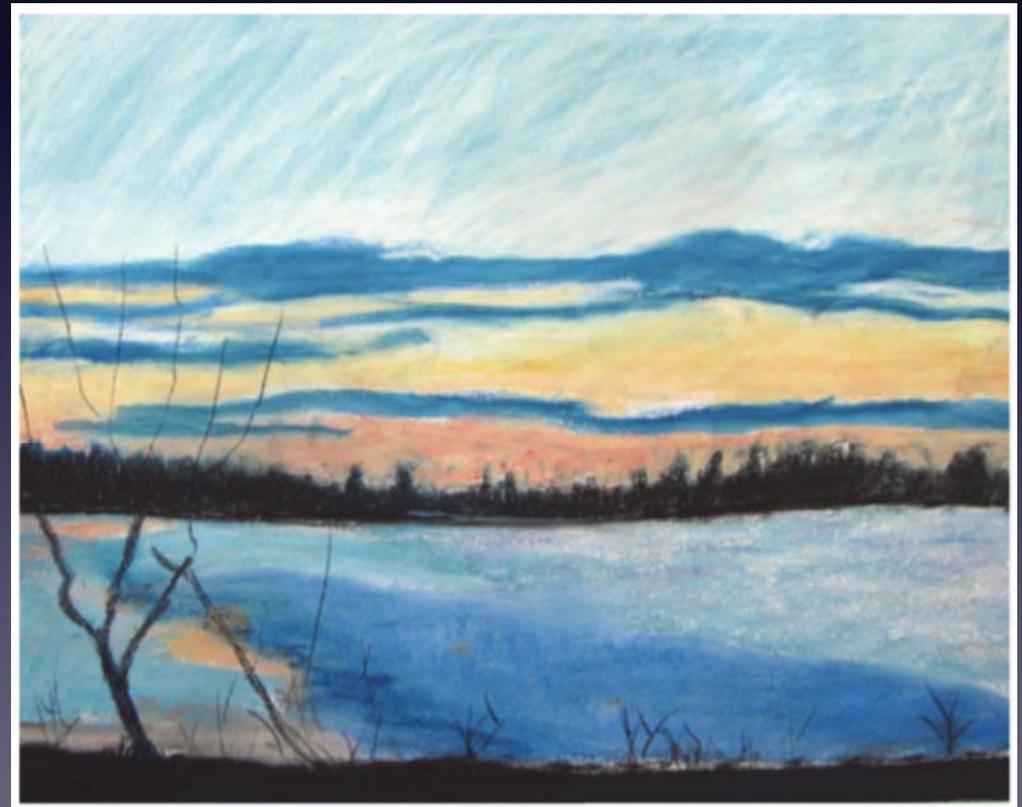


# Major concerns and remedies

Bob Sekuler



“Nagog Pond at Sunset”

