

Board of Selectmen (and others concerned)
Acton Town Hall
472 Main Street,
Acton, MA 01720

January 22, 2016

RE: Site Approval Public Hearing for Concord's proposed Acton-based Nagog Pond Water Filtration Facility and associated PV Farm, scheduled for Monday evening, 1/25/2016

Concord's Public Works Water and Sewer Division's proposed Nagog Pond Water Filtration Facility

Concord's Public Works Water and Sewer Division's proposed Nagog Pond Filtration Facility (in Acton) with upgrade and expanded development, including expanded facility foot print, enhanced pond water withdrawals, creation of an associated PV Farm, among other changes contribute to expanded impacts and concerns that need to be addressed.

The need for installing water filtration on the current water stream drawn from Nagog Pond for Concord public consumption as potable water is understood and overdue. That is not the issue. There are many other concerns proposed by this project and its expanded magnitude.

Changes brought about by implementing Nagog Pond Water Filtration:

Concord has acquired land surrounding Nagog Pond to protect the natural resources therein, in part to enhance water quality for the purpose of supplying drinking water to Concord. Additionally Concord has denied public access to these pond side lands in both Littleton and Acton for the purpose of protecting water quality. Once water filtration is implemented on the water stream from Nagog Pond, there is no need to prohibit public access on these protective surrounding lands (other than in the very immediate vicinity of the treatment facility itself).

1. With the introduction of the new Water Filtration Plant and the protection provided with its implementation, public access for all should now be granted to these surrounding lands. The need is evident by the current well-worn trail systems surrounding the pond and the desire of the Acton and Littleton communities to provide connectivity, including between Littleton's historic Sarah Doublet Forest and Nature Reserve (former Nashoba and Newtown Praying Indian Plantation) and Littleton's Morrison Farm/ Nagog Hill Orchard, with Acton trails, including the Trail Through Time, thereby connecting public areas including those with significant Native American history and artifact. The desire to protect these lands and to provide public access to these lands is expressed in both the Littleton and Acton's Open Space and Recreation Plan Reports.
2. All these surrounding lands in the Nagog Pond watershed need to be permanently protected, as a result of the new treatment process reducing the need for extensive pond side land ownership and mitigation needs to be provided for an expanded water withdrawal operation and overall expanded development, with increased foot print, infrastructure, and accessory development, such as the extensive Photovoltaic (PV) Farm. There are several ways this could be done.
 - a. Concord could gift hosting communities (Littleton and Acton) with these pond side lands, along with protective covenants allowing public access and extinguishing development rights. Lands would be gifted in fee to the corresponding community in which they reside.
 - b. Alternatively, Concord could gift Conservation Restrictions (easements) to these same communities with the above stated public access and extinguishment of development

rights. Grantees could be the corresponding community's municipal Conservation Commissions and/or private non-profit conservation land trusts.

- c. In no case should these lands acquired (often with the use of local and state public funding and consequently most likely protected with various statutes such as the Article 97 Amendment to the Massachusetts Constitution) to protect the natural resources of Nagog Pond, including that of providing a drinking water source for Concord, be discarded and developed directly or indirectly.
3. The Nashoba Praying Indian Village selected its location between two major fresh water bodies – Fort Pond and Nagog Pond, both in Acton and Littleton. (In Algonquin, "Nashoba" translates to "between the waters"). Many Native American artifacts and indications of their presence can be found in this immediate area and surrounding environs. In particular, close to the current water treatment facility is a turtle effigy consisting of an aggregate of rocks with additional rock appendages serving as limbs and head. These and other artifacts need to permanently protected. (See research and works of Dan Boudillion, Peter Waksman, John Hanson Mitchell, Tim Fohl, Linda McElroy, Curt Hoffman and his students, and those discussed at Acton's archaeology programs such as those hosted by its organization, Friends of Pine Hawk.)
 4. The impact of successive water withdrawal upon Nagog Pond and its associated banks and ecosystem should be understood before expansion of water withdrawal and usage is allowed. Nagog Pond is a Great Pond and contains historical value in addition to its substantial ecological significance.
 5. The proposed Concord Water Filtration project is greatly expanded beyond just providing a new level of physical filtration on the current water stream which supplies limited drinking water to residents of Concord. This expansion of this currently nonconforming infrastructure and operation needs to be fully understood and justified. In particular due to:
 - a. Greatly expanded footprint of plant and access;
 - b. Greater water withdrawals from Nagog Pond; and
 - c. Newly proposed large PV Farm and accessory infrastructure, with both its impact on the ground and scenic impact from the Nagog Pond shorelines and environs.

