

DRAFT ARTICLE FOR STM FEB 28, 2022 REV 3

**ARTICLE 5 FUNDING FOR WATER RESOURCES COMMITTEE & AUTHORITY TO ENTER
ONTO LANDS OF OTHERS**

\$70,000 Free Cash
(2/3rds Vote Required)

To see if the Town will vote to appropriate the sum of Seventy Thousand Dollars and No Cents (\$75,000.00) for use by the Water Resources Committee for the purposes of (a) appraisal, legal, consultancy and engineering services for accessing lands not owned by the Town, performing a due diligence review of the same for possible future acquisition, and testing a potential source of water thereon for a possible future public water supply, and (b) authorizing the Select Board to execute license agreements for accessing lands of the Harvard Sportsmen's Club Inc., as generally shown on Exhibit A attached hereto and incorporated herein, and lands of the Campanelli Corporation, including Beaver Brook Road, as generally shown on Exhibit B attached hereto and incorporated herein, and (c) authorizing the Select Board to acquire the rights of access by eminent domain if, in the opinion of the Select Board, a voluntary license shall not prove feasible to receive, and further to authorize the Select Board to execute any and all documents related to the carrying out of the intent of this article upon such terms and conditions as it shall deem reasonable, necessary and in the best interests of the Town

And to meet said appropriation by a transfer of said sum from certified free cash.

Or take any other action related thereto.

The Water Resources Committee Recommends XX – YY

The Water Resources Committee (WRC) has prepared an article for the May 2022 Annual Town Meeting proposing the use of CPA funds to acquire 18 acres of land of the Harvard Sportsmen's club for protection of a significant water resource of the Beaver Brook Aquifer, and to enable a possible new source of drinking water for Boxborough residents and businesses west of I-495. The land consists of two parcels as shown in Exhibit A.

The town installed test wells on this land in 2006 and found it to be suitable for a public water supply system. Testing at the time showed the water was of very high quality and is possibly the largest available groundwater resource in Boxborough. The Open Space and Recreation Plan identifies this area as high priority for protection.

In order to acquire the land, a Ch 21E evaluation must first be conducted to determine whether there are hazardous substances present. A paper study may be sufficient, but physical access might be required. In either case, no funds are currently available to conduct a 21E evaluation. This article would provide such funds.

The WRC also wishes the existing (2006) test well to be re-tested for both quality and yield. The Salt Remediation Program of MADOT is willing to support the re-testing for yield. Re-testing will require input and coordination with MADEP. Re-testing the well will require access to the subject parcels.

The WRC believes CPA funds should not be used for due-diligence testing as this would diminish the amount available for land acquisition.

The WRC will need to contract an entity to provide engineering services and project management to oversee and coordinate the several activities. This article will enable work that is not within the scope for use of ARPA funds and the underlying Eligibility Guidelines for the State Drinking Water Revolving Fund.

It is the preference of the WRC to acquire access to the land for both 21E and water testing under license agreements to be executed with HSC, and Campanelli, owners of the adjoining property, as indicated in Exhibit B. This article would enable right of entry for testing by eminent domain, if necessary.

The Water Resources Committee recommends this article. It will permit the first critical steps to be taken to acquire and protect a major water resource for the benefit of the town.



Exhibit A. Harvard Sportsmen's Club parcels 02-007, 02-008 for location of test wells.



Exhibit B. Proposed access to Harvard Sportsmen's Club land parcels 02-007, 02-008 via Campanelli land parcel 03-002-000, under Conservation Restriction.

Rough draft – map to be revised.