Newton@epa.gov>
Subject: Fw: Submitted comments on Gardner's MS4 Stormwater application submitted 4/1/2019 (MA041109)

Gardner comments

From: PAUL DEMEO <ryanrealty@comcast.net>
Sent: Monday, April 29, 2019 8:47 PM
To: kathleen vautour
Cc: Reports Stormwater; Everett Handford; Melanson, Kate; Szaro, Deb; Chris Coughlin; Jeffrey Legros; therese.beaudoin@state.ma.us; dep.waterways@mass.gov; Scott Graves; dean.tran@masenate.gov; anne.gobi@masenate.gov
Subject: Re: Submitted comments on Gardner's MS4 Stormwater application submitted 4/1/2019 (MA041109)

Hi, could you please send a comment too! stormwater.reports@epa.gov and reference Gardner that Stump pond and Dunn's Pond have been left out as receiving storm water. Thanks, Paul

On April 28, 2019 at 3:48 PM kathleen vautour <kwoodywi@gmail.com> wrote:

Good job! Absolutely on point !
KV

On Sun, Apr 28, 2019, 12:46 AM PAUL DEMEO <ryanrealty@comcast.net> wrote:

Greetings Newton Tedder,

The following are my comments on why Gardner Massachusetts MS4 Storm-water application should be rejected as submitted with the request that the application be resubmitted once completed. It is incomplete.

1. "MS4 Infrastructure" (page 1) is incomplete and should have been completed as of the 2003 permit. Sixteen years later and it is still not in compliance. To state that Gardner will come into compliance on 6/30/2019 should be unacceptable to the EPA. Gardner should come into compliance before any new permit is issued.

2. On page two (2) Gardner Fails to list ALL bodies of water which receive Storm-Water. The bodies of water missing are "Stump Pond" on Pearl Street with photo attached along with "Dunn (State) Pond" which receives water from "Stump Pond" through a culvert beneath Pearl Street.

May it also be noted that Gardner is planning a new elementary school in the 500 Acre Dunn Pond Watershed adjacent to "Stump Pond" which will significantly increase the flow of Storm-Water into "Stump Pond" and "Dunn (State) Pond". The "Stump Pond" dike is failing to filter the storm-water and is flowing over the dike into Dunn Pond without being filtered. Gardner is not trying to reduce storm-water pollution into the waterways with the new school proposal now before the Gardner City Council for consideration.

Two schools (Gardner High and Middle School) currently dump storm water into Stump Pond with a third one planned. Many streets also contribute much storm-water to Stump Pond which is not noted in the MS4 application. A new trailer park which will be 100 units of manufactured homes along with roadways also contributes much storm-water to Stump Pond. (Sapphire Park)

The storm-water flowing into Stump Pond and Dunn Pond is outlined in this State Report, "The restoration of Dunn Pond" in which the EPA was the major funding agency.

This is the Massachusetts State Report from April 1994 on Dunn Pond which addresses the Storm-Water flowing into Stump Pond and Dunn Pond that Gardner fails to identify in the MS4 Storm-Water Application and apparently failed to include in the 2003 application for the storm-water permit.

https://archive.org/stream/section314phaseii00hayn/section314phaseii00hayn_djvu.txt

If Brooks and Streams are supposed to be included, then Gardner fails to mention Foster Brook, Bailey Brook, Wilder Brook, Pond Brook, and Otter River as receiving storm-water. Also the Beagle Club Pond may receive storm-water from local streets.

I do not feel Gardner has met the requirements of the "2003 Permit", Minimum Control Measures and should be made to prove they have. (six minimum control measures)

"Minimum Control Measures"

"In addition to other requirements, in order to comply with the program the City must follow six [Minimum Control Measures](#), which are implemented through a series of Best Management Practices (BMPs)."

<https://www.wateronline.com/doc/part-ii-epa-details-six-minimum-control-measu-0001>

Lastly, on page 18, the Mayor of the City of Gardner states the city does not have the funding to meet the requirements of the MS4 permit and such being the case, Gardner's MS4 Application for Storm-water discharge should be denied and the city fined for non-compliance.

