



# Water Supply District of Acton

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P.O. BOX 953  
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Board of Water Commissioners

Meeting Agenda

Monday, October 18, 2021 @ 7:00 PM

**Due to the COVID-19 Pandemic, meetings are being held virtually via Zoom**

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- **Comments from the Public**
- **Approve minutes from the meeting of 9/27**
- **Appoint one Commissioner to approve warrants while conducting meetings virtually**

## **NEW BUSINESS:**

- Meet with the developer of proposed 40B project at 516 Massachusetts Avenue
- Discussion of proposed state legislation--Senate Bill #1348

## **OLD BUSINESS:**

- Per- and Poly-Fluoroalkyl Substances (PFAS)
  - Current sample data, if available
  - Any updates or discussion from the PFAS Working Group
- Update on the Central Acton Water Treatment Plant (CAWTP) project
- Update on Bedrock source in Acton center
- Update on Solar construction project on District property off Lawsbrook Road

Board of Water Commissioners  
Meeting Minutes  
Acton Water District  
693 Massachusetts Avenue, Acton, MA  
Monday, September 27, 2021

**AGENDA**

- A. Comments from the Public
- B. Approve minutes from meeting of 9/13 & 9/17
- C. Appoint one Commissioner to approve warrants while conducting meetings virtually

**D. OLD BUSINESS**

- 1. Update on Per- and Poly-Fluoroalkyl Substances (PFAS).
  - Current sample data, if available
  - Any updates or discussion from PFAS Working Group
- 2. Kelly's Corner Construction Discussion
- 3. Update on the Assabet #3 Well Project
- 4. Update on the Central Acton Water Treatment Plant (CAWTP) Project

**E. NEW BUSINESS:**

- 1. Fall Water Main Flushing in North Acton Beginning on Monday, October 4, 2021

**Present at Tonight's Meeting:**

Commissioners: Erika Amir-Lin, Barry Rosen (Chair), Stephen Stuntz

District Manager: Chris Allen

District Treasurer: Mary Jo Bates

District Counsel: Mary Bassett

Environmental Manager: Matthew Mostoller

Commissioners Secretary: Lynn Protasowicki

Finance Committee: Chuck Bradley

**Public Attendees:**

Kim Kastens

Ron Parenti

Danny Factor

Terra Friedrichs

Due to the Covid-19 stay-at-home order by Governor Charles Baker, the Board of Water Commissioners meeting was not held at the Acton Water District Office, instead the meeting was held via Zoom Webinar. The meeting was called to order at 7:00 PM on Monday, September 27, 2021 by Mr. Barry Rosen.

**A. Comments from the Public**

The following is Danny Factor's statement that he read to Commissioners.

I live at Briarbrook Village, 11 Davis Rd. unit A5, a condo which I own. I'm a former long-time member of the Acton Commission on Disabilities, a member of the Board of Directors of Green Acton, and I also currently sit on the Group Operations Committee of a new Acton organization that seeks to organize Acton apartment dwellers in order to address member concerns (we have over 100 members so far) which ranges from needs to lower rent and utility costs to addressing other quality of life issues including apartment dwellers' right to a clean environment.

I am also a public interest attorney who represents low-income Actonians and other Massachusetts residents in a number of areas from housing, to work related issues to helping them receive public benefits. Through my work in these committees and groups, and in my profession, I am familiar with the fact that many low-income individuals and families reside in Acton who require accommodation when it comes to paying regular expenses.

Because of my interest and work with low-income members of our community, I was particularly pleased to hear that the AWD has devised a number of possible strategies for making the AWD debt fee, or future debt fee increases, less burdensome to low-income and/or small water-usage town residents. I wanted to let you know how much your work is appreciated.

Low-income people of Acton have a voice that sometimes is not heard loud enough. One of the responsibilities of all of our municipal districts is to craft policy with as much input from stakeholders as possible. This is not always an easy task to accomplish given all the work that a district does, as an example the AWD which has been enmeshed this year in a number of projects and dealing with all of the ramifications of the pandemic. Given your workload and yet the need to receive enough input from low-income Acton stakeholders in regard to a fair plan to design the debt fee, I wanted to offer you my assistance in the following way.

To the degree that the AWD will accept feedback from the low-income community in regard to a fair solution for the debt fee. I would be willing to either:

1. Help the AWD organize a simple public hearing/educational session in which in particular low-income individuals who are impacted by the debt fee can attend and give the AWD feedback.
2. In lieu of a formal public forum I would be willing to use my contacts within the new apartment dwellers group. The Acton Council on Aging and the Acton Commission on Disabilities to collect comments from low-income individuals regarding debt fee solutions to provide the AWD feedback.

Whatever the AWD decides, I ask that the AWD make no decision about the debt fee unless it hears fully enough from low-income Actonians themselves as far as which plan is the fairest and most effective plan to serve low-income water users. Whichever path you should choose to obtain this feedback, such as the two in which I suggested this evening, or another, know that I and others in our community are ready to assist you in your efforts to reach out to low-income stakeholders in Acton to serve their needs. Know that I and others in our community are available to help.

Ms. Amir-Lin stated that she does intend to follow the Group Operations Committee for personal and civic interest.

Mr. Stuntz stated that he thinks it's great. We need the help. We have struggled with it for a while. It's going to be complex. He appreciates that Danny will bring a focus to it and help resolve the best way.

Danny Factor will email the Commissioners the comments he made this evening for feedback from Commissioners. He is happy to help in anyway.

Mr. Rosen stated that we have discussed this. We have a finance committee who is looking at it continuously. We are trying to balance the aid we can provide with the balance of the lenders when we took the loans out with them.

Terra Friedrichs – she is in support of this work and so glad that she heard of this from other people that the District is working on a fair and just solution. She's been helping with the Apartment Dwellers Group. She has not had a chance to look at the proposed rates. She wonders if (a) there be a level of water usage to be considered a right and that to be priced low and the rest of it be pushed to luxury water users (b) Landlords are making a profit on Acton Water – they are marking it up and charging their tenants. Does the District have any authority over stopping that from happening? Mr. Allen stated that they are allowed to sub-meter as long as it is clearly defined in tenant lease. District Counsel Bassett suggested that the District should not get into any private agreements between landlords and tenants.

#### **B. Approve Minutes from Meeting of 9/13 & 9/17**

Mr. Rosen motioned to approve the minutes of September 13, 2021. Mr. Stuntz seconded the motion, and it was unanimously approved by a roll call vote: Ms. Amir-Lin, Mr. Stuntz, and Mr. Rosen.

