

Breezy Point Homeowners Association
Acton, MA 01720

September 9, 2016

Subject: **Request for Acton Board of Selectmen to deny Concord's proposed Nagog Pond Water Treatment Plant project in its present form.**

Dear Selectmen Berry, Adachi, Osman, Green and Chang,

We, the Breezy Point Homeowners Association, on behalf of all residents of the Breezy Point neighborhood, strongly urge you to deny approval of Concord's proposed Nagog Pond Water Treatment Plant project in its present form.

In January 2016 we raised concerns when the original plans for the Nagog Pond project were revealed. These plans included an enclosed **fence** around the dam, completely cutting off our neighborhood's *prescriptive easement* to the Nagog Hill conservation land. We also expressed concerns that the installation of these fences in a sensitive ecosystem would be harmful to the environment, wildlife and wildlife habitat, and would forever change the Nagog landscape. We communicated these concerns as an association in a letter to the Selectmen dated January 21, 2016, and individually as Acton residents, to the Selectmen and to Concord leadership at town meetings.

And so we are deeply concerned by Concord's latest plans, which call for extending this fence to a total length greater than a mile long, and completely enclosing the Breezy Point Neighborhood. The plans for this proposed fence were published on August 29 (an addendum to Concord's revised plans), and are attached for your convenience.

Our concerns regarding these current plans include:

- Environmental impact. The Breezy Point neighborhood consists of 13 houses, with an average lot size of 3.48 acres. Wildlife currently passes freely through the Breezy Point neighborhood and into the land around Nagog Pond. The proposed fence would completely obstruct the flow of wildlife and irreversibly impact the local ecosystems. The fence would also cross through fragile wetlands areas. *Of significant concern, the proposed fence was not included in the environmental impact study, as plans for the fence were drawn up only after the publication of the environmental impact report.*
- Connection to open space. Residents in our neighborhood have continuously used the trails behind our neighborhood to access the Nagog Hill conservation land in Acton for over 20 years, meeting the legal requirement for a *prescriptive easement*. Many residents moved into the Breezy Point neighborhood because of its direct connection to Acton conservation land. We are stewards of the land and water in, around, and behind our properties. No Breezy Point resident has ever been caught abusing the land or water around Nagog Pond, but rather we are community watchmen who have a vested interest in protecting and preserving the land behind our properties. We agree with the Acton Land Stewardship Committee's suggestions of:
 1. "No fencing around the pond to inhibit wildlife," and
 2. "Establishment of an inter-town trail connection between Acton and Littleton conservation land, including Concord Water Department land."
- Safety. A perimeter fence would significantly decrease the ability for emergency personnel to access the area around Nagog Pond in the event of an emergency. When a fire broke out on Breezy Point Island a couple months ago because of a lightning strike, the Acton Fire

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Department used the property of 6 Breezy Point Rd to access the land directly around Nagog Pond. A locked fence would restrict and slow down the access for the first responders, fire, ambulances and police. Many residents also have safety concerns regarding the placement of a large fence – potentially topped with barbed wire – so close to childrens' backyards & play areas.

- Quality of life. The proposed fence would run directly along the property lines of 8 out of the 13 houses in our neighborhood, and would permanently scar our landscapes and views. At a recent Homeowners Association meeting, residents used terms including “boxed in” or “surrounded by a cage” to describe the effects of such a fence around their properties. We are very concerned that such a fence would significantly negatively impact our property values, which according to Acton town assessment records, currently average \$930k.
- Common sense. Establishing a perimeter fence around the Breezy Point neighborhood provides no greater security to Nagog Pond and Nagog Pond dam, as the Nagog Pond water supply remains directly accessible around most of the perimeter of the pond. We in the neighborhood are deeply concerned that our neighborhood is being unjustly “singled out” and targeted as the source of general (unsubstantiated) security concerns, even though we have proven our neighborhood time and again to be allies and stewards of the land. Concord’s proposal to extend the fence deep into the Breezy Point neighborhood has no logical basis.
- The Future of the Acton water supply. The 1884 water rights grant from Massachusetts reserved the right for the towns of Acton and Littleton to draw water from Nagog Pond. We should all be concerned about the risks of Concord’s superfund site (1,4-dioxane plume) contaminating Acton's drinking water supply. It is not in Acton's best long-term interests to give up its stake in the Nagog Pond drinking water supply.