<https://www3.epa.gov/region1/npdes/stormwater/ma/tms4noi/gardner.pdf>

If Gardner's permit gets approved without coming into compliance, I will appeal such permit.

Where did the City of Gardner or the EPA "legally advertise" the permit submission and the right of the public to comment for thirty-days?

Thank you for your time and attention to this matter.

Best Regards,

Paul DeMeo

9 Willis Road

Gardner, MA 01440

ryanrealty@comcast.net

Vuto, Michelle

From: Tedder, Newton
Sent: Monday, May 06, 2019 2:39 PM
To: Vuto, Michelle
Subject: FW: Subject: MRPA NOI MS4 General Permit Comments

Newton Tedder
617- 918-1038

From: Reports Stormwater
Sent: Monday, May 06, 2019 2:26 PM
To: Tedder, Newton <Tedder.Newton@epa.gov>
Subject: Fw: Subject: MRPA NOI MS4 General Permit Comments

Gardner comments

From: Jeffrey Legros <jlegros@gardner-ma.gov>
Sent: Monday, April 29, 2019 2:30 PM
To: Reports Stormwater
Cc: Judith.Sckmitz@state.ma.us; Chris Coughlin; dep.waterways@mass.gov; therese.beaudoin@state.ma.us; Dane Arnold
Subject: [SPAM-Sender] RE: Subject: MRPA NOI MS4 General Permit Comments

All:

I just wanted to make a minor clarification/correction to the email that Joan Gould sent...

Bailey Brook does not flow into Parkers Pond – it flows directly to the Otter River some distance southeast of the Parker Pond area near Bridge Street and the Gardner-Templeton town line near the Otter River section of the village of Baldwinville.

Also, West End Beagle Club Pond is Perley Brook.

Jeff Legros
Conservation Agent, City of Gardner

From: Joan M. Gould [<mailto:jgould104@yahoo.com>]
Sent: Sunday, April 28, 2019 10:58 AM
To: stormwater.reports@epa.gov
Cc: Judith.Sckmitz@state.ma.us; Chris Coughlin; Jeffrey Legros; dep.waterways@mass.gov; therese.beaudoin@state.ma.us; Dane Arnold
Subject: Subject: MRPA NOI MS4 General Permit Comments

All:

Part 11: Summary of Receiving Waters.

The list states two (2) for Parker's Pond. However, we have numerous areas that flow into Parker's Pond.

I take exception to this, years ago I wrote an article on all the water that comes into Parker's Pond. I also mentioned how lucky the City of Gardner is to have Parker's Pond for this dumping purpose.

I'm sure one of the listings must be the Wasa Street Culvert. Its been spewing so long there is now a 'sand barge' filling in the pond to almost all the way across to Princeton Street side of the pond. I believe it is seen on GPS.

Water is coming into Parker's Pond from Bailey Brook, Wilder Brook, Perley Brook under the Keyes Road culvert.

Also the West End Beagle Club on Clark Street comes down to West Street bridge into Parker's Pond.

It appears to be, that sewerage is getting into sewer pipes because in wet weather they have been erupting for years. This week also.

Parker's Pond flows into the Otter River, Miller's River then the Connecticut River.