Mr. Stuntz motioned to approve the minutes of September 17, 2021. Ms. Amir-Lin seconded the motion, and it was unanimously approved by a roll call vote: Mr. Stuntz, Ms. Amir-Lin, and Mr. Rosen.

#### **C. Appoint One Commissioner to Approve Warrants While Conducting Meetings Virtually**

Mr. Rosen motioned to appoint Mr. Stuntz as the Commissioner to approve warrants while conducting meetings virtually until the next meeting of the Commissioners. Ms. Amir-Lin seconded the motion, and it was unanimously approved by a roll call vote: Ms. Amir-Lin, Mr. Stuntz, and Mr. Rosen.

#### **D. OLD BUSINESS**

##### 1. Update on Per- and Poly-Fluoroalkyl Substances (PFAS).

- Current sample data, if available
- Any updates or discussion from PFAS Working Group
- American Rescue Plan (ARPA) Acton PFAS Mitigation Status

Mr. Mostoller stated that for the month of September we have results for South Acton Water Treatment Plant and the Clapp-Whitcomb wells. Clapp-Whitcomb continues to be non-detect and the carbon continues to adequately remove PFAS. In South Acton, the levels are at 17.6 PPT which continues to be in compliance with the State's standard. Samples were collected last week for North Acton. The September samples for Conant I got stranded in Memphis thanks to FedEx so, due to the time delay and temperature of the samples, those were invalidated. We plan to resample tomorrow.

Public Notice Update - we will be sending out a public notice starting at the end of this week to notify customers that during the second quarter results (April, May and June) that the North Acton facility exceeded the 20 PPT. Currently North Acton is not serving water to customers.

PFAS Working Group – haven't met for a couple weeks and are planning to meet this Thursday. There are 25 applications for bottle water rebates. He is still working on a field trip to Hudson to observe their operating PFAS filtration systems.

ARPA – Barry Rosen stated that last Monday he presented to Acton Selectboard. The feedback he received from the board was an excellent presentation. Barry explained what PFAS is at a high level. One of the Selectboard members stated that they didn't know about this and it is now on his radar. The next opportunity to discuss is on October 4<sup>th</sup> and they will begin deliberating this. He received a letter from Christine Russell, Chair of Acton Finance Committee. She asked if someone could appear in person before the Acton Finance Committee and answer questions. His intent is to attend the meeting tomorrow night.

### 2. Kelly's Corner Construction Discussion

The Town has allocated \$100,000 of the American Rescue Plan (ARPA) Act funds to subsidize construction. The predicted cost of the project is \$2-million, and it's anticipated that it will go out for bid in the spring of 2022.

Barry Rosen stated that the Selectboard is open to hearing more about Kelly's Corner, which they aren't aware of. Mr. Rosen let them know that the plan was for the District to move pipes and install new pipes while this project is being worked on by the state. Mr. Rosen needs to go back and see if they would put that in the bid and take some of the responsibility so that the District does not have to take so much of the maintenance and pipe replacement throughout the year. Mr. Allen stated that any help in funding the project is welcome.

### 3. Update on the Assabet #3 Well Project

Mr. Allen stated that the District appropriated money for this project back at the 2021 Annual Meeting as part of our PFAS response strategy. It will be connected to South Acton Water Treatment Plant (SAWTP) as part of our PFAS remediation strategy. The application has been submitted to Mass DEP. Things are moving along on schedule to date.

### 4. Update on the Central Acton Water Treatment Plant (CAWTP) Project

Mr. Allen stated that EverSource will be on site October 6<sup>th</sup> to retire old service for Conant II. Because of these delays we are planning to turn Conant I over to contractor on October 8<sup>th</sup>. We are hoping by the end of this year to have the plant permitted and in commissioned.

### **Other Old Business:**

Mr. Allen stated that the developer of 40B at 516 Mass Ave. has requested to meet with the Board. The Commissioners sent a letter to the Acton Community Housing Corporation (ACHC), and that prompted developer to reach out and would like to meet with the Board on October 18<sup>th</sup>. Chris asked the developer to provide him with any relevant information for Commissioners before the meeting. Would the Commissioners like to meet with him on October 18<sup>th</sup>? Chris laid out their concerns to him again about this project, but the developer would still like to speak with the Commissioners. The Commissioners would just like to get his concerns prior to the meeting to review.

### **E. NEW BUSINESS:**

#### 1. Fall Water Main Flushing in North Acton Beginning on Monday, October 4, 2021

Commence flushing on October 4<sup>th</sup>; Monday through Thursday 8AM-8PM. It's been a couple years to flushing this area. There is a potential of sediment which will cause discoloration in the water. We will address any chronic problems that arise, and areas of chronic quality complaints during this timeframe.

*Mr. Stuntz motioned to adjourn open meeting at 7:55 PM. Ms. Amir-Lin seconded the motion, and it was unanimously approved by a roll call vote: Mr. Stuntz, Ms. Amir-Lin, and Mr. Rosen.*

DRAFT



October 13, 2021

James Cray, PE  
Wright-Pierce | Project Manager  
direct 978.416.8002 | cell 978.509.3960

RE: Central Acton Water Treatment Plant  
REF: Substantial Completion – Extension Request

Dear Mr. Cray,

In accordance with our progress meeting on site this morning, Waterline would like to formally request our Substantial Completion Date be extended to 12/31/21. The additional time will allow Eversource to complete the re-energizing of the transformer / provide power to the new plant so we can schedule our startups accordingly. As you are aware, this project has been significantly delayed due to Eversource lack of availability (still pending) as well as Covid-19 supply chain issues that are preventing delivery of the ATS and permanent electrical gear. Waterline has mitigated the supply chain issue regarding gear with a temporary line-up that will allow us to complete the plant startup and substantial completion once we have power. We will continue to push Eversource for completion as well as ABB for the permanent electrical gear and ATS outstanding.

Please generate a time extension CO for signature at your earliest convenience.

Thank you in advance.

Sincerely,

*Josh Duchesne*

Joshua J. Duchesne

Vice President of Business Development / Project Manager

*Original Substantial Completion date - 9/26/2021  
" " Final Completion date - 12/15/2021*

## Chris Allen

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**From:** Khounesombat, Kim <kim.khounesombat@eversource.com>  
**Sent:** Tuesday, October 12, 2021 1:27 PM  
**To:** Erik Doyon; Joshua Duchesne; James Cray; Mello, Brian; Chris Allen  
**Cc:** Andrew Carroll  
**Subject:** RE: Inquiry from Acton Water District RE: I2002 - Central Acton WO #4687518

Erik,

This is scheduled for the end of this week weather permitting.

