

Board of Water Commissioners

Meeting Agenda

Monday, March 31, 2025 @ 7:00 PM

**AGENDA**

- Comments from the public
- Approve minutes from the meeting of 3/10
- Appoint one Commissioner to sign warrants while conducting meetings virtually

OLD BUSINESS:

- Per- and Polyfluoroalkyl Substances (PFAS)
  - Current sample data, if available
  - Discussion of Additional PFAS Upgrades
  - Bottled Water Rebate update

NEW BUSINESS:

- Review Annual District Meeting
- Discussion of Proposed Town of Acton Zoning Bylaw Changes
- 2025 Water Use Restrictions
- Spring Flushing Program
- Update on Remote Meeting Extension

Present at Tonight's Meeting:

Commissioners: Barry Rosen (Chair), Erika Amir Lin, Stephen Stuntz

Finance Committee: Bill Guthlein

District Manager: Matt Mostoller

District Treasurer/Collector: Christine McCarthy

Members of the Public: Alissa Nicol, Kim Kastens, John Petersen

Mr. Rosen opened the meeting at 7:00 pm and confirmed that all in attendance could hear and be heard.

### **Comments from the public**

Alissa Nicol, the Selectboard Liaison to the District, informed the board that the Friends of the Acton Library are exploring water delivery options, and she had several questions about water service to the school and other municipal buildings. She asked if there is any difference in the water profile between delivered water and District water, if there is some sort of filtration system in the schools' bubblers, and if the rest of the other two treatment plants will be delivering PFAS free water in the fall.

Mr. Rosen answered that many delivery systems cannot certify that they have PFAS free water, and the ones that do treat their water with reverse osmosis which can greatly increase the cost of the water delivery. Mr. Rosen said that some water dispensers may have a GAC filter in them, but they would have to conduct testing to know if it's removing any PFAS and they would have to replace the filter.

Ms. Amir Lin asked what the source of this curiosity about water delivery was, Ms. Nicol clarified that this does not come from the library staff or trustees but from the Friends of the Library who are concerned about PFAS. Ms. Nicol added that she did explain that the treatment plants will be finished in the fall.

Mr. Rosen explained the delays in the tanks that have pushed back the start-up of these treatment plants. Mr. Mostoller explained that the schools do have filter cartridges but those primarily work to dechlorinate the water.

### **Approve minutes from the meeting of 3/10**

Ms. Amir Lin motioned to approve the minutes of 3/10/25. Mr. Stuntz seconded, and they were unanimously approved via a roll call vote, Ms. Amir Lin, Mr. Stuntz, Mr. Rosen.

### **Appoint one Commissioner to sign warrants while conducting meetings virtually**

Mr. Stuntz motioned to appoint Mr. Rosen to sign warrants until the next regularly scheduled meeting. Ms. Amir Lin seconded, and it was unanimously approved via a roll call vote, Mr. Stuntz, Ms. Amir Lin, Mr. Rosen.

### **OLD BUSINESS:**

#### **Per- and Polyfluoroalkyl Substances (PFAS)**

##### **Current sample data, if available**

Mr. Mostoller reported to the board that sample data from March 10<sup>th</sup> has come back. North Acton remains at non-detect. Center Acton sampled at 10 ppt, and South Acton sampled at 15.5 ppt. Center and South are currently in operation. North remains offline for well maintenance. April sampling is tentatively planned for the week of April 14<sup>th</sup>.

### **Discussion of Additional PFAS Upgrades**

Mr. Mostoller shared the good news that they were able to get a firm date from the manufacturer for vessel delivery. The first 6 vessels will arrive on April 23<sup>rd</sup>, and the other two will arrive the following day on April 24<sup>th</sup>. The plan is for everything to be offloaded in those two days. Staff, the engineering teams for both projects, and District Counsel were able to work together to secure this delivery date.

