



MEMORANDUM

To: Southborough Conservation Commission

FROM: Kristin O'Brien, Conservation Restriction Manager

DATE: June 25, 2025

RE: Proposed Effluent Discharge at Golf Course, Southborough Golf Club CR Southborough

Proposal Overview

On May 2, 2025 Kristin O'Brien received an email from Lara Davis, Southborough Conservation and Zoning Administrative Assistant, stating that Select Board member Al Hamilton attended the Conservation Commission meeting the night before to discuss the possibility of using the golf course as the location to discharge the effluent from a new wastewater treatment facility. It was initially described to Kristin as an option to replace the water source for the existing irrigation system. Kristin and Al joined the May 22, 2025 Conservation Commission meeting to discuss this further.

Al explained they are in the very early stages of determining if they could put in a town sewer system along Route 9 to open the area up to new business development opportunities. As part of the wastewater treatment process the effluent (wastewater discharge from the sewer after treatment) must be discharged somewhere into the environment. Historically permits could be acquired to discharge the effluent directly into waterways but these permits are no longer readily available (per Al Hamilton). The current method is to use sub-surface drip irrigation and/or typical above ground irrigation. This is supposedly done at other golf courses across the country as the process to clean the effluent has been proven safe. They are reviewing numerous locations in Town for the effluent release. If they were to do this at the golf course the effluent would be used as the irrigation water through the existing irrigation system. However, in winter or when the course doesn't need to be watered the effluent would be released sub-surface through perforated tubes, essentially a massive leach field.

Relevant CR Language

WHEREAS, the Town's intention, specifically expressed in Article 1 approved by Southborough Special Town Meeting on March 8, 2017, has been to acquire the Premises and make it the subject of a perpetual conservation Restriction to assure its **preservation as open space for public use as a golf course, for passive outdoor recreation, and for general conservation purposes**; and

WHEREAS, the Town intends to allow the continued operation of a public golf course (the "Golf Course") on the Premises in harmony with continued passive recreational use thereon; and

II. Purposes:

... the Premises will be retained in perpetuity for conservation values as open space in its natural, scenic and open condition, consistent with the history and purpose of the Town's acquisition of the Premises to facilitate its continued **use as a public golf course and, when not in use as a golf course (permanently, temporarily, or seasonally during the winter months), for public outdoor passive recreation**, and to prevent any use of or change to the Premises that would significantly impair or interfere with its conservation values.

III.B. Prohibited Acts and Uses

(1) Constructing of placing or allowing to remain any temporary or permanent building, structure, facility, or improvement including but not limited to tennis court,... or other temporary or permanent structure or facility or improvement on, above or **under the Premises**.

(4) Installation of **underground storage tanks, utilities, or pipes**;

(13) Any other use of the Premises or **activity which is or may become inconsistent** with the intent and purpose of this Conservation Restriction, or which would materially impair its conservation values.

III.C. Reserved Rights and Exceptions to Otherwise Prohibited Acts and Uses

(4) *Incidental Structures*. The use, maintenance, repair, replacement, or re-construction of such other structures (...signs, benches, litter baskets) as are reasonably necessary and **incidental to the use of the Premises as a golf course**... If the Premises should **cease to be used as a golf course**, with the prior approval of the Grantees, the right to **demolish, remove, repair, remodel or replace existing structures** for the use in connection with public outdoor passive recreational activities or other use consistent with the purposes of this Conservation Restriction.

(5) *Septic System*. Within Envelope B as shown on Exhibit B, the construction, use, maintenance, repair and renovation of an underground septic system, which shall be located, constructed, operated and maintained in compliance with all federal, state and local laws, to **serve the adjacent Town of Southborough Public Safety Complex, Woodward School, Southborough Golf Club clubhouse, Maintenance Building, and no other buildings or facilities**, with no above-ground structures of any kind to be allowed in this Envelope B.

(6) *Septic Infrastructure*. The installation, maintenance, repair, replacement, removal and relocation of **sub-surface infrastructure to connect the Maintenance building** (shown on Exhibit B as the 'Exist. Golf Maintenance Building') to the sanitary sewage treatment and disposal facilities within Envelope B as shown on Exhibit B, but only if infeasible to locate a septic system within Envelope D.

(14) *Irrigation*. Grantor shall **minimize use of water for irrigation purposes**, but **may irrigate the golf course as necessary** for the maintenance thereof in accordance with sound golf course management practices.

(15) *Installation and Maintenance of New or Existing Irrigation System*. **Maintenance of the existing irrigation system and related water and utility lines, and other necessary infrastructure**, so long as the surface is restored to the extent practicable to its prior condition after such installation and maintenance and the work is performed so as to minimize the impact on the conservation values.

(25) *Uses Allowed if Premises Permanently Ceases to Operate as a Golf Course*. Should the Premises permanently **cease to be operated as a public golf course** pursuant to Paragraph III(F), it shall continue to be available as open **space for passive outdoor recreational** use by the general public, in perpetuity, in areas designated by Grantor or Grantees for outdoor passive recreational use of the Premises, including, ... hiking, walking, bird-watching...

(26) *Passive Outdoor Recreation Appurtenances*. With prior written notification to Grantees, accessories or **appurtenances to support and accommodate public passive outdoor recreational use** of the Premises as open space whenever the Premises is temporarily or permanently not used as a golf course... minor structures... that do not exceed a size of 50 square feet... signs, kiosks, and benches... unpaved trails or footpaths.

Interpretation of CR Language

The CR makes it very clear that the primary intent of this CR is for the property to function as it historically has as a golf course and IF for whatever reason it ceases to operate as a golf course it will be open to the public for passive recreation and habitat. These two primary uses are clear in the preamble, purposes, prohibited acts, and reserved rights.

III.C.(5) *Septic System* construction: this section specifies that any septic system on the property must be within Envelope B and can only serve the following structures: Town of Southborough Public Safety Complex, Woodward School, Southborough Golf Club clubhouse, Maintenance Building. III.C.(6) *Septic Infrastructure* only allows for sub-surface septic infrastructure to connect the Maintenance Building to the septic system in Envelope B.

Given that the proposed work includes a large sub-surface infrastructure (leach field) that would be receiving effluent from locations not approved in III.C.(5), it would not entirely fit within Envelope B, the CR prohibits underground structures (III.B.(1)) or utilities/pipes (III.B. (4)), and is not incidental to the operation of the golf course or public enjoyment

Based on the analysis above, we cannot approve this project.

IF the proposal was simply to change the irrigation water source then I think we could approve that once we have a better understanding of the safeguards to ensure the effluent won't harm the environment or people. However, if the course becomes inactive at some point in the future, then the property will be used solely for passive recreation and habitat. If that were to occur the property would not need to be irrigated and the effluent would need to be discharged elsewhere.

Please let me know if you would like to discuss this further.

Regards,

Kristin O'Brien

SVT Conservation Restriction Manager