Thanks,

Kim

**From:** Erik Doyon <EDoyon@waterlineind.com>  
**Sent:** Friday, October 8, 2021 9:40 AM  
**To:** Khounesombat, Kim <kim.khounesombat@eversource.com>; Joshua Duchesne <JDuchesne@waterlineind.com>; James Cray <jim.cray@wright-pierce.com>; Mello, Brian <brian.mello@eversource.com>; Chris Allen <chris@actonwater.com>  
**Cc:** Andrew Carroll <ACarroll@waterlineind.com>  
**Subject:** RE: Inquiry from Acton Water District RE: I2002 - Central Acton WO #4687518

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Good morning Kim,

We finished connecting the new primary ductbank to the existing primary ductbank this morning and the trench inspector approved the installation. You should be receiving a call from him this morning letting you know that we are ready for Eversource to replace the splice box, pull in and make up the new primary cables. Please let us know when we can expect Eversource to come back and finish their work.

Sincerely,  
Erik Doyon  
Project Manager – Electrical Division  
[Edoyon@waterlineind.com](mailto:Edoyon@waterlineind.com)



7 London Lane



*The Commonwealth of Massachusetts*  
*Executive Office of Energy and Environmental Affairs*  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Charles D. Baker  
GOVERNOR

Karyn E. Polito  
LIEUTENANT GOVERNOR

Kathleen A. Theoharides  
SECRETARY

Tel: (617) 626-1000  
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October 8, 2021

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
ON THE  
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Conant Bedrock Wells Source Development  
PROJECT MUNICIPALITY : Acton  
PROJECT WATERSHED : Sudbury, Assabet, and Concord (SuAsCo)  
EEA NUMBER : 16432  
PROJECT PROPONENT : Water Supply District of Acton  
DATE NOTICED IN MONITOR : September 8, 2021

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** an Environmental Impact Report (EIR).

Project Description

As described in the Environmental Notification Form (ENF), the project consists of the construction of two new bedrock wells (approximately 125 feet apart), including submersible well pumps, pitless adapters, and 8-inch water mains and electrical power that will be tied into the Central Acton Water Treatment Plant (CAWTP), where the raw water will be treated. The water mains and electrical power will be installed underneath a new 12-foot-wide gravel access road extended from the CAWTP to each of the wells, with a combined length of 305 linear feet (lf). Each of the new wells will be surrounded by a 6-foot-high chain-link fence. The project is proposed to address the predicted increase in water demand and declining capacity of the Water Supply District of Acton's (Proponent) existing well sources. Additionally, the project will alleviate the presence of per- and polyfluoroalkyl substances (PFAS)<sup>1</sup> in the Town's existing well sources. According to the ENF, the combined proposed

<sup>1</sup> More information on PFAS is available at: <https://www.epa.gov/pfas/basic-information-pfas>

maximum withdrawal rate for the new wells is 270,720 gallons per day (gpd). No increase in the permitted withdrawal volume for the Water Supply District of Acton, authorized through the Water Management Act (WMA) Program, is proposed.

### Permitting History

As noted in the ENF and further described in supplemental information distributed by the Proponent, there are two different projects within the site that were previously filed with MEPA. The first, filed in late 1997, involved the development of the Conant II wellfield and pump station (EEA# 11410). A certificate was issued on January 23, 1998 finding that no EIR was required. More recently, the Proponent filed for the construction of the CAWTP (EEA# 16091), which the new wells proposed in this filing will tie into. A certificate was issued on September 25, 2019 finding that no EIR was required; at the time of this certificate, the Proponent had not identified the need for any future wells to be constructed in the area. In the winter of 2019, the Proponent conducted exploratory testing of several new well locations; however, it was unknown whether these wells would be viable, or when they would potentially be constructed. During the winter and spring of 2020, the Proponent began sampling for PFAS in existing water supply sources; PFAS was identified throughout the Proponent's existing network of production wells. During the late summer/early fall of 2020, after construction of the CAWTP began, the Proponent determined that proceeding with the construction of the new bedrock wells could address the presence of PFAS identified in the existing wells through blending of water at the new CAWTP. In December 2020, the Proponent filed a request for pumping test approval with MassDEP. According to comments from MassDEP, approval to site the two proposed wells and perming pumping tests was issued on February 18, 2021.

As outlined in the MEPA regulations at 301 CMR 11.01(2)(c), the entirety of a project, including separate phases or segments, must be considered in determining whether the project meets or exceeds any review thresholds. As described by the Proponent, the CAWTP project began in 2015 when levels of manganese in existing wells exceeded the drinking water guidelines established by MassDEP. As noted above, the construction of the two new bedrock wells was pursued in December 2020, after PFAS was detected in the existing water supply, and after the CAWTP project (EEA# 16091) was filed with MEPA in August 2019. The Proponent has indicated the construction of the CAWTP is substantively completed at this time. Based on these circumstances, I find that these projects, though sponsored by the same Proponent, appear severable and can proceed as separate reviews.

### Project Site

As described in the ENF, the 81.1-acre project site includes the existing wells owned by the Proponent, the Central Acton Water Treatment Plant (currently under construction, located south of the proposed wells), an existing access driveway, and portions of an adjacent private property, referred to in the ENF as the estate of Brewster Conant. The majority of the site is forested. The project site includes several Certified Vernal Pools considered Outstanding Resource Waters (ORWs), a section of Nashoba Brook, and wetland resources associated with the brook. No alteration to wetland resource areas is proposed. The eastern portion of the project site contains *Estimated and Priority Habitat of Rare Species* as delineated by the Natural Heritage and Endangered Species Program (NHESP) in the 14th Edition of the Massachusetts Natural Heritage Atlas; however, no work is proposed in this area. The project site is not located in an Area of Critical Environmental Concern (ACEC). The site contains a portion of the

Isaac Davis Trail, which is listed in the Massachusetts Historical Commission's (MHC) Inventory of Historic and Archaeological Assets of the Commonwealth. The ENF indicates no impact is expected to this historic resource. A significant portion of the project site is mapped as Zone I or Zone II Wellhead Protection, as designated by the Massachusetts Department of Environmental Protection (MassDEP), associated with the existing wells owned and operated by the Proponent. As described in the ENF, the project site is located within one mile of three Environmental Justice (EJ) populations, further discussed below.