Drawing by Alex Zhang

Winner, 2012 Acton Youth Art Competition

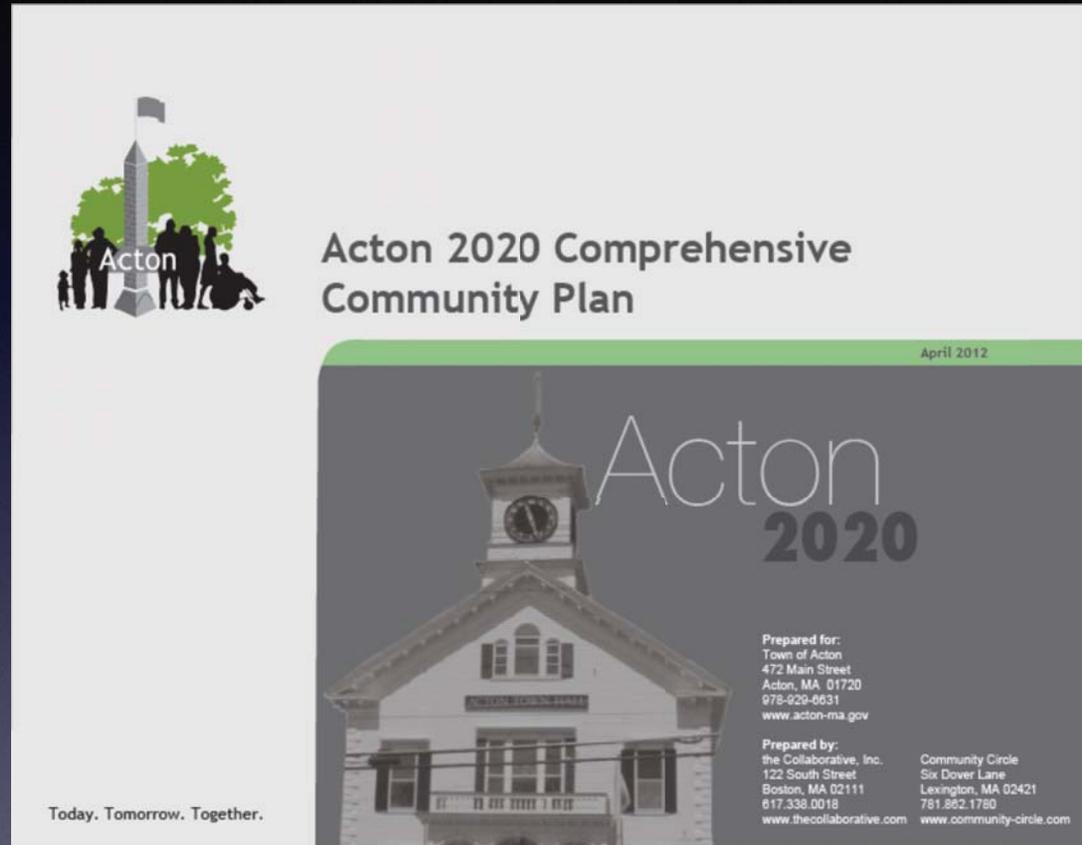
# Three major concerns

- Project will harm Acton's water supply
- Project is wrong for a residential neighborhood
- Project will adversely affect animal habitat

# Acton Zoning Bylaw

- **10.3.5 Mandatory Findings by Special Permit Granting Authority – Except for a Site Plan Special Permit, the Special Permit Granting Authority shall *not* issue a special permit unless without exception it shall find that the proposed USE:**
  - **10.3.5.1 Is consistent with the Master Plan.**
  - **10.3.5.2 Is in harmony with the purpose and intent of this Bylaw.**
  - 10.3.5.3 Will not be detrimental or injurious to the neighborhood in which it is to take place.
  - 10.3.5.4 Is appropriate for the site in question.
  - 10.3.5.5 Complies with all applicable requirements of this Bylaw.

