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October 6, 2016

Board of Selectmen:

Peter Berry, Chair
Janet Adachi, Vice-Chair
Frances Osman, Clerk
Katie Green
Chingsung Chang

472 Main Street
Acton, MA 01720

Dear Selectmen:

On September 30th, Concord sent a letter to the state indicating that they **were switching to conventional electricity from the power grid** as the means of powering their proposed Nagog Pond Water Treatment Plant. A copy of Concord's letter, through their consultant Environmental Partners, is attached. I obtained this document through a public records request of the state MEPA staff.

Also attached is a copy of the MEPA comment letter from the state's Department of Energy Resources, which states that this state agency does "not recommend CHP (combined heat and power) be utilized for this project." The state's MEPA report indicates that the switch from CHP to conventional electricity is due to MEPA comments, which, in addition to the attached state comments, included over 30 pages of comments provide by the Quail Ridge community, and comments provided by Acton's Breezy Point community, representing over 500 Acton residents.

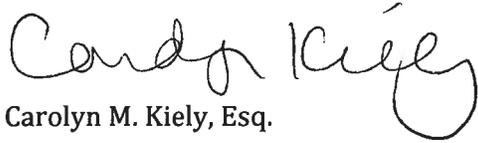
It should also be noted that Concord conducted a new sound study with the recently-added ozone treatment trailers at the site turned off, as was requested during the September 12th Selectmen Special Hearing. And presently, those trailers are turned off (i.e., no sound is emanating from these trailers), and the trailers are disconnected from the brick ozone treatment facility at the site. I do not know whether the new sound study also contributed to this decision to switch power source to the electrical grid. I can just inform you that, in response to citizen comments indicating that the background sound levels at the site were unexplicably elevated just prior to background testing, a new sound test was conducted by Concord, and now the elevated sound sources have been turned off by Concord.

Despite the fact that the facility is now proposed to be powered by electricity from the grid, the proposal still violates the Acton zoning bylaws and Acton's 2020 Master Plan, including Bylaw 10.3.5.2 and Master Plan Goal 2 ("protect the quality and quantity of Acton's water, ... taking surface water into account"), Bylaw 10.3.5.2 ("to conserve the value of land and buildings"), Bylaw 10.3.5.3 and 10.4.5.2 ("detrimental to the neighborhood"), Bylaw 10.3.5.4 ("appropriate for the site"), 10.4.5.2 ("convenient and safe vehicular and pedestrian

movement”), 10.4.5.6 (“limit adverse effects on surface and groundwater”), 10.4.5.1 (“consistent with the master plan”), and others.

Feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Carolyn M. Kiely". The signature is written in a cursive style with a large, looping "y" at the end.

Carolyn M. Kiely, Esq.