#### Environmental Impacts and Mitigation

Potential environmental impacts associated with the project include the alteration of 0.2 acres of land and the increased withdrawal of 0.162 million gpd of groundwater (for a total of 0.842 million gpd) within the project site.

Measures to avoid, minimize, and mitigate environmental impacts include locating the new wells adjacent to the CAWTP to minimize the length of water mains and access roads needed to connect the new wells to the WTP.

#### Jurisdiction and Permitting

This project is subject to MEPA review and preparation of an ENF pursuant to 301 CMR 11.03(4)(b)(1) because it requires a State Agency Action and involve a New withdrawal of 100,000 or more gpd from a water source that requires New construction for the withdrawal.

The project requires Approval of Pumping Test Report for Source of 70 Gallons per Minute or Greater (BRP WS 19), Approval to Construct a Source of 70 Gallons per Minute or Greater (BRP WS 20), a Sale or Acquisition of Land for Water Supply Purposes Permit (BRP WS 26), and a Water Management Act Permit Amendment Permit (BRP WM 02) from MassDEP. The project will also require a Building Permit from the Town of Acton.

Because the project will receive Financial Assistance through the Massachusetts Drinking Water State Revolving Fund, MEPA jurisdiction is broad in scope and extends to all aspects of the project that may cause Damage to the Environment, as defined in the MEPA regulations.

#### Review of the ENF

The ENF provided a description of existing and proposed conditions, preliminary project plans, correspondence with NHESP, and identified measures to avoid, minimize and mitigate environmental impacts. To assist in MEPA review, the Proponent provided additional information to the MEPA Office regarding the permitting history of the wells and CAWTP on October 5, 2021. For purposes of clarity, all supplemental materials are referred to herein as the "ENF" unless otherwise referenced.

#### *Alternatives Analysis*

The ENF evaluated several alternatives based on their ability to address the declining capacity of the Town's water supply, the predicted increase in water demand, and the presence of PFAS in existing

well sources, as well as their environmental impact. In addition to the Preferred Alternative, the ENF evaluated a No Build, New Source, Optimizing Available Withdrawals and Distribution, Conservation and Demand Management, and Withdrawal Points Alternative. The No Build Alternative would involve the Town relying on the existing groundwater resources. As described in the ENF, if one or more of the Town's wells goes offline during drought conditions or contamination (as has occurred previously) the over pumping of the remaining wells could result in the temporary lowering of the water table at those locations thus reducing the yield of the wells. Further, all of the Town's existing wells are supplied by sand and gravel aquifers, which have a more direct impact on streamflow, wetlands, and surficial water bodies than bedrock wells (which are proposed in the Preferred Alternative). The ENF states that diversifying the well source types will likely result in less impact on the environment as opposed to solely relying on the existing sand and gravel wells. Additionally, the No-Build Alternative would not help alleviate the existing PFAS contamination. For these reasons, it was dismissed.

The New Source Alternative would involve the Acton Water Supply District connecting to the Massachusetts Water Resource Authority (MWRA) as a new source of water supply. According to the ENF, this was evaluated in 2013 prior to proceeding with the construction of the CAWTP. It was anticipated to cost in excess of \$20 million to make a physical connection to the MWRA due to the lack of direct access to existing MWRA infrastructure, not including investments that would be made while a connection was pursued and ultimately constructed. This Alternative was ultimately dismissed as it was not considered financially feasible. Neither the Optimizing Available Withdrawals and Distribution Alternative or the Conservation and Demand Management Alternative would involve new well construction, and would instead involve optimizing existing resources or implementing conservation and demand management measures, respectively. The ENF states the Town has conducted Unaccounted for Water (UAW) audits annually since 2014 to identify and repair system leaks to optimize the existing water resources. The Town has also implemented a conservation and demand management programs since the late 1990's, which has resulted in water demand rates remaining constant despite the number of customers increasing since that time. However, the ENF states that neither Alternative would be enough to meet the Town's forecasted water needs, which are predicted to increase through 2031. Additionally, this would not diversify the Town's water source types, similar to the No Build Alternative. For these reasons, the Optimizing Available Withdrawals and Distribution and Conservation and Demand Management Alternatives were dismissed.

The Withdrawal Points Alternative would involve relying on other new wells to address project goals. The ENF states the Town is seeking to activate a well (referred to as Assabet Well 3) for which a pumping test was approved by MassDEP in 2009; however, this well was not intended to meet future demand and was instead permitted to meet the existing water demand, provide redundancy, and lower the concentrations of PFAS in the water system. The ENF notes that the area surrounding Assabet Well 3 is contaminated with volatile organic compounds, and is classified as a US Environmental Protection Agency (EPA) Superfund Site. The Town is working with State and Federal regulators in order to complete the final construction and to activate Assabet Well 3; however, it is unclear from the ENF if or when this will occur. Further, the ENF states this well alone will not be sufficient in addressing the projected increase in water demand, and so it was dismissed. As described in the ENF, the Preferred Alternative (described herein) was selected as it was the least environmentally impact alternative that met project goals.

*Environmental Justice*

According to the ENF, there are three EJ populations characterized as Minority that are located within one mile of the project site. The ENF indicates the project is anticipated to provide a public benefit by improving the public water supply, and construction activities are not anticipated to negatively affect the aforementioned EJ populations or the surrounding community. The project activities are not anticipated to impact air quality.

*Water Supply*

As noted above, the project is proposed to address the declining capacity of the Town's existing wells, alleviate the concentration of PFAS in the existing water supply through blending with the new raw water, and provide for the potential increase in the predicted water demand for the Water Supply District of Acton. While the ENF states the two wells will have a maximum daily withdrawal rate of 270,720 gpd, no increase in total permitted water withdrawal volumes is proposed at this time. Comments from MassDEP state the Water Needs Forecast prepared for the Proponent by the Massachusetts Department of Conservation and Recreation (DCR) predicts a water demand of 2.21 million gpd through 2031, an increase of 0.42 million gpd from the current total authorized volume. Comments from MassDEP confirm that the Proponent is not currently seeking an increase to the 1.94 million gpd total withdrawal volume authorized through the WMA Program; however, a WMA Permit Amendment will be required to add the bedrock wells as authorized withdrawal points. MassDEP issued a BWR WS17 approval to the Proponent on February 18, 2021 to site the two proposed bedrock wells and perform pumping tests. An extensive water level monitoring program was conducted during the pumping tests to assess the effects on nearby sensitive receptors (such as private wells and water bodies), the results of which are currently under review by MassDEP. As noted in the ENF, the 400-foot radius constituting the Zone I Wellhead Protection Area around each well is currently jointly owned by the Proponent and a private landowner. The BRP WS 26 Permit will be submitted to MassDEP for review and approval as to how the Proponent will obtain ownership or control of the Zone I areas. Comments from MassDEP state the agency will not issue approval to construct the wells until the Proponent has sufficiently demonstrated ownership or control of the Zone I areas.