# The Master Plan

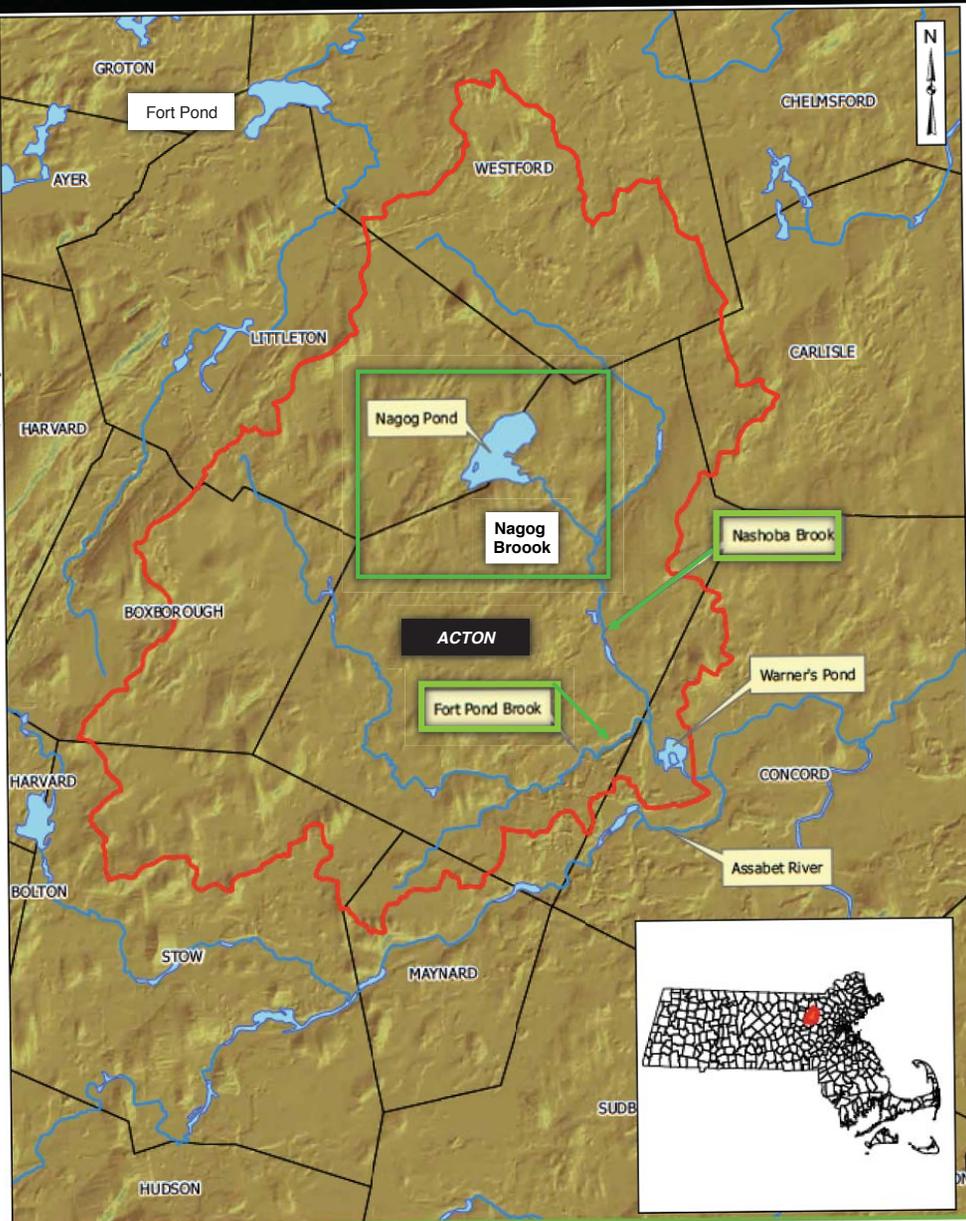


- Objective 2.1.
- Protect the quality and quantity of Acton's water

# Our water resources

- Acton depends upon ground water resources
  - AWD has been a careful steward of our water, for 104 years, but the resource is fragile.
- Two-thirds of Acton's ground water aquifer reflects infiltration from just two brooks:  
**Nashoba & Fort Pond Brooks.**

# Our water resources



Nashoba Brook receives water from Nagog Brook.

AND Nagog Brook gets its water from Nagog Pond.

*Result?*

WARNER'S POND WATERSHED MANAGEMENT PLAN

Warner's Pond Watershed



Scale: 1" = 8,500' (1.6 miles)

○ Watershed boundary

# Threats to water resources

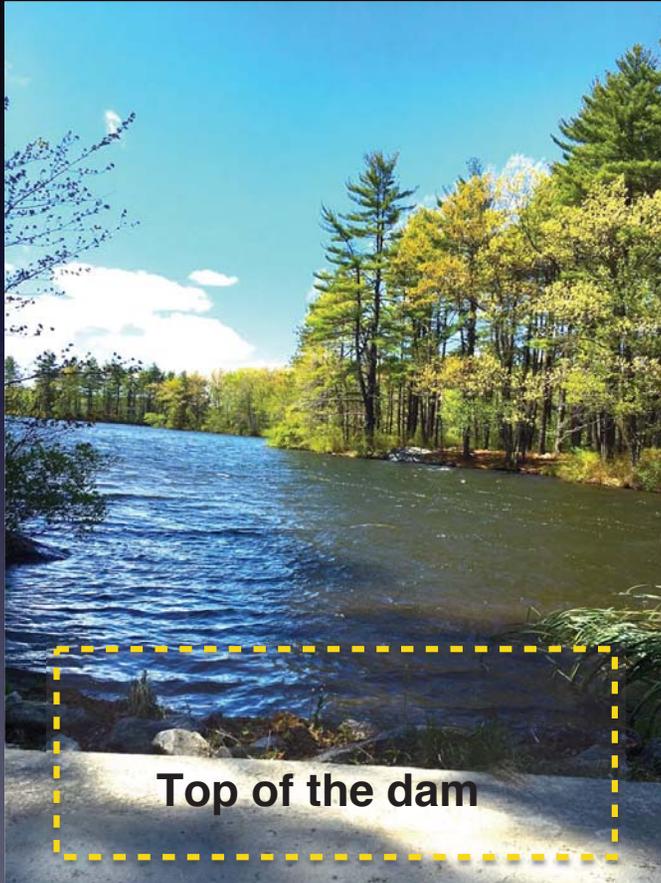
- Dioxane plume from Concord
  - Previous chemical infiltration of Assabet wells caused water emergency (~40% of our supply was lost)
- Droughts and longer-term climate change
- **Concord's plan will increase its drawdown of Nagog Pond surface water —no longer just summer time draw, but 365 days per year**

