



Planning Department

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (978) 264-9636
Fax (978) 264-9630
planning@acton-ma.gov

MEMORANDUM

To: Planning Board **Date:** April 21, 2006
From: Roland Bartl, AICP, Town Planner *R.B.*
Subject: Ellsworth Village Development – Perchlorate Findings

For the upcoming meeting on 4/25 we have, in response to a request by some neighbors of the Ellsworth Village development, scheduled an extended Citizen Concerns session for the neighbors to air their concerns to the Planning Board over perchlorate detections in some of their wells.

Attached are various e-mail correspondences from some of the neighbors, and the Planning Board's decision that approved the Ellsworth Village project. The potential for perchlorate contamination from blasting activities was known at the time of the hearing. The decision addresses the matter in sections 2.13, and 3.2.18 through 3.2.20.

The developer claims that his blasting contractor used certified perchlorate free compounds but we have not seen the certifications he says he has. They will be enclosed in this package if they are delivered today, or the developer may bring them to the meeting. If he has the certifications, then it would appear he is in compliance with the decision, and there would be no further role for the Town or the Planning Board in the matter. The abutters claim they have pre- and post-blasting test results, but we have not seen them. They may bring them to the meeting. They appear to lay the blame on the developer, and also in part on the Town and the Planning Board for having approved the project. If there is a relationship between the blasting and any subsequent rise or new detection of perchlorates in some wells, and the developer and the blaster have the proper certifications, then abutters may have an issue with the supplier of the blasting materials but not with the Town or the developer. It is my understanding that at least some of the affected abutters are now looking to hook up to public water (the developer installed a new main in Brabrook Road with stubs for each house), and it appears they are looking for the developer (or the Town?) to pay for their it.

In any case, I scheduled the session because citizens have the right to address the Planning Board in matters that they are concerned with, but I don't see the role of the Planning Board to be a court, judge, or mediator in this matter. It seems far too complicated to easily lay blame on anyone. The Board can only listen and try to appeal for calm and cool heads.