

**16 January 2019 – 7pm**

**53 River Street Master Planning Committee Meeting  
Acton Town Hall Building, Room 9 and 204 (for meeting with Conservation Commission)**

**53 River St Committee members present:**

Peter Berry  
Bill Alesbury  
Lou York  
Peter Hocknell  
Bob Whittlesey  
John Cook  
Don Boyle

**53 River St Committee members absent:**

Bill Klauer

Meeting called to order at 7:01 pm.

Stephanie Krantz has gone through the VCC vetting process and has been approved to join the 53 River Street Committee. Her confirmation will be scheduled for the Board of Selectmen meeting on 28 January.

1 more seat on the committee remains open.

**Fun Historic Fact:** Peter Berry discussed the former American Powder Mills located on Route 62 in South Acton, including Henry David Thoreau's accounts of the factory. This was very dangerous work; many explosions occurred onsite through the 1800s-1900s. The powder mills finally closed in the 1940s. The land was eventually sold in parcels to several companies including W.R. Grace, car dealers, and a Stop & Shop grocery store. In addition, the Assabet River dam that powered the mill can still be found, along with remains from the former Acton hydro company and a small gauge railroad.

**Minutes approval:** Motion to approve made by John Cook, seconded by Bill Alesbury. Minutes approved unanimously.

**Community Preservation Act (CPA) Application:** Some of the studies recommended by GZA may not be necessary. It is considered unlikely that an expenditure of ~\$2 million for dam replacement would be approved by Town Meeting, given it has no present useful function. If we were to breach (in whole or in part) and/or remove the dam, then the required studies would include a breach feasibility, hydrologic and hydraulic (H&H), and a 25% design for the

breach. In light of this, the CPA application scope was reworked. It is considered likely that this may be fundable in this year's CPC budget cycle.

CPC total project costs are estimated to be ~\$40K under the total allocation; our reworked proposal is ~\$40K over our original submission.

John Cook inquired whether there's value in having Town Manager more involved with the 53 River Street Committee, in light of the liability the dam presents.

Selby spoke with Mark Hald regarding funding to support the dam Emergency Action Plan (EAP) that is now required by the Commonwealth of Massachusetts to be in place by 31 December 2019. Costs are estimated to be ~\$15K-\$20K. Together, Mark and Selby should be able to fund the EAP cost between their departments' operating budgets.

Estimated costs for breaching the dam (including design) are \$350K-\$650K. What permitting requirements are necessary remains to be determined. Sediment analysis will be included in this scope.

The property is within the purview of the Historic District Commission. They stated at the 07 November 2018 meeting with our committee that they will not stand in the way of public safety. Whether partial removal or full breach is required needs to be determined.

If dam removal is decided, several grant sources (state and federal) are available. The question was raised whether this would require Town Meeting approval or just the Board of Selectmen.

Lou York cited a Rutgers University study that estimates by 2030 a Superstorm Sandy-type storm can be expected approximately every 3 years.

During discussions, the Committee stated they are in favor of dam removal, with downstream mitigation. This will be scheduled for further discussion and consideration at our next meeting.

Because the committee's initial meeting took place on 28 February 2018, we are required to present an annual update to the Board of Selectmen. This will be scheduled for February.

**Citizen's concerns:** The EAP plan is thought to be necessary, even if the dam itself is removed. If a partial breach option is eventually selected, the risk of full dam failure would have to be understood.

In terms of CPC funding, since the property was acquired using free cash, one option could be to switch the proposed land use to Recreation (suggested by Town Counsel). This is only conceptual at this stage, however.

**Meeting with Conservation Commission (Town Hall Room 204):**

Peter Berry presented an introduction to the Conservation Commission (CC). Massachusetts holds jurisdiction over the dam based on the volume of water held. The dam was studied initially and was considered unsafe. The Town funded a more extensive study and found the dam is considered a “high hazard” due to the proximity of downstream residences. CPC funds are being sought for further dam work.

Selby then continued the presentation. A summary of the site history and committee’s progress was provided to the CC. The Conway School of Landscape Design contribution of concept ideas was detailed; in particular the Riverside Park vision. The Mill Race stormwater feature was raised as a key point of emphasis. The GZA inspection deemed the dam very unsafe with a estimate for remediation set at \$2 million. Dam removal or breach is estimated to be \$350K-\$650K. The committee will need to go to CC once funding has been obtained in order to get the proper permits.

**Mill Race opinion:**

CC recommends this should be kept as a stream; turning into something else could be problematic. Suggested could serve as a “high water channel”.

**Removing vegetation, sediment, cleaning of the dam orifices to enhance flow (per GZA’s recommendations for immediate action) opinion:**

Debris is ok to remove (as maintenance)

Can talk to Tom Tidman

Can perform Determination of Applicability

Or should just file Notice of Intent instead?

No taking of live trees across headwall allowed, and no sediment removal.

One option could be to seek a “Limited Restoration Permit”.

Dam removal is considered beneficial for the environment. This would lead to the resource area being moved around.

The dam height was confirmed to be 16 feet.

Would sediment removal lead to release of any toxins? A Phase II environmental study was performed at the time of the property purchase. Arsenic levels listed at 20 ppm during 18” sampling. Arsenic could also result from local orchards or coal burning from the railroad in the pre-diesel era.

Proposed site uses were discussed, including building a pavilion, water access, preserving a portion of the dam for historic displays.

The possibility of creating a rare microenvironment (such as at Estabrook) was discussed (pseudo vernal pool). Definition is contains obligate species?  
There is a DER slidedeck on dam removal that can potentially serve as a resource.

Permit requirements are not fully known at this juncture.

Site is confirmed in the town's historic district.

**This concluded the committee's presentation to the CC, and the 53 River Street Committee meeting reconvened in Town Hall Room 9.**

The committee's presentation of its CPA application to the CPC will take place on 24 January at 8:20 pm at the Acton Memorial Library. Lou will present to the CPC.

Peter Berry needs edits to the draft committee annual report by Friday. A motion was made by John Cook and seconded by Don Boyle to authorize Peter Berry to submit the annual report once edits from the committee have been incorporated, provided they are submitted ahead of Friday's deadline.

**Miscellaneous:** Peter Hocknell's promotional film shoot; Marc Duci from Acton TV estimates the clip will be available by week's end (on youtube).

Selby will work on the committee's presentation to the Board of Selectmen (he can build off of the annual report).

Motion to adjourn: Peter Berry  
Seconded: Don Boyle

Next meeting is scheduled for 06 February 2019.