If you have any questions or desire clarification, please do not hesitate to contact me. Thank you for the opportunity to comment on issues of mutual concern.

Respectfully yours,



Donald MacIver, president and trustee
Littleton Conservation Trust
(Owners and stewards of Sarah Doublet Forest and Nature Reserve
along Nagog Hill Rd and Fort Pond Road, Littleton)

LittletonConservationTrust.org
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978-952-2706



Pulte Homes of New England, LLC
115 Flanders Road, Suite 200
Westborough, MA 01581
Telephone: 508-870-9999
Fax: 508-870-0408

January 22, 2016

Acton Board of Selectmen
472 Main Street
Acton, MA 01720
978-929-6611

Re: Comment Letter
Town of Concord Application for a Site Plan Special Permit/Use Special Permit
#11/2/2015 - 459

Dear Board of Selectmen,

Thank you for the opportunity to submit this letter. Pulte Homes has reviewed the most recent site plans submitted by Environmental Partners Group for the water treatment plant upgrade and the solar field.

While we appreciate Concord's desire to upgrade their facility and utilize solar, their revised proposal to clear right up to the property line and to locate solar panels 30-40 feet away facing directly at our abutting homes disregards the well being of our existing and future residents of Acton. Although we appreciate the intent of the proposed screening along the property line, we can not imagine a scenario where enough screening can be planted to mitigate the solar glare that will be directed right at our nearby homes.

The Acton residents of these adjacent homes should be considered and protected by the Town. The Concord Water revised proposal is a gross over reaction from their original plan and should be revised with more thought to balance environmental and abutter impacts.

We ask the Board to request the plans be revised to leave at least a 100 ft. undisturbed buffer between the proposed solar field and the abutting homes at Quail Ridge, or as a fall back position, we ask that Concord Water be required to submit a much more detailed and substantial landscape screening plan that will completely screen the panels and the solar glare from the abutting homes at Quail Ridge.

We appreciate the opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads "Reid A. Blute". The signature is written in a cursive style with a long horizontal stroke at the end.

Reid A. Blute
Vice President – Land Acquisitions

Lisa Tomyl

From: Betsy Purcell <betsypurcell@gmail.com>
Sent: Friday, January 22, 2016 1:34 PM
To: Board of Selectmen
Subject: Say NO to Concord water treatment expansion!

To the Acton Board of Selectmen:

I am not often moved to write to the Board of Selectmen, as I feel Acton is well run. I love this town and support those who donate their time to keep it running.

I grew up in Concord, and since 1997, I've lived in Acton, raised my kids here, and have been a cheerleader for Acton, especially in my role as a Realtor.

I urge you to push back in any way that you can, to stop this proposed project, of clearcutting an acre and a half, putting in a solar field, and quadrupling the size of the water treatment plant at beautiful Nagog Pond. The process should at the very least include notifying all abutters to this area. This assault on our Town will directly affect the home values in Acorn Park, Breezy Point, and newly built Quail Ridge. For a town that so depends on these higher end neighborhoods for tax revenue, this will be a kick in the teeth, and will eventually cause all Acton residents to pick up the slack, because the homes in this area will no longer command the price point that they do now.

If the shoe were on the other foot, Concord would never allow us to build anything that would take down trees in their town. Interestingly, on a personal note, my family tried to donate a bandstand to the Town of Concord, in my Mother's memory, (who was a Selectman in Concord years ago.) Residents came out in droves to prevent any change to their community. We should stand up and do the same, and this time, for a good reason. Please stop this project now.

