



WATER RESOURCES ADVISORY COMMITTEE

Meeting Minutes
September 12, 2024
7:00 PM
Virtual Meeting

Present: Barry Rosen, Ron Parenti, Matt Mostoller, Mike Geis, Joe Robb, and Dave Boccuti

Chairperson: Joe Robb

Clerk: Ron Parenti

Others in Attendance: Alissa Nicol (Select Board Liaison) and Kim Kastens

1. Opening

WRAC chair Joe Robb opened the meeting at 7:05 PM.

2. Regular Business

- A. Public Remarks/Comments – Matt Mostoller announced that the outdoor water use restrictions established by the Acton Water District have recently been revised, and have been reduced from two days per week to one day per week before 7AM and after 7PM. This change is not a result of supply limitations, but is the result of low flow levels in Nashoba Brook in North Acton. The Water Management Act (WMA) permit requires the Water District to monitor the flow in this stream, and impose water use restrictions when flow levels fall below an established level due to extended periods of low rain. Weekend watering days will be eliminated until the stream flow returns to a normal level.

Kim Kastens informed the Committee that Green Acton recently posted an announcement that the salt levels in Nashoba Brook in Acton have increased significantly over the past 50 years due to the increased use of road salt. The announcement notes that this result aligns with a global pattern, called Freshwater Salinization Syndrome.
- B. Review Minutes from 15 August 2024 – A motion to approve the minutes for 15 August 2024 was made by Matt Mostoller and seconded by Mike Geis. There were no requests for revisions, and Committee members voted unanimously to approve the minutes.
- C. Review of DPW Stormwater Utility Kick-off Meeting Discussions – On 21 August, representatives from Woodard & Curran made a lengthy presentation at the stormwater utility study kickoff meeting held by the DPW. The attendees at that meeting included John Mangiaratti (Town Manager), Corey York (DPW Director), QinRui Pang (Town Engineer), Alissa Nichol (Select Board Liaison), and WRAC representatives Barry Rosen and Joe Robb. The briefing reviewed the conclusions of the W&C Asset Management Plan completed in 2023, and discussed their preliminary stormwater utility investigation. It was noted that the preliminary study represents the first phase of a three-part study that, if funded, would be followed by a feasibility study and a stormwater utility implementation investigation. The charts shown at that presentation have been distributed to WRAC members.



Committee members expressed their surprise at the content of the Woodard & Curran briefing, as it was unclear if that organization had been funded by the Town to perform the first phase of the stormwater utility study. Alissa Nicol indicated that the contractor may have used unspent money from their Asset Management Plan study. Committee members agreed that the W&C kickoff briefing included a significant amount of useful information about the formation of a stormwater utility, but was primarily intended to secure funding for the next phase of this investigation.

Since there is some overlap between the information contained in the Woodard & Curran kickoff briefing and presentation that WRAC is preparing for the Select Board, Parenti asked if there was a need for any changes to the WRAC's briefing. It was noted that while Alissa Nicol had been present for the W&C as the Select Board liaison, the W&C briefing had not been given to the full board. After discussion it was decided that Robb should make note of the W&C briefing during his presentation to the Board, but that his charts should not be changed.

- D. Dry Run of the Stormwater Presentation to the Select Board – Joe Robb and Barry Rosen discussed their latest revision of the Committee's stormwater presentation, which includes 10 charts. Robb noted that the picture that will be used to illustrate the result of a storm drain failure has been changed, and the scatter plot of stormwater utility charges versus town population had been removed since the two parameters did not appear to be correlated. Cost data compiled for 23 local towns is now displayed in a table. Robb provided a dry run of his presentation of the following charts, which are scheduled to be presented to the Select Board on 23 September.

Slide 1 – Introduction

Slide 2 – Presentation Agenda

Slide 3 – Review of the DPW 6/24 Presentation on Acton's Stormwater Asset Management Plan

Slide 4 – Reasons to Fund Stormwater Protection

Slide 5 – An example of recent street flooding following a heavy rainfall

Slide 6 – Location of towns in New England with established stormwater utilities

Slide 7 – List of annual residential costs for stormwater utilities in other towns

Slide 8 – Acton's Stormwater Management and Funding Options (1)

Slide 9 – Acton's Stormwater Management and Funding Options (2)

Slide 10 – WRAC Recommendations to the Select Board

The Committee has requested 20 minutes to make the presentation and answer questions, and Robb completed his dry run in a little under 14 minutes. Alissa Nicol suggested that the Committee provide the briefing slides to the Select Board prior to the presentation.

Following the dry run several questions were raised about the terminology used in Chart 7, which summarizes the stormwater utility fees charged in other New England towns. The meaning of the Equivalent Residential Unit (ERU) was discussed in some detail, and it became clear that each town defines this unit differently. In some towns it is defined as the average lot size, but in most towns the unit takes into account the fraction of a



resident's property covered by impervious material that channels water into the stormwater system. Alternative methods for computing impervious cover and disputing calculations of the ERU were discussed. While some members expressed their opinion that ERU calculations would be frequently appealed which would add to the expense of stormwater management, Alissa Nicol stated that it was her understanding that such challenges are relatively rare. After further discussion, it was agreed that charges based on the fraction of impermeable covering would have the greatest impact on design decisions made in new construction. It was also noted that towns with a stormwater utility are awarded additional points in applications for grants from the State Revolving Fund (SRF) financial assistance program.

The last chart in the WRAC presentation included the following list of task recommendations for a future stormwater feasibility study:

- Evaluate pros/cons of the two sustainable funding mechanisms
- Evaluate MA enabling laws and the need for local rulemaking
- Evaluate sustainability of funding mechanisms
- Evaluate ability of selected approach to meet MS4 requirements
- Include public engagement through educational outreach

The Committee chair asked members if they would be willing to perform a subset of these tasks if the question was raised by the Select Board. All members expressed their willingness to allot time to perform some of these tasks, but it was noted that some consulting and legal assistance would probably be necessary. While the WRAC has the expertise and willingness to complete some of the listed tasks, work would progress at a more rapid pace if performed by a paid consultant.

Since several Committee members expressed an interest in attending the stormwater briefing to the Select Board, there was a question about the need to post a WRAC meeting for that evening in order to comply with the Open Meeting bylaw. Nicol stated that all members could attend, as long as there were no private conversations between the members regarding the presentation material.

- E. Any Other New Business – At the conclusion of the kickoff meeting for the stormwater utility study, representatives from Woodard & Curran requested that WRAC respond to a set of questions about the Committee's priorities and anticipated challenges regarding the formation of a stormwater utility. The Committee decided to distribute these questions to the members, and place this discussion on the agenda for the next WRAC meeting.

3. Adjournment

Committee members agreed to hold their next meeting on 10 October 2024 at 7pm to review the Select Board's response to WRAC's stormwater presentation. A motion to adjourn the meeting was made by Barry Rosen and seconded by Matt Mostoller. This motion was approved by a unanimous vote of the Committee at 9:05 pm.