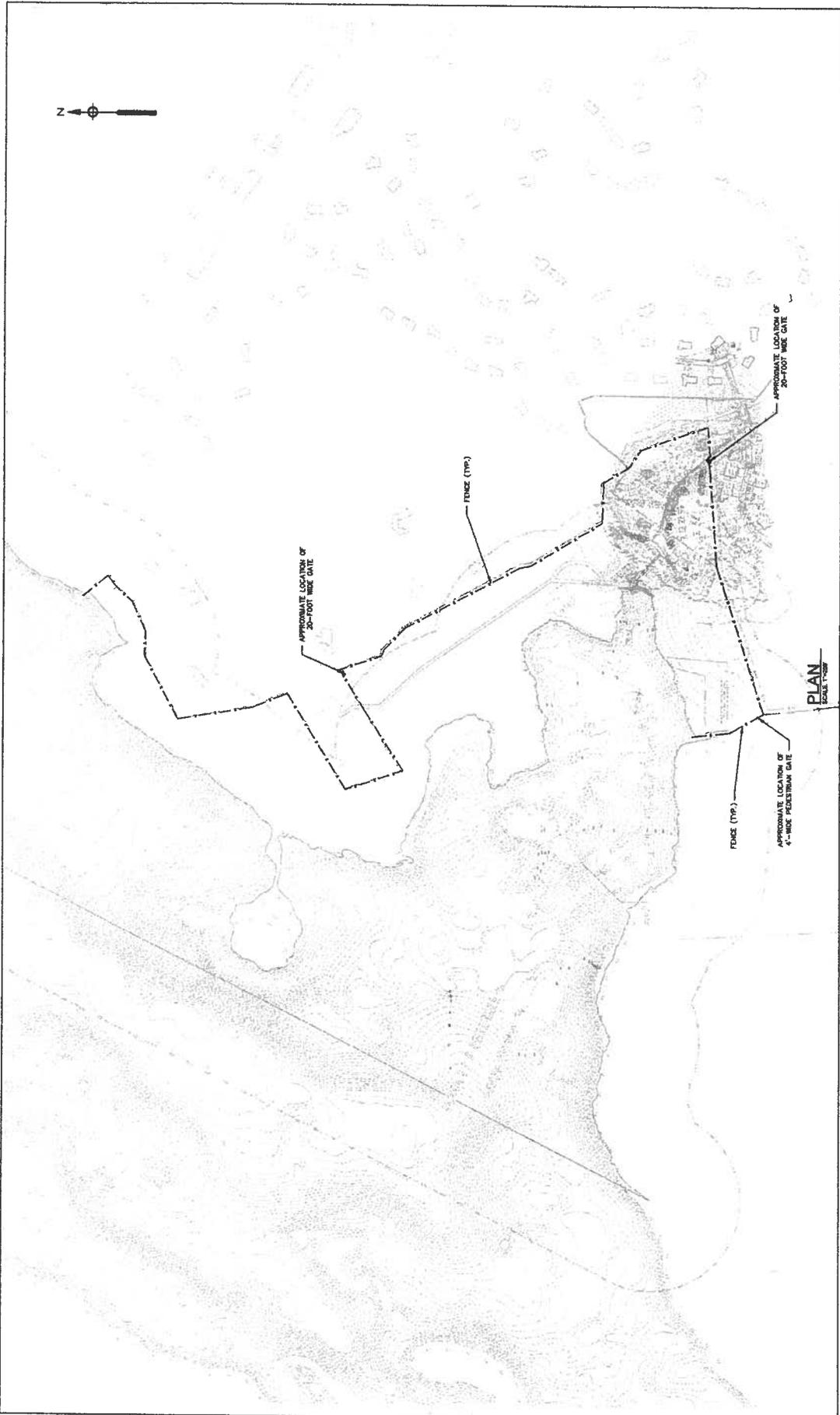
We welcome the opportunity to collaboratively work with the Concord Water District to ensure that the concerns of Acton residents, including those in the Breezy Point neighborhood, are properly addressed in the next draft of the Nagog Pond water treatment plans.

Sincerely,



The Breezy Point Homeowners Association

Alissa Weiss, President, on behalf of the Breezy Point Homeowners Association and the residents of Breezy Point Road



	Environmental Partners GROUP A partnership for engineering solutions			DESIGN: FENCE AND GATE LOCATION REVISION: DATE:		SCALE: 1" = 100' DATE: SEPTEMBER 2016		DRAWN BY: LCU CHECKED BY: LCU DESIGNED BY: LCU		PROJECT NO.: 2016-001 PROJECT NAME: NAGOG POND WATER TREATMENT PLANT LOCATION: TOWN OF CONCORD, MASSACHUSETTS		SHEET NO.: C-16 OF: 16
	PROJECT: NAGOG POND WATER TREATMENT PLANT LOCATION: TOWN OF CONCORD, MASSACHUSETTS			DRAWN BY: LCU CHECKED BY: LCU DESIGNED BY: LCU		PROJECT NO.: 2016-001 PROJECT NAME: NAGOG POND WATER TREATMENT PLANT LOCATION: TOWN OF CONCORD, MASSACHUSETTS		SHEET NO.: C-16 OF: 16				

Robert C. Johnson
 9/28/16