# Impact of 2016 drought



**Water level has dropped nearly two feet**

# Impact of 2016 drought



May 15, 2016



August 22, 2016

**~8 feet shoreline is newly exposed  
Great deal of new plant growth**

# Acton Zoning Bylaw

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# Existing neighborhoods



**Acorn Park**



**Quail Ridge**

# Fitting into the neighborhoods?

Concord's Proposed Plant



Acorn Park

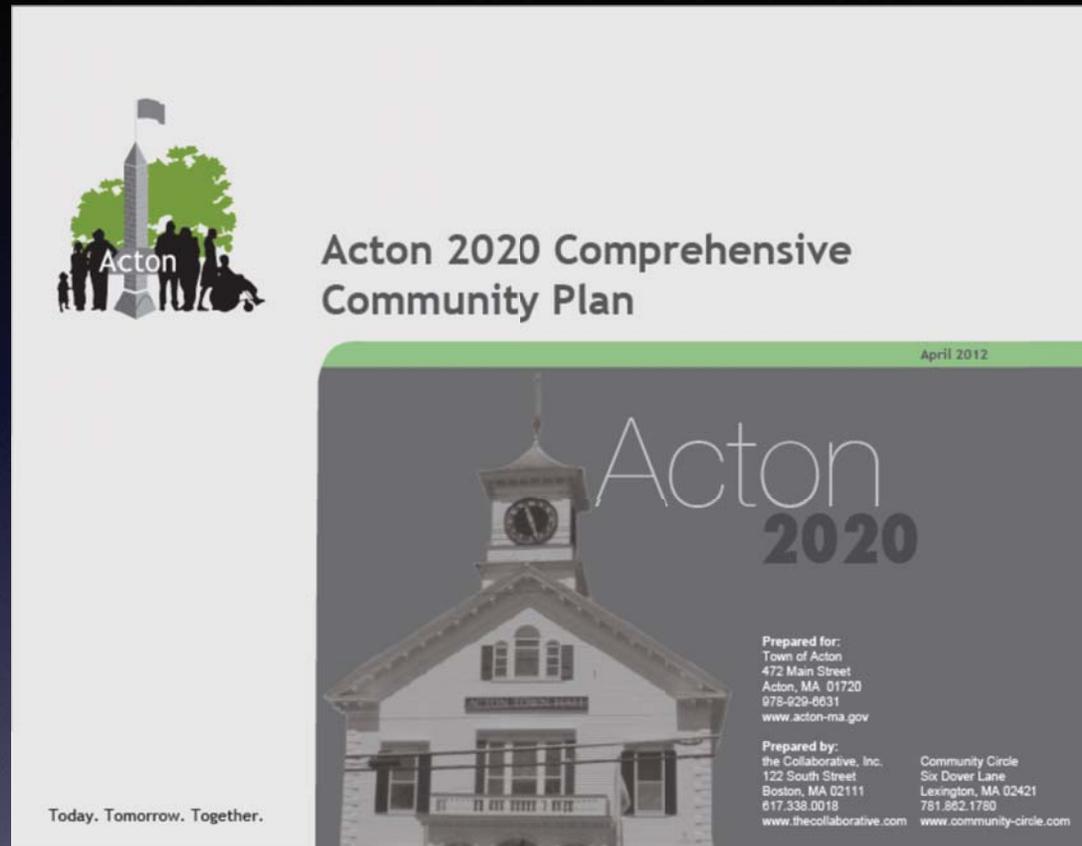


Quail Ridge



Concord's proposed plant is about the size of Acton Town Hall

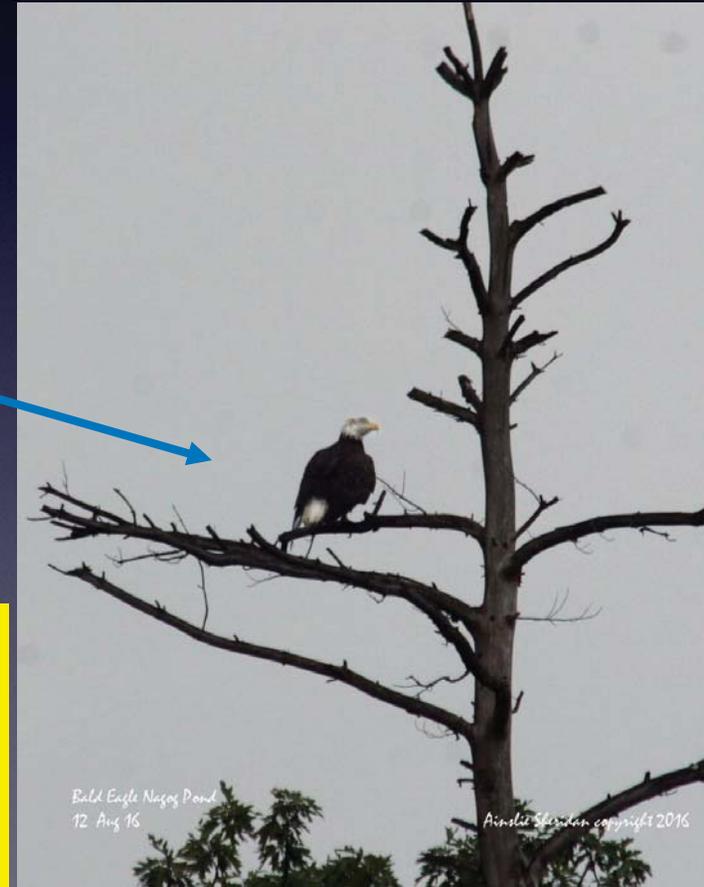
# The Master Plan



- **Healthy ecosystems and habitats with a diversity of wildlife are indicators that families can live healthy lives and enjoy their surroundings. (Page 130)**

# Multiple impacts on habitat

A state-designated “threatened species,” the American Bald Eagle, now has a congenial habitat at Nagog Pond



Massachusetts Division of Fisheries and Wildlife: *Eagles require large forested area, good supply of fish, unimpeded views, and **reasonable freedom from human disturbance.***

**Breezy Point,  
August 2016**

**Concord’s project would threaten this habitat, driving away this species.**

# Multiple impacts on habitat

“A Coldwater Fish Resource (CFR) is a waterbody (stream, rivers, or tributary thereto) where reproducing Coldwater Fish use such waters to meet one or more of their life history requirements. CFRs are particularly sensitive habitats. Changes in land and water use can reduce the ability of these waters to support trout and other kinds of cold water fish.”

Department of Energy and Environmental Affairs designates Nagog Brook as Coldwater Fish Resource. **Concord's project will reduce the flow of Nagog Brook.**



# We ask that....

1. Multiphase treatment of water be moved downstream to an appropriate site, such as  
Concord's present Route 2A Satellite Pumping Station  
Small distributed processing sites at several locations  
Or in Concord itself, e.g., at its Light Plant property.
2. That the plan for cogeneration be abandoned. The electrical production exceeds project's needs; cogeneration produces noise, emissions, and heat.