Respectfully,

Betsy Purcell
69 Charter Rd
Acton, MA 01720

Lisa Tomyl

From: Larry Kerpelman <l.kerpelman@gmail.com>
Sent: Friday, January 22, 2016 1:45 PM
To: Board of Selectmen
Subject: Please stop the Concord water treatment plant expansion

Board of Selectmen

Town Hall

Acton, Massachusetts

Ladies and Gentlemen:

It's time to put your collective foot down and tell Concord to stop using Acton as its doormat. In the 40 years I've lived in Acton, I've watched Concord fulfill many of its municipal responsibilities at Acton's expense. For too long, Concord has blithely gotten away with putting their "undesirable" projects in Acton, allowing Concord to reap all the benefits while forcing Acton to bear all the burden.

- It has attempted to perform its 40B responsibilities by allowing construction of a huge apartment complex in the very corner of Concord that abuts Acton, with the resulting traffic pouring onto Acton's streets.
- It has attempted to put a school bus depot adjacent to the Acton Water District wells, threatening our water with gas and oil spills from their buses.
- Now they are proposing to build an industrial-scale water treatment plant and solar array adjacent to Nagog Pond, destroying numerous trees around that picturesque pond, disturbing historical Indian artifacts lying within that land, and taking out more water from the pond than ever before.

It galls me to drive around Concord and see all that open land and yet have Concord come to Acton for municipal land uses it could just as easily fulfill in Concord if only it decided to buy up one of the many 40-acre estates I see and use that land instead. As the elected representatives of Acton, it is up to you to tell Concord enough is enough.

Sincerely,

Larry C. Kerpelman

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Larry C. Kerpelman, Ph.D.

9 Puritan Road

Acton, MA 01720-4248, USA

Lisa Tomyl

From: DavidForte&EllendeLemosForte <dforte@verizon.net>
Sent: Friday, January 22, 2016 1:20 PM
To: Board of Selectmen
Subject: Town of Concord use of Town of Acton clean water - TIME CRITICAL - please vote AGAINST current proposal

Importance: High

I would like to know more about the arrangement between the Town of Concord and the Town of Acton relative to the clean water in Nagog Pond on Acton land?

With the increasingly difficult job our town has of securing clean, vital drinking water for our own residents, is there any possibility we can re-visit this issue given the current circumstances and negotiate a "shared" use of this critical natural resource?

It seems counter productive (and potentially quite harmful long term) to allow another entity to negatively impact our town and destroy natural habitat surrounding this valuable resource for their own use, while our own residents and committed individuals in the Public Resources and Acton Water District struggle to find ways to provide clean water to our own residents?

Please VOTE AGAINST allowing the Town of Concord to use Acton resources for their own self-interest unless there is some cooperative agreement which addresses our own Town's reasonable and justifiable need for this resource. Our own Town of Acton residents should be able to utilize this valuable resource as well.

Please address these issues before moving forward.

Many thanks for your service.

Ellen de Lemos (Forte)
3 Perkins Lane
Acton, MA 01720

Lisa Tomyl

From: David Didriksen <david@willowbooks.com>
Sent: Friday, January 22, 2016 12:29 PM
To: Board of Selectmen
Subject: Concord power play

Dear Board of Selectman Members:

Of all of the dumb things the town of Acton has done over the years (and there have been many) one of the dumbest would be to let the town Concord comander part of our water and land around Nagog Pond to build their own permanent infrastructure.

It's bad enough that our forefathers foolishly gave away rights to the best natural resource in the entire town, Nagog Pond. The only thing that can said in its favor is that it has kept a lot of housing development from trashing the pond. We could only hope that - someday- Acton might get its own land and water rights back. That will never happen if you give up all of our rights to let Concord come in and build a permanent facility.

I have lived here 26 years and have always regretted that Nagog Pond has been off-limits to the citizens of Acton. It would be much better to tell Concord to use their own land for their public works projects. In fact, instead of selling land to Concord, we should be negotiating a way out of a horrible deal, signed so long ago, by people with very little foresight.

Please do not betray future generations by giving up Acton's future rights to this resource.

Sincerely,

David Didriksen
25 Lincoln Drive
Acton, MA 01720

978-501-0918