*Construction Period*

The ENF indicates the project constructed in a single phase, both commencing and concluding in 2021. All construction activities should be managed in accordance with applicable MassDEP's regulations regarding Air Pollution Control (310 CMR 7.01, 7.09-7.10), and Solid Waste Facilities (310 CMR 16.00 and 310 CMR 19.00, including the waste ban provision at 310 CMR 19.017). The project should include measures to reduce construction period impacts (e.g., noise, dust, odor, solid waste management) and emissions of air pollutants from equipment, including anti-idling measures in accordance with the Air Quality regulations (310 CMR 7.11). I encourage the Proponent to require that its contractors use construction equipment with engines manufactured to Tier 4 federal emission standards, or select project contractors that have installed retrofit emissions control devices or vehicles that use alternative fuels to reduce emissions of volatile organic compounds (VOCs), carbon monoxide (CO) and particulate matter (PM) from diesel-powered equipment. Off-road vehicles are required to use ultra-low sulfur diesel fuel (ULSD). If oil and/or hazardous materials are found during construction, the Proponent should notify MassDEP in accordance with the Massachusetts Contingency Plan (310 CMR

40.00). All construction activities should be undertaken in compliance with the conditions of all State and local permits.

Conclusion

The ENF has adequately described and analyzed the project and its alternatives, and assessed its potential environmental impacts and mitigation measures. Based on review of the ENF and comments received on it, and in consultation with MassDEP, I have determined that an EIR is not required.

*K. Theoharides*

October 8, 2021

Date

Kathleen A. Theoharides

Comments received:

09/29/2021 Massachusetts Department of Environmental Protection (MassDEP), Central Regional Office (CERO)

KAT/ELM/elm



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

Central Regional Office • 8 New Bond Street, Worcester MA 01606 • 508-792-7650

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Kathleen A. Theoharides  
Secretary

Martin Suuberg  
Commissioner

September 28, 2021

Secretary Kathleen A. Theoharides  
Executive Office of Environmental Affairs  
100 Cambridge Street, 9<sup>th</sup> Floor  
Boston, MA 02114

Attention: MEPA Unit – Eva Murray

Re: Environmental Notification Form (ENF)  
Conant Bedrock Wells Source Development  
Acton  
EEA #16432

Dear Secretary Theoharides,

The Massachusetts Department of Environmental Protection's ("MassDEP") Central Regional Office has reviewed the ENF for the Conant Bedrock Wells Source Development (the "Project"). The Water Supply District of Acton (the "Proponent") is proposing to construct two new bedrock wells including submersible well pumps, pitless adapters, transmission mains and electrical power on part of an 81.1-acre parcel. Water for the Proponent's drinking water supply will be pumped to the Central Acton Water Treatment Plant (CAWTP). The Project includes construction of a new roadway, which will extend from the CAWTP to each of the wells.

This property was the subject of two previous MEPA filings. The Proponent filed an ENF in 1997 for development of the Conant II Wellfield and Pump station project (EEA #11410). The ENF was published in the Environmental Monitor on December 24, 1997. The Secretary of Environmental Affairs (the "Secretary") issued a Certificate on the ENF on January 23, 1998 finding that no EIR was required. In September 2019, the Proponent filed an ENF for a Water Treatment Plant to remove iron and manganese from Conant Wells I and II (EEA #16091). The ENF was published in the Environmental Monitor on September 25, 2019. The Secretary issued a Certificate on the ENF on October 25, 2019 stating that no EIR was required.

The Project is under MEPA review because it meets or exceeds the following review threshold:

This information is available in alternate format. Contact Michelle Waters-Ehanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website [www.mass.gov/dep](http://www.mass.gov/dep)

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- 301 CMR 11.03(4)(b)(1) - New withdrawal or Expansion in withdrawal of 100,000 or more gpd from a water source that requires New construction for the withdrawal;

The Project requires the following State Agency Permits:

- MassDEP – Approval of Pumping Test Report for Source of 70 Gallons per Minute or Greater (BRP WS19)
- MassDEP – Permit to Construct Well/Pumping Facilities (BRP WS20);
- MassDEP – Sale or Acquisition of Land for Water Supply Purposes (BRP WS26);
- MassDEP – Water Management Permit Amendments (BRP WM02).

The Project will receive funding from the State Revolving Fund Drinking Water Program (#4575) so MEPA jurisdiction is broad.

MassDEP offers the following comments:

### **Water Supply**

The Water Needs Forecast prepared for the Proponent by the Massachusetts Department of Conservation and Recreation predicts a water demand of 2.21 million gallons per day (MGD) through 2031, an increase of 0.42 MGD from the current total authorized volume. The Proponent's actual withdrawals from 2018 through 2020 ranged from 1.50 to 1.63 MGD, the residential use per capita per day was 51 to 53 gallons, and the percentage of unaccounted for water (UAW) was less than 10%. The Proponent is seeking approval from MassDEP for maximum daily withdrawal rates of 0.27 MGD from Well D and 0.16 MGD from Well E when pumping individually and a total withdrawal rate of 0.26 MGD when pumping simultaneously. The Proponent is not seeking an increase to the 1.94 MGD total withdrawal volume authorized through the Water Management Act (WMA) Program.

MassDEP issued a BWR WS17 approval to the Proponent on February 18, 2021 to site two bedrock wells and perform pumping tests at the proposed site. An alternatives analysis was provided as part of the site examination and pumping test proposal application. The development of bedrock wells at this location was determined as important to diversify the Proponent's 23 existing sources which are all located in the sand and gravel aquifer at seven sites throughout the town. Water quality has been deteriorating at the existing well sites and there have been detections of the six regulated per- and polyfluoroalkyl substances (PFAS6) from some of the existing wells. Although the existing sources have an approved combined maximum daily withdrawal volume of 3.93 MGD, the Proponent has experienced declining capacity at many well sites.