Thank you - best regards,

Jo an Ambrose Gould
104 Princeton Street
Gardner, MA 01404-1835 978-632-5685

~~~~~

Paul DeMeo

Gardner

----- Original Message -----

From: Chris Coughlin <[ccoughlin@gardner-ma.gov](mailto:ccoughlin@gardner-ma.gov)>

To: PAUL DEMEO <[ryanrealty@comcast.net](mailto:ryanrealty@comcast.net)>

Date: April 24, 2019 at 9:12 AM

Subject: RE: Re: Stormwater Management in Gardner

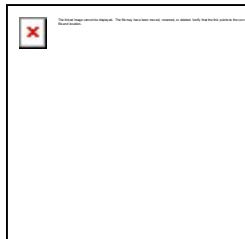
Paul,

The NOI would not have been published in The Gardner News. The EPA is responsible for the notification policy. Glenda Velez [velez.glenda@epa.gov](mailto:velez.glenda@epa.gov) should be able to share their procedure with you. Stump Pond & Dunn Pond are not specifically called out in the NOI as they are not on the MA State Impaired Water Body List, however the same Stormwater Regulations would still apply.

I'm happy to provide any correspondence I've had from US Fish & Wildlife but you will need to fill out a "Freedom of Information Act Request" through the City Clerks Office.

Thanks

-Chris



Chris Coughlin

City Engineer

50 Manca Drive

Gardner MA 01440

978-630-8195

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**From:** PAUL DEMEO <[ryanrealty@comcast.net](mailto:ryanrealty@comcast.net)>  
**Sent:** Tuesday, April 23, 2019 11:00 AM  
**To:** Chris Coughlin <[ccoughlin@gardner-ma.gov](mailto:ccoughlin@gardner-ma.gov)>  
**Cc:** ryanrealty <[ryanrealty@comcast.net](mailto:ryanrealty@comcast.net)>  
**Subject:** Fwd: Re: Stormwater Management in Gardner

Good Morning Chris,

Thank you for the response this morning and information.

Was the MS4 application published in The Gardner News? How was the public notified?

I found no mention of Stump Pond or Dunn Pond which receive stormwater in Gardner.

Please send me all correspondence from US Fish and Wildlife.

How is the City of Gardner meeting the following mandate by the EPA currently and during the past twenty years? It's the first time I saw that this was a requirement by the city but not sure what the city has done to meet this mandate. Are any reports available to support the city has done anything? What have you sent to the EPA proving this mandate has been met? It appears there has been no public education or involvement.

### **Minimum Control Measures**

**In addition to other requirements, in order to comply with the program the City must follow six Minimum Control Measures, which are implemented through a series of Best Management Practices (BMPs).**

**<https://www.wateronline.com/doc/part-ii-epa-details-six-minimum-control-measu-0001>**

With the current stormwater flowing into "Stump Pond" on Pearl Street, is it at its capacity? Can it handle an additional flow from the School and Trailer Park?



It does not appear Gardner Officials locating a new school in a " 500 Acre Watershed" which will increase the impervious ground with much additional stormwater going into Stump Pond is a good idea and meeting with the goals of the "Clean Water Act". Surely putting a new school in a "watershed" and the headwaters of the Connecticut River is not a **Best Management Practice**. Unfortunately the Gardner Conservation Commission has not been involved and it appears the Conservation Agent is supportive of construction in the "watershed".

Thank you for your time and attention to this matter.

Best Regards,

Paul DeMeo

----- Original Message -----

From: PAUL DEMEO <[ryanrealty@comcast.net](mailto:ryanrealty@comcast.net)>

To: Dane Arnold <[darnold@gardner-ma.gov](mailto:darnold@gardner-ma.gov)>

Cc: [therese.beaudoin@state.ma.us](mailto:therese.beaudoin@state.ma.us), [conway.tim@epa.gov](mailto:conway.tim@epa.gov), [olson.bryan@epa.gov](mailto:olson.bryan@epa.gov), [johnson.arthur@epa.gov](mailto:johnson.arthur@epa.gov), [hunter.johanna@epa.gov](mailto:hunter.johanna@epa.gov), [szaro.deb@epa.gov](mailto:szaro.deb@epa.gov), [watershed@millersriver.net](mailto:watershed@millersriver.net), [dep.waterways@mass.gov](mailto:dep.waterways@mass.gov), [melanson.kate@epa.gov](mailto:melanson.kate@epa.gov),

Jeffrey Legros <[jlegros@gardner-ma.gov](mailto:jlegros@gardner-ma.gov)>, Scott Graves

<[sgraveslawoffice37@gmail.com](mailto:sgraveslawoffice37@gmail.com)>

Date: April 23, 2019 at 10:48 AM

Subject: Re: Stormwater Management in Gardner

Greetings ALL,

Gardner is currently under review for a new EPA MS4 permit which was last issued in 2003! I am of the understanding this is a five-year permit so am unsure who "dropped the ball" if this is the case. Eleven year lapse of a proper permit?