Mr. Mostoller continued that they were concerned that the Center Acton plant would require horizontal rigging to get the vessel in the building, however they were able to come up with a way to leave out strategic steel supports of the roof to avoid this. Avoiding horizontal rigging is a considerable cost savings.

This progress hopefully means they can look forward to a fall completion date, however Mr. Mostoller should have a better estimate of the completion date at the next meeting.

Mr. Mostoller informed the board they have their first change order on the PFAS projects, they have some credits and increases resulting in a net additional \$20,000 which the project can easily absorb.

They are currently working in South Acton to resolve some minor issues with the plans, as some things in the field don't match where they are on the plans.

In North Acton they are seeing the media near the end of its useful life, they have begun talks with Veolia and Calgon Carbon for media replacement. It's estimated that the change out and restart will take up to 2 months to complete.

### **Bottled Water Rebate Update**

Ms. McCarthy updated the board on the Bottled Water Rebate. This quarter there were two new participants, bringing the total to 161. Of the \$7,215 rebated, 146 customers received it on their bill, totaling \$6,570. 15 participants are tenants who will be receiving checks, the total combined being \$645. Mr. Rosen asked how this quarter performed compared to others. Ms. McCarthy answered that bottled water is slightly higher than last quarter, but it is down from September 2024, when the total number of participants was 166, she noted some tenants moved out of Acton.

### **NEW BUSINESS:**

## **Review Annual District Meeting**

Mr. Mostoller reported that this year was a successful Annual Meeting, all Warrant Articles passed, and it had typical attendance with good engagement from the voters. He thanked Ms. McCarthy for her assistance with the presentation, and he asked if the commissioners had any comments on the meeting. Mr. Rosen thanked everyone for their work and reflected on a positive and productive meeting. Ms. Amir Lin commented that she believed the library space better fits their needs. Mr. Petersen shared comments on behalf of the Finance Committee, that they thought they needed more advertising for the meeting as they knew some people who were unaware of it. He added that while this amount of attendance is typical, the District should aim to have a higher turnout and should invest in more educational outreach to get people involved.

## **Discussion of Proposed Town of Acton Zoning Bylaw Changes**

Mr. Mostoller wanted to bring the proposed Town of Acton Zoning Bylaw change, aka Habitat for All, to the board's attention. From his understanding this change takes the existing Planned Conservation Residential Community (PCRC) bylaw through a special permit and shifts it to a default by right zoning mechanism. The changes also include a provision to carve out natural resource values first. Mr. Mostoller noted that with the staff changeover this proposal has not been directly engaged by staff since the summer of 2024. Mr. Mostoller shared his personal concerns that this proposal doesn't give groundwater resources the same protection as other natural resources and that it would potentially allow for wastewater discharge within an area that has been carved out specifically for groundwater protection. Mr. Mostoller added that the current bylaw would require intervention and review from the planning board, but this proposal may change that to allowing discharge by right.

Ms. Amir Lin shared her insights from a recent planning board meeting that she attended. She noted others had similar concerns that the bylaw is not ready for town meeting, but the board voted to send it to town meeting. She added the planning board was open to her comments on behalf of the District. Mr. Mostoller added that he would like to hear any questions or concerns the board may have on this topic so they can plan their response.

Mr. Rosen commented on the changes of the proposed bylaw, and how it seems in some ways a watered down PCRC because it doesn't have a mechanism for any discussion or recourse to go back to the planning board if subsurface wastewater disposal may occur on conserved land. Mr. Rosen felt that changing this to by right would not be in the interest of the town's groundwater protection.

Alissa Nicol commented with some additional information, that the proposed changes are already in the warrant, and this will be Article 30 at Town Meeting.

Mr. Stuntz commented that wastewater discharges by right and the properties of leaching fields are out of his area of expertise, but he noted that the goals for more housing in the bylaw are good, but the process of wastewater discharge has some uncertainty.

