

## WLMAC MEETING NOTES OF OCTOBER 26, 2010

**Present:** Greta Eckhardt, John Cipar, Barry Rosen, Paul Malchodi (joined the meeting by speakerphone as he was traveling. He did not vote nor was counted as part of the quorum).

**Chairperson:** Barry Rosen

**Called To Order:** Barry called the meeting to order on Tuesday, 26 October 2010 at 8:15 PM ET.

### Old Business:

1. Accept Minutes: After a brief discussion, a motion to accept the minutes of 16 September 2010 was made by John Cipar and seconded by Greta Eckhardt. The vote to accept the minutes was unanimous (3 For; 0 Opposed).
2. Applewood Condominium Association Request For AWD Water: Because of the additional time afforded to it due to the postponement of the AWD Commissioner's meeting, the WLMAC decided to continue their discussion of the Applewood request to the AWD for a water supply connection.
  - 2.1. The Committee discussed the "politics" involved in its decision.
    - 2.1.1. Boxborough has asked through a home rule petition to the Commonwealth that Acton not supply any additional properties in the town.
    - 2.1.2. WLMAC believes that it should not consider this in its decision as it the legislature has not taken action on this request.
    - 2.1.3. Furthermore, the Committee believes that its job is to choose what it believes is in the best interests of the Town of Acton.
  - 2.2. By a rough calculation, the properties that have requested a connection to the AWD comprise approximately 8-9% of the households in the Town of Boxborough.
  - 2.3. The Committee reminded themselves that the final decision on what we should recommend to the AWD Board should be based upon the criteria which we had outlined in our earlier report to the Commissioners.
  - 2.4. Paul Malchodi added some additional thoughts to our previous discussions:
    - 2.4.1. He felt that this was a great opportunity for the AWD. It met 3 of the 5 conditions that we had listed in our document explaining the conditions under which the AWD should supply water outside the Town of Acton.
    - 2.4.2. Supplying water to these residents could foster and improve relationships with the town and its residents. We want to improve our relationships with the neighboring towns. The people who "pushed" the resolution in Boxborough were unaware that people in their town already receive water from AWD.

- 2.4.3. The water that the condominium is drawing is coming from the same aquifer being used by the Clapp and Whitcomb wells of the AWD.
- 2.4.4. There is an opportunity to provide the same water quantity (same source) with better water quality.
- 2.4.5. Perhaps there is the potential for more water to be drawn from the aquifer.
- 2.4.6. Possibly potential to relocate any of Acton's wells.
- 2.4.7. In the future, it might be possible to purchase land in Boxborough to protect wells and/or to locate a well.
- 2.4.8. There would be increased revenue to the AWD.
- 2.4.9. The potential to negotiate greater buffers and therefore more water supply protection.
- 2.4.10. We probably would lower our average PP daily water use since typical multi-family dwellings generally use less water.
- 2.5. The WLMAC examined a number of documents related to the request including a "Quick Facts" sheet that Barry had prepared prior to the meeting. This sheet was a digest of the information that had been provided by the condominium association. [A copy of this sheet is attached to the minutes.]
- 2.6. John Cipar noted that the amount of water that they used in the summer months was "...not out of line."
- 2.7. The Committee's decision was to write a new letter to the AWD Commissioners recommending that they attempt to negotiate an agreement with the Applewood Condominium Association. The text of the new letter, based upon the original letter that was written but not delivered to the AWD was written during the meeting. [A copy of the letter's text is attached to the minutes.]

**New Business:**

3. Next WLMAC Meeting: The next WLMAC meeting will be held on Thursday, November 11, 2010 beginning at 8:00 PM. This is a change from the regularly scheduled meeting time.

**Adjournment:**

A motion to adjourn was made by Greta Eckhardt and seconded by John Cipar. The motion was passed unanimously and the meeting adjourned at 9:40 PM.

*NOTE: All of the documents referenced and used by the meeting participants are on file in the AWD office or are attached to the minutes.*

## Applewood Condominium Quick Facts

1. Came to AWD on 9/7/2010 with letter to AWD and appeared at September 13 meeting.
2. Entered into Administrative Consent Order with DEP. Not a requirement of consent order but requested by DEP to "...explore possibility of connecting to the Acton Water District (AWD)."
3. AWD turned them down for connection about 10 years ago.
4. Applewood water system supplies:
  - a) Water to 84 two and three bedroom units in the Applewood development.
  - b) Water to 41 one bedroom units in the Libery Village development which abuts the Applewood land.
5. Historical water pumping measurement varies between 20,000 GPD and 25,000 GPD. Rises in summer months due to lawn watering and Applewood's swimming pool. [We could exclude both of these from an AWD supply.]
6. Both developments are fully built-out so the applicants state that they do not anticipate any future increase in water consumption due to new construction.
7. Contact person: Charles Learoyd, [Charlie.learoyd@verizon.net](mailto:Charlie.learoyd@verizon.net) who can also be reached at 978.263.4684.

29 October 2010

Dear Commissioners,

You have asked the Water Land Management Advisory Committee (WLMAC) to examine the request from the Applewood Condominium Association, Boxborough, Massachusetts to connect to the Water Supply District of Acton to purchase water for household and irrigation use. The property in question is just across the Acton-Boxborough town line and almost abuts the Water District's headquarters properties containing the Clapp and Whitcomb wells. It appears that this property covers a large portion of the Zone 2 for those wells.

The Committee reviewed this request in the light of the guidelines it set forth in its 2007 report, *Conditions For Possible District Expansion: A Report To The Acton Water District Commissioners* and believes that extension of service from Acton Water District to the Applewood development is likely to be of benefit to the District. We believe an agreement to extend service will foster cooperative relations with a neighboring town, while offering an opportunity for the Acton Water District to influence water conservation and water quality protection within the Zone 2 recharge area of some of the their wells.

WLMAC therefore recommends that the Acton Water District work out an agreement to provide water to the Applewood Condominium. This agreement should identify the following specific benefits to the ratepayers of the Acton Water District:

1. Potential for additional or shared water sources within the Applewood property.
2. Specific procedures that will be followed to improve the protection of the Zone 2 area(s) which extend across and beyond the Applewood property.

Please let us know how we can continue to support this opportunity.

Very truly yours,

John Cipar  
Greta Eckhardt  
Paul Malchodi  
Chuck Olmstead  
Barry Rosen