In review of the permit application I found no mention of Stump Pond which receives a substantial amount of stormwater and then dumps a substantial amount of Stormwater in to Dunn Pond. If that is the case, than the application submitted is incomplete. EPA take note.

Gardner is planning a new elementary school in the Dunn Pond Watershed which will

add much stormwater to Stump Pond and affect the water quality in Dunn Pond and that of the Connecticut River Headwaters.

It is very interesting and concerning that the US Fish and Wildlife is taking an active interest in Gardner and its stormwater practices. Why? We need to find out as the city is under a mandate to clean up something or be fined.

EPA, an investigation is warranted of Gardner's Stormwater Practices and Permit as to whether or not all has been complied with which doesn't appear to be the case.

Best Regards,  
Paul DeMeo

On April 22, 2019 at 3:37 PM PAUL DEMEO <[ryanrealty@comcast.net](mailto:ryanrealty@comcast.net)> wrote:

Good Afternoon Dane,

As Gardner's Stormwater Management is controlled by the EPA, does the City of Gardner have a current permit with a copy you can e-mail me? MS4 Permit. Who in the City of Gardner is responsible for this and held accountable?

How is the City of Gardner meeting the following mandate by the EPA currently and during the past twenty years? It's the first time I saw that this was a requirement by the city but not sure what the city has done to meet this mandate. Are any reports available to support the city has done anything? What have you sent to the EPA proving this mandate has been met? It appears there has been no public education or involvement.

### **Minimum Control Measures**

**In addition to other requirements, in order to comply with the program the City must follow six Minimum Control Measures, which are implemented through a series of Best Management Practices (BMPs).**

**<https://www.wateronline.com/doc/part-ii-epa-details-six-minimum-control-measu-0001>**

With the current stormwater flowing into "Stump Pond" on Pearl Street, is it at its capacity? Can it handle an additional flow from the School and Trailer Park?

It does not appear Gardner Officials locating a new school in a " 500 Acre Watershed" which will increase the impervious ground with much additional stormwater going into Stump Pond is a good idea and meeting with the goals of the "Clean Water Act". Surely putting a new school in a "watershed" and the headwaters of the Connecticut River is not a **Best Management Practice**. Unfortunately the Gardner Conservation Commission has not been involved and it appears the Conservation Agent is supportive of construction in the "watershed".

Thank you for your time and attention to this matter.

Best Regards,

Paul DeMeo

## Vuto, Michelle

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**From:** Tedder, Newton  
**Sent:** Monday, May 06, 2019 2:36 PM  
**To:** Vuto, Michelle  
**Subject:** FW: Comment

Newton Tedder  
617- 918-1038

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**From:** Reports Stormwater  
**Sent:** Monday, May 06, 2019 2:27 PM  
**To:** Tedder, Newton <Tedder.Newton@epa.gov>  
**Subject:** Fw: Comment

Gardner comments

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**From:** kathleen vautre <[kwoodywi@gmail.com](mailto:kwoodywi@gmail.com)>  
**Sent:** Tuesday, April 30, 2019 8:46 PM  
**To:** Reports Stormwater  
**Subject:** Comment

After reading the information contained in the "Stormwater Reports" with plans to submit this as part of the application for permit for the City of Gardner, it appears there is no mention made of water that flows into Stump Pond. This was omitted.

The Pearl Street corridor has grown tremendously since the prior permit was issued on 2003. In addition to the two Schools already located in this area, there is high flow water sent from Ridgewood Arms Apartments, new homes that were built along Pearl Street up to and including the Mobile Home Sapphire Park expansion project. This was added on after the homes which were built in the Robert Drive, Shawn Ave project.

Dunn's Pond and a lot of the surrounding land is built on a series of underground naturally occurring springs. As a former homeowner living on Pearl Street we experienced increased sump pump usage over the 24 years we were residents. The water table in that neighborhood cannot accept the additional burden that the added school building project would contribute to the existing stormwater infrastructure.

The Permit application is incomplete as written and should not be submitted for approval.

Kathleen Vautre