The board and Mr. Mostoller continued to discuss the proposed bylaw changes, including questions on how the PCRC will be situated in these changes, the town's background with ground water zoning, concerns that the bylaw doesn't protect groundwater as much as it claims to because of the discharge by right language.

Alissa Nicol commented to correct some information about the proposed changes. She commented that 'discharge by right' does not remove the planning board's review of the application, but means the applicant is entitled to approval so long as all regulations are met. She highlighted the goal of the changes is to allow cluster development instead of clear cutting lots for large (4-5 bedroom) homes and subdivisions due to public demand to incentivize small homes. She added that the change from the PCRC is the resource identification done at the beginning using a resource from the Sudbury Valley Trustees.. Ms. Nicol asked if the board would be interested in meeting with Kristen Guichard to see a presentation, learn more and have their questions asked before town meeting.

Mr. Stuntz thanked Ms. Nicol for the information and said he would like the chance to learn more before town meeting. Ms. Nicol shared more information about the density bonus, inclusionary zoning, and shared 22 Elm Street as an example.

Ms. Amir Lin shared her concerns that not having a special permit review would not have the opportunity for comment on development where groundwater resources would need protection. The board continued to discuss their concerns and questions. Mr. Mostoller asked that they send him their questions and concerns so he may reach out to Kristen to share their thoughts.

Mr. Petersen commented that from a process standpoint the District usually doesn't have much involvement in zoning bylaws until very late in the process. He sees an opportunity for the District to get more information.

Ms. Nicol asked what the current recourse is for a standard subdivision on groundwater because the intention of Habitat for All is to flip the type of development that requires special permit.

## **2025 Water Use Restrictions**

Mr. Mostoller included in the packet for this meeting a letter from MassDEP, he reminded everyone that the state is currently in a level 3 critical drought. This is not the typical time of year for outdoor water use restrictions, but recent data shows that groundwater has not recovered to normal levels. Within the District, North Acton will likely remain offline for the media change, which further limits their capacity. Mr. Mostoller recommended that the board implement a 1 day a week restriction starting April 1, 2025 so the groundwater may recover, and they can have more operational flexibility. Mr. Rosen asked if it would be better to implement it later in the month to give people more notice, Mr. Mostoller responded that even if they make it effective on April 1, there wouldn't be enforcement until they were able to roll out the notice, Mr. Mostoller also commented that there is lower demand right now so this restriction is trying to be more proactive than reactive. The board had a short discussion on the recommendation, Ms. Amir Lin and Mr. Stuntz expressed strong support for implementing this restriction.

Mr. Rosen motioned that effective April 1, 2025, the District notify ratepayers that they will be implementing a 1 day a week outdoor water use restriction. Mr. Stuntz seconded, and it was unanimously approved via a roll call vote, Ms. Stuntz, Ms. Amir Lin, Mr. Rosen.

### **Spring Flushing Program**

Given the previous conversation about water levels and drought conditions, Mr. Mostoller reported they will be doing a truncated flushing program this spring. They will focus flushing during the week of April 14th and target dead ends of the system in North Acton. Normally the district does 3-4 weeks of flushing, so this is a much shorter program. The plan will be finalized in the coming days.

### **Update on Remote Meeting Extension**

Mr. Mostoller informed the board that the Governor signed an extension of the Remote Meeting provisions through June 30<sup>th</sup> 2027. This will enable the current format and the hybrid option. He asked the board for their input on how to proceed. Mr. Stuntz and Ms. Amir Lin favored continuing the existing format and using in person meetings as needed.

Mr. Rosen motioned to close the regular open meeting currently in session and to enter Executive Session pursuant to General Law chapter 30A section 21a6 to consider the purchase, taking or value of real property, and to not reconvene. Mr. Stuntz seconded, and the motion was unanimously approved via a roll call vote, Ms. Amir Lin, Mr. Stuntz, Mr. Rosen.

**Meeting closed at 8:14 pm.**