The Proponent is separately pursuing the activation of Assabet Well 3, for which the pumping test was approved in 2009. However, Assabet Well 3 was approved as an additional withdrawal point to the Proponent's existing total authorized withdrawal volume and was not intended by the Proponent to provide additional demand. Assabet Well 3 is intended to provide redundancy and lower the concentrations of PFAS6 in the system's finished water. The proposed bedrock wells are anticipated to be a way to seek additional volume for the projected increase in total system demand. In 2013, the

Proponent evaluated a connection to MWRA. Using fiscal year 2012 data, the anticipated cost was in excess of \$20M for the physical connection, which did not reflect continued investments.

The Proponent submitted to MassDEP for approval a WS19 pumping test application and a WM02 WMA Permit Amendment application to add the bedrock wells as authorized withdrawal points. Both applications are currently under review pending completion of the MEPA process. The Proponent must also file a WS20 application for approval to construct the new sources. The 400-foot Zone I radius around each well is currently owned by the Proponent and a private landowner. The Proponent is required to submit a WS26 “Sale or Acquisition of Land for Water Supply Purposes” application to MassDEP for review and approval of how the Proponent will obtain ownership or control of the Zone I areas. This requirement applies to all methods of acquisition (purchases, conservation restrictions, donations, and eminent domain takings). MassDEP will not issue approval to construct the wells until the Proponent has sufficiently demonstrated ownership or control of the Zone I areas.

The Project wells are located over 700 feet from Nashoba Brook. An extensive water level monitoring program was conducted during the pumping tests to assess the effects on nearby sensitive receptors. Water levels were recorded in the two pumping wells, one additional bedrock well at the site, six overburden wells, nine private bedrock wells, eight piezometer/staff gauge pairs located in surface waters including: two vernal pools, Conant Brook, an unnamed pond approximately 700 feet south of the wells, and four locations on Nashoba Brook (two upstream from the wells, one adjacent to the wells, and one downstream from the wells). Results of the water level monitoring program are currently under review by MassDEP.

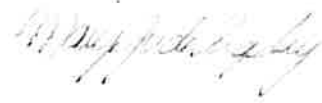
### **Bureau of Waste Site Cleanup**

During exploratory drilling and testing for wells at the Project site, the Proponent collected groundwater samples. The samples collected from Wells D and E contained concentrations of trichloroethylene and 1,4-dioxane above drinking water standards. The Proponent reported these results to MassDEP, which assigned Release Tracking Number (RTN) 2-0021031 to the site. The Proponent subsequently filed a Downgradient Property Status submittal identifying a potential upgradient source of the contaminants at 533 Main Street, Acton. The Proponent submitted a Utility Related Abatement Measure for the treatment of impacted groundwater, using two 2,000-pound granular activated carbon adsorption units during pump tests conducted on Wells D and E in 2021, prior to discharging to Nashoba Brook.

MassDEP assigned RTN 2-21372 to the upgradient property owner as the source of trichloroethylene currently detected in Wells D and E. On November 5, 2020, MassDEP issued Notices of Responsibility to the current upgradient property owner, Post Office Square, LLC and the former owner/operator NTS Technical Systems. Approval for use of groundwater from bedrock wells D and E as a source of public potable water is regulated by the Drinking Water Program. Once MassDEP approves the use of Wells D and E, the current and former owners of 533 Main Street will be required to notify MassDEP of any 72-Hour reporting conditions due to contamination of a public water supply well and must conduct Immediate Response Actions as necessary.

MassDEP appreciates the opportunity to comment on the Project. If you have any questions regarding these comments, please do not hesitate to contact JoAnne Kasper-Dunne, Central Regional Office MEPA Coordinator, at (508) 767-2716.

Very truly yours,



Mary Jude Pigsley  
Regional Director

cc: Commissioner's Office, MassDEP



# **MA ACTON LAWSBROOK SOLAR**

28 Lawsbrook Road  
Acton, MA 01720

## **Progress Report No. 12**

For week ending: 10/01/2021

A copy of each of the Contractor's Safety Program and Contractor's Site Level Plan are available at the Project Site.

## **Table of Contents**

- I. Summary
- II. Subcontractor Status
- III. Safety
- IV. Material Procurement Status
- V. Construction Status
- VI. Utility Interconnection Status
- VII. 2- Week Look Ahead Schedule
- VIII. Progress Photos



## I. Summary

### EPC:

Design, procure, and construct a 4.692.24 MWDC solar array with a 4.22 MWDC battery storage system. The array is comprised of 12,348 - 380w modules mounted to a fixed tilt racking system.

### EDF Renewables Construction Staff:

Eric Emery – Senior Superintendent – Project based	802-299-6773
Dan Thiele - Senior Project Manager	612-655-7659
Art Tenner – Senior Equipment Engineer	802-522-3258
Donna Zeller - Project Coordinator	802-299-0917
Vince Bellwoar – Project Engineer	562-293-4346
Lars Dalemar - Design Engineer	<a href="mailto:lars.dalemar@edf-re.com">lars.dalemar@edf-re.com</a>

## II. Subcontractors and Technical Services

	<b>Trade / scope</b>	<b>Subcontractor</b>
1.	Civil Engineering / EOR	TRC Companies
3.	Clearing and grubbing	Hollis Hill Excavating
4.	Sitework Contractor	Hollis Hill Excavating
5.	Electrical Engineer of Record	Power Engineers, LLC
6.	Racking supplier	RBI Solar
7.	Structural EOR	RBI Solar
8.	Foundation, Racking and Module Installation	RBI Solar
9.	Electrical Contractor	Universal Electric Company
10.	Fence and gates	Stafford Fence

## III. Safety Update

There have been 0 accidents to date.

There have been 0 reportable accidents to date.

There have been 0 lost time accidents to date.