# Acton Zoning Bylaw

- **10.3.6 Special Permit Conditions – The Special Permit Granting Authority may impose such conditions, safeguards and limitations as it deems appropriate to protect the neighborhood or the Town including, but not limited to:**
  - **10.3.6.1 Dimensional requirements greater than the minimum required by this Bylaw;**
  - **10.3.6.2 Screening of parking areas or other parts of the premises from adjoining premises or from the STREET by specified walls, fences, plantings or other devices;**
  - **10.3.6.3 Modification of the exterior features or appearances of the STRUCTURE(S);**
  - **10.3.6.4 Limitation of size, number of occupants, method and time of operation, and extent of facilities**

# The Board should...

**If the plant were permitted in any form**, our Selectmen must include conditions:

(1) Define drought-contingent drawdown restrictions

(1a) Assert Acton's right to reduce or halt Concord's water withdrawals from Nagog Pond if conditions require

(2) Establish a Conservation Restriction on Concord's property surrounding the water treatment plant. Protect wildlife habitat and guarantee Acton public access in perpetuity

(3) Minimize fencing to preserve the present wildlife corridor and public access

(4) Minimize noise from the facility.

# The Board should...

**If the plant were permitted in any form,** our Selectmen must include conditions:

(5) Preserve all archaeologically-significant features of Concord's land

(6) Prohibit vehicle traffic to the facility over private streets

(7) On non-private streets, ensure safety and comfort of residents (particularly children) by:

- Restricting hours of truck traffic

- Strictly enforcing speed limits

- Restricting number of trips by trucks

(8) Require substantial reduction in size of proposed structure, and require that it be clad in materials appropriate to its residential site.

***In sum, Concord's proposal is not consistent with Acton's Master Plan and violates Acton's Zoning Bylaw. The proposal should not be permitted.***



**Nagog Pond in pristine state, circa 1905**

Near the site that later  
became Concord's dam