



## CONCORD PUBLIC WORKS

Water and Sewer Division  
135 KEYES ROAD  
CONCORD, MASSACHUSETTS 01742-1601

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April 25, 2016

Ms. Katie Green, Chair  
Acton Board of Selectmen  
472 Main St.  
Acton, MA 01720

Chairwoman Green,

On behalf of the Town of Concord (Concord), I am requesting the Acton Board of Selectmen to deny 581 Great Road, LLC's Application for Site Plan Special Permit (SPSP) Modification, for Special Permit #6/27/89-315, 581 Great Road Acton, MA. The application, filed with Acton Planning on April 5, 2016, is seeking *"to amend Condition 2.6 of the SPSP to allow for storage, use and disposal of automotive fluids such as engine oil, transmission fluid, brake fluid, anti-freeze or Freon on site."*

The property involved is located approximately 115 feet from the shore of Nagog Pond, a Class A Public Water Supply which serves customers in both Acton and Concord. It is also located within the Zone 4 of the Acton Groundwater Protection District and the 100-foot buffer of a wetland. As noted in bullet No. 4 of the Findings & Conclusion section of the original 1989 Site Plan Review, *"The groundwater protection facilities as proposed are not adequate to allow for the safe commercial changing of automobile fluids on the site."*

Subsequent to the issuance of the original special permit, there have been notable advancements in environmental and more specifically water resource protection interests and controls. These advancements are especially noteworthy in the areas of land-use controls, stormwater management and wetland protection. Within the past 25 years, Concord has worked closely and successfully with the Towns of Littleton and Acton, as well as the Massachusetts Department of Transportation (MassDOT), to eliminate a number of water quality threats identified along this very corridor of Route 2A.

Several years ago, while reviewing stormwater management plans associated with a large residential development located in Littleton (Village Green), Concord learned that the stormwater from this residential development was designed to flow directly into what appears to be private stormwater infrastructure located within 581 Great Road, Acton. After contacting the Acton Engineering Department, we learned that they did not have any as-build records for this property and could not confirm if this stormwater system was connected directly to the Town of Acton's stormwater system, MassDOT's stormwater system, or both. Despite our best efforts, these concerns were hindered by the fact that these stormwater questions potentially involved three different authorities; Littleton, Acton and MassDOT.

In 2014, at about the same time construction associated with Village Green began, I was approached by a resident, whom currently lives in Concord, who volunteered that he had lived in the immediate vicinity of 581 Great Road sometime in the 1950's. At this time, he recalled seeing first-hand how the property at 581 Great Road had been "altered" to mitigate localized flooding issues, in a manner that he did not believe would pass today's environmental or regulatory scrutiny. His immediate concern was how this old drainage system could potentially impact water quality within Nagog Pond.

Based on the uncertainties noted above, coupled with the very limited information provided by the applicant in support of this significant site plan amendment (see "Process for Motor Oil and Other Automotive Fluid services" letter submitted by Mr. Randy Irwin dated March 29, 2016), Concord would strongly recommend that the application as submitted be denied.

Thank you for the opportunity to provide comment on this very important project. If you have any questions as to these comments, please do not hesitate to contact me via email [acathcart@concordma.gov](mailto:acathcart@concordma.gov) or 978-318-3250.

Respectfully,



Alan H. Cathcart  
Water and Sewer Division, Superintendent

CC (via electronic mail):      Chris Whalen, Concord Town Manager  
   Richard Reine, Concord Public Works Director  
   Steven Ledoux, Acton Town Manager  
   Roland Bartyl, Acton Town Planner  
   Corey York, Town Engineer  
   Chris Chambers, MassDOT Permits Engineer