#### IV. Material Procurement Status

##### ***EPC Procurement***

	<b>Status</b>
<b>Modules:</b> Canadian Solar BiKu CS3U-380MB-AG. Bifacial 380W	In progress 09/21/21
<b>Inverters:</b> (32) Chint Power Systems CPS SCH100KTL-DO/US-600	Delivered 09/07/21
<b>Transformers:</b> JST (2)1800 kVA and (1) 2000 kVA dry-type, pad-mounted with cooling fans	Estimated 09/30/21
<b>Switchgear:</b> (2) PV and (2) BESS: 600V Square D NEMA 3R Switchboards	2 PV Delivered 09/07/21
<b>Panel Boards:</b> (16) PB 800A Square D	Delivered 09/23/21
<b>Combiner Boxes and Disconnect Switches:</b> Connect PV 400DS (2)	Delivered 09/28/21
<b>Racking:</b> RBI Solar GM-2 Fixed Tilt System	In progress 9/02/21
<b>Aux Transformer:</b> 75kVA Square D	Estimated 09/14/21
<b>Aux Load Panelboard:</b> Square D Panelboard	Estimated 10/26/21
<b>Neutral Grounding Reactors:</b> (3) Filnor NGR's	Delivered 9/27/21
<b>Pole-mounted Recloser:</b> (2) G&W Electric Viper Pole mounted reclosers w/SEL651R2 Relay	Estimated 10/25/21
<b>Project Meter:</b> (2) Shark 200 Meters in NEMA enclosures with (2) ABB-PMU Pole mount revenue-grade meter clusters	Delivered 9/21/21
<b>GOAB:</b> Cooper-Eaton M-Force 15kV / 110kV BIL 900A Horizontal Group-Operated Air-Break pole-mounted switch	Estimated 10/21/21
<b>DAS:</b> Also Energy	Delivered 09/10/21
<b>BESS – Battery Containers:</b> Store and Forecast (2) with dry pipe sprinklers and meter interface	Estimated 11/15/21



**V. Construction Status**

Survey LOD / LOC	07/15/21	100%
Access Drive	07/15/21	100%
Site Stabilization/Erosion Control	07/15/21	100%
Land Clearing, Stumping, Grinding	07/15/21	100%
Site Grading	07/20/21	100%
Site Harrowing	07/26/21	100%
Site Seeded	08/06/21	100%
Survey Racking Posts	08/30/21	100%
Post Installation	09/02/21	93%
Module delivery	09/21/21	15%
Racking delivery	09/14/21	90%
Racking Installation	09/28/21	10%

**VI. Utility Interconnection Status**

Amended ISA one-line and schedule, still waiting for info from Eversource.  
Eversource set their 2 interconnection poles 9/13.

**VII. 2 – Week Look Ahead Schedule**

Finish Pile driving in laydown area after racking & modules moved.  
Racking assembly.  
Module deliveries.  
Equipment deliveries.  
Trenching.

**VIII. Progress Photos**

Racking:



Filnor Neutral Grounding Reactors:



Site Overview:



Site overview:



October 19, 2021

The Honorable John Cronin  
The Honorable Lori Ehrlich  
Joint Committee on Municipalities and Regional Government  
State House, Room 540  
Boston, MA 02133

Via Email: [municipalitiescommitteema@gmail.com](mailto:municipalitiescommitteema@gmail.com)

**RE: Testimony: Senate Bill 1348, An Act Relative to Local Water and Sewer District Oversight**

Dear Chairs Cronin, Ehrlich, and Members of the Committee:

The Water Supply District of Acton (the "District") appreciates the opportunity to submit the following written testimony in opposition to Senate Bill 1348, An Act Relative to Local Water and Sewer District Oversight. Senate Bill 1348 would amend Chapter 165 of the General Laws to give broad authority to the Department of Public Utilities (DPU) to oversee a water or sewer district established as an independent body politic and corporate pursuant to a special law. The District is such an entity, having been established by a special law in the Acts of 1912 and it is still going strong after more than 100 years of providing drinking water and water protection to the residents of the town of Acton. The District is a public entity established for a single purpose.

It appears that the proposed bill was filed to address a particular concern in Senator Michael Moore's legislative district. A special law may be appropriate to address those particular water supply and district debt concerns in Leicester, but a sweeping law giving the Department of Public Utilities authority to approve fees, rates, rents, assessments, abatements and other charges established by the district and to "ensure compliance by such districts with all state laws and regulations" is not needed. It is not advisable to solve particular water or sewer district's financial problems or billing disputes, affecting only one or two districts, by considering broad legislation that would impact water and sewer districts statewide. Chapter 165 of Massachusetts General Law deals with private water companies; water and sewer districts are not private companies, they are municipal entities and have to comply with the same laws governing all municipal entities.

All Massachusetts water districts must comply with the same rules and regulations applicable to towns. Note here that many towns provide similar sewer or water services but town providers are not subject to this proposed bill. Similar to a town, the District is overseen by its elected Water Commissioners, a District Manager, has a bonded Treasurer. The District, with its elected moderator, conducts annual meetings by

warrant and adopts an annual budget. The Commissioners and its subcommittees conduct open meetings and are subject to the public records laws and all other laws applicable to municipalities. Like a town, the District provides opportunities for its ratepayers, residents and all members of the public to participate in District meetings and provide input on financial decisions

The District has a finance committee which advises and makes recommendations on all fees, rates, assessments and abatements. All discussions are open to the public and input is allowed. The District is audited annually and its "free cash" is certified by Mass DOR. As with all water suppliers, the District is subject to Mass DEP broad oversight. There is no perceived benefit to or reason to single out water and sewer districts for further and additional DPU oversight. The broad proposed language that the DPU would "ensure compliance by such districts with all state laws and regulations" is untenable.

The challenge facing Massachusetts water districts, large and small, is the production and provision of safe drinking water to the public. Further oversight and additional regulation by a new state agency is not helpful to this goal. Even if further regulation of small water and sewer district financial issues were required, DPU is not the solution, especially where such regulation implicates further expenses to all Massachusetts water and sewer districts.

We hope that your committee will give this bill an adverse report, as this will create a burdensome and costly process for the District and its ratepayers with no additional benefit. Please contact Chris Allen, the District Manager if you have any questions or would like additional information.

Sincerely,

[INSERT NAME]  
[INSERT TITLE]

**SENATE . . . . . No. 1348**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Michael O. Moore***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

**An Act relative to local water and sewer district oversight.**

PETITION OF:

NAME:

*Michael O. Moore*

DISTRICT/ADDRESS:

*Second Worcester*

**SENATE . . . . . No. 1348**

---

By Mr. Moore, a petition (accompanied by bill, Senate, No. 1348) of Michael O. Moore for legislation relative to local water and sewer district oversight. Municipalities and Regional Government.

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

An Act relative to local water and sewer district oversight.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 165 of the General Laws is hereby amended by inserting after section 28 the  
2 following section:-

3 Section 29. Local water and sewer district oversight

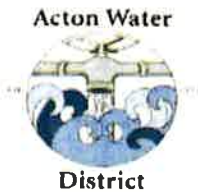
4 Notwithstanding any general or special law to the contrary, the department shall have  
5 authority over any water or sewer district established as an independent body politic and  
6 corporate pursuant to a special law.

7 The department shall approve fees, rates, rents, assessments, abatements and other  
8 charges established by a district; make all necessary inquiries; and ensure compliance by such  
9 districts with all state laws and regulations.

10 Any water and sewer district shall immediately notify the department of any known  
11 financial liabilities or risks which are reasonably likely to result in the imminent insolvency of

12 the water or sewer district, or otherwise negatively affect the district's ability to fulfill its  
13 obligations. If a water or sewer district is insolvent and unable to pay its current obligations or  
14 pay obligations that will become due during the next fiscal year, the Commonwealth shall  
15 appoint a receiver with full authority to operate, assess the continued viability of the district,  
16 assume the financial responsibilities of the operations, and make all decisions regarding the  
17 water and sewer system.

18           The department may establish from time to time such reasonable rules and regulations  
19 consistent with this chapter as may be necessary to carry out the administration thereof.



# Water Supply District of Acton

693 MASSACHUSETTS AVENUE  
P.O. BOX 953  
ACTON, MASSACHUSETTS 01720

TELEPHONE (978) 263-9107

FAX (978) 264-0148

September 1, 2021

Ms. Janet Adachi, Chairperson  
Acton Community Housing Corporation  
472 Main Street  
Acton, Massachusetts 01720

Dear Ms. Adachi:

During the August 2, 2021 meeting of the Board of Water Commissioners, the board and staff of the Acton Water District reviewed the plans made available by the Acton Community Housing Corporation (ACHC) for the construction of a Chapter 40B building containing 4 housing units on the land parcel known as 516 Massachusetts Avenue, Acton, MA. While we understand that the proponent is working with the ACHC as a "friendly" (Local Initiative Project or LIP) development, the Acton Water District does not support development on this parcel and believes that the proposed development is not in the best interests of the Town of Acton or the Acton Water District.

The Acton Water District owns several land parcels in that area, including the bordering parcel at 514 Massachusetts Avenue. Those parcels have also been referred to as the Flannery-O'Toole property, and have been held in reserve by the Acton Water District for some time as a possible source of water. The land has had test wells drilled to determine if it could produce enough water to make it a viable addition to the Acton Water District's water supply. It has been determined that a sand and gravel well in combination with necessary treatment upgrades in West Acton would produce sufficient water.

Because the Acton Water District's abutting parcel at 514 Massachusetts Avenue is known to the Acton Water District to be an available source of water, we are concerned that the proposed development of the parcel of 516 Massachusetts Avenue would have an overall negative effect on the ability of the Acton Water District to utilize its land to produce additional water for the Town of Acton. Unfortunately, at this time, the site is not afforded any of the traditional protections from which other operating wells in Acton benefit. If it did have those designations, this lot would be considered a Zone 1 under Acton's Ground Water Protection bylaw. We are writing to inform you of the sensitive nature of the area as many residents are unaware of the value of the "Mass. Ave. Woods." We have begun discussions with the Massachusetts Department of Environmental Protection to explore ways to protect this area until such time as it can be developed as an active water supply.

Currently, the parcel at 516 Massachusetts Avenue is undeveloped, with no known impediments to aquifer recharge. Natural water infiltration is important for both a potential well site and the health of the nearby wetlands. The current site plans submitted by Stamski and McNary, Inc. indicate that approximately 1,800 square feet will be made impervious by the proposed building's construction. While some porous pavement has been proposed as part of the driveway leading to the parking area, previous attempts to utilize porous pavement in both Acton and Concord have not been successful. For porous pavements to work properly, they must undergo a very strict maintenance regimen to keep the infiltration pores open. This requires regular "sweeping" with specialized equipment that does not damage the pavement. Failing to do this properly will render the porous pavement impervious. Additionally, impervious pavement without adequate treatment of stormwater in close proximity to a potential well, could

lead to a preferential pathway for contaminants with little opportunity to buffer those impacts. A previous proposal by the Town of Acton to develop 516 Massachusetts Avenue for a parking lot, took into consideration our concerns for infiltrating water at this site by connecting the stormwater from the lot to the municipal stormwater system in the public right of way. The remainder of the driveway, as well as the parking area, are all impervious material and are subject to runoff. The runoff from driveways and parking areas contains contaminants which will likely be introduced into the water that runs onto Acton Water District's lands. According to the plan, the total impervious area would be approximately 3,000 square feet.

The parcel is located very close to the protected wetlands located on Acton Water District property. It appears that the development of the parcel will intrude well into the 100-foot wetlands buffer zone and up to the no-build zone (75 feet). This would not be an acceptable level of development in such proximity to the wetlands system which serves a critical role in protecting the underlying groundwater. It is important to note that a properly functioning hydrologic cycle helps to maintain the viability of Acton's water future.

The septic design proposed does not utilize a "tight tank" nor is it connected to a public sewer. It is comprised of a septic tank located off to the side of the concrete driveway, with the leaching fields located underneath the parking area at the rear of the building. The proposal to have vehicle parking on top of the leaching field is concern enough for any project, but in this close proximity to a possible drinking water well, and the consequence of failures, is too great. Examining the contour maps of the parcel and the area around the parcel shows that the land slopes toward the Acton Water District property, indicating that almost certainly the effluent from the development's septic system will flow toward any potential well sites on Acton Water District property.

Based upon some known history of the parcel, we are concerned that there is a possibility of fill material present. Fill material is often of unknown origin, and therefore, unknown content. Disturbing such material or infiltrating large amounts of water through it, can release and mobilize any contaminants contained within the fill to the environment which are consequently carried toward the potential well sites and wetlands. The contour maps and prior hydrogeologic studies indicate that this is the path that would be followed.

The Acton Water District is also concerned with how snow and ice removal could be accomplished on this parcel with the proposed intensity of development. There does not appear to be an area reserved for plowed snow on the property. Pushing it from the driveway and parking area onto the unpaved areas is not an option as this would permit snow and ice containing contaminants to leach into the groundwater untreated or to be deposited on our property.

The Board of Water Commissioners hopes that the ACHC will reconsider the potential development of this parcel with the proposed 40B construction. We do not believe that this parcel is suitable for multi-unit development based on all the reasons stated. This project is not in the best interests of the Acton Water District or the Town of Acton, which it serves. Should you have any questions or wish to discuss further, we encourage you to contact Chris Allen, District Manager.

Very truly,

Board of Water Commissioners



Erika Amir-Lin



Barry Rosen



Stephen Stuntz

Cc: John Mangiaratti, Town Manager