

Minutes of Joint Meeting

Route 20 Sewer - Citizen's Advisory and Steering Committees

Wednesday March 13, 2013

CAC Attendees: Craig Blake (Chairman), John Baranowsky (Clerk), Peter Abair, Kirsten Roopenian, Jon Danielson, Daniel Kenn, Jonathan Lapat, Mark Minassian and Andrew Sullivan

Steering Committee Attendees: Bob Haarde (Co-Chairman), Eric Poch (Co-Chairman), Michael Fee, Stephan Grande and Jody Kablack

Chairman Craig Blake having determined quorums present called the meeting to ORDER at 7:35 PM.

Old Business

- Approval of Minutes – February 13, 2013

A version incorporating edits received was discussed with additional edits offered. A MOTION for ACCEPTENCE was made, SECONDED and VOTED unanimously IN FAVOR.

New Business

- Reports from Subcommittees

Sewer Alternatives (Framingham and Marlborough) - Andrew Sullivan reported progress contacting the Town of Framingham has been made. Peter Abair talked to DPW Director Peter Sellers and a meeting is pending.

The “East Marlborough alternative” update was discussed in greater detail.

While a productive meeting with Marlborough DPW Director Ronald LaFreniere occurred, acknowledgement that a number of political hurdles exist was made. Discussion led to a listing of “what might work and what would not”. An inter-municipal wastewater agreement with the Town of Northborough (for connection by Northborough to Marlborough’s west plant) exists, but presently Marlborough is not pleased with this arrangement for a variety of reasons, the most salient of which being the cost sharing arrangement.

Therefore any consideration of a new “East Marlborough” agreement with Sudbury would have to cover upfront Marlborough’s incremental operating and maintenance costs to protect Marlborough from consequences of a likewise poorly crafted inter-municipal agreement.

The 5.12 million-gallon-per-day (mgd) East Marlborough plant has approximately 20 percent excess flow-based capacity (1.2 mgd) with no foreseeable future use demand by Marlborough. Furthermore, they face \$40 million upgrade costs to bring the Easterly plant into regulatory compliance. The proposed “Sudbury Route 20 Sewer District” has an immediate wastewater disposal need for 0.2 mgd and a longer term requirement of 0.35 mgd, far less than the East

Marlborough excess capacity. Thus, the parameters for a possible sharing arrangement are in place.

Marlborough asked the alternative sub-committee to clarify as a compelling argument how such an arrangement would benefit Marlborough. With this in hand, the negotiations could proceed beyond Department of Public Works staff to the executive branch (City Council and Mayor).

Craig Blake described a “flow-based” cost apportionment as 0.35 mgd (Sudbury Sewer District flow) divided by 5.12 mgd (East Marlborough Wastewater Treatment Plant flow capacity) or 7 percent of \$40 million (Marlborough’s upgrade costs, or \$2.8 million) as the price needed to buy-in.

Sudbury would still be responsible for the capital costs of sewer piping, force-mains, grinder pumps and pumping to the East Marlborough plant; however, under this alternative the treatment plant and the recharge field at Curtis Middle School in Sudbury would be eliminated.

John Baranowsky questioned whether Marlborough would treat a flow-based cost allocation as the entire base entry cost or instead as the base cost for a ` la cart fee based menu structure.

Kirsten Roopenian read from TAC Mission Statements suggesting that this group be consulted before continuing further discussion. But concern the group is no longer active or that key personal had moved away or retired was expressed causing this notion to be dropped.

Bob Haarde and Craig Blake were not yet willing to turn away from the “East Marlborough” alternative.

The expressed concern was that this subcommittee may reach beyond their enumerated duties and responsibilities per the mission statement.

John Baranowsky disagreed suggesting that the process has progressed precisely as expected. As alternatives were discovered, subcommittees were established for the purpose of fact finding and to report back to the CAC who then is guided by the SSC according to their mission statement. The SSC in turn reports to the BOS who provides their guidance.

Craig Blake agreed and asked Mr. Baranowsky for a motion.

MOTION: That the CAC accept the “Marlborough Alternative” subcommittee findings as worthy of further consideration by the SSC who in turn would discuss viability of this alternative and if found favorable would bring the matter to the Board of Selectmen for deliberation and if found favorable (by the BOS), the BOS through the Town Manager would approach the City of Marlborough or take other action that they deem appropriate. The MOTION was SECONDED.

Discussion followed. Mr. Grande suggested that this motion be split into two separate but related votes first by CAC and if found favorable, a similar motion followed by discussion and a VOTE by the SSC.

This was done. Hearing no further discussion on the first MOTION, which was SECONDED, a VOTE was taken, UNANIMOUSLY in favor by the CAC member present.

Then the next MOTION was MADE, SECONDED, and without further discussion, a VOTE was taken, UNANIMOUSLY in favor by the Steering Committee members present.

This alternative will next be brought forward to the Board of Selectmen for their consideration.

Cost Allocation/Financing – Jon Danielson mentioned that earlier a 6 in favor, 2 opposed VOTE was taken for the 100/0 tax/betterment cost sharing allocation ratio.

Facility Operations/Management – Craig Blake asked John Baranowsky for a progress report from this subcommittee. He replied that no meetings had yet taken place.

Utilities – Bob Haarde informed the committee that he is setting up a meeting to discuss the logistics of burying any or all overhead utilities that fall within certain portions of the proposed Route 20 Sewer District, particularly those that fall within areas designated as “A” on the plan presented by Michael Fee back in October 2012.

Zoning – Peter Abair provided a progress update along with a summary report (Attachment I) for a meeting held on March 20, 2013.

The concept is twofold; 1) to develop a “Special Permit Overlay District” to incentivize planned growth consistent with the pedestrian friendly business district and 2) to work toward these ends in similar ways using the existing zoning bylaw.

Jono Lapet intends to create a draft narrative for the visioning as a script with bullets showing what land uses are allowed as well as those not allowed under the various scenarios (i.e. existing zoning, “Special Permit Overlay Zoning” or some combination of same).

This subcommittee has scheduled their next meeting for April 4, 2012.

Outreach – This subcommittee discussed how they propose to bring forward a consistent message using a series of articles over time to brand and market the proposed “Route 20 Sewer District project”.

They propose to work with the “Sudbury Town Crier” and other publications on a series of articles intended to provide detailed information on the nuances of each required step encountered along the way describing how each was identified and was handled.

Michael Fee commented that while these publications will print most anything submitted, they do not have the resources to generate content on their own.

Two sources of information were pointed to on the Town website, these being the work of the Technical Advisory Committee circa 2011, and more recent Citizens Advisory Committee efforts

over the past eighteen months. Members were divided as to which of these two reference sources was most relevant given that we are now in calendar year 2013.

Other efforts for community outreach would include the Chamber of Commerce and other sources as appropriate.

The Outreach Subcommittee intends to consider further the various approaches available as they further develop the project marketing plan.

- Open Meeting Law Requirements for Subcommittees

These requirements were clarified. All meetings are to be posted. Quorums are required. No “deliberations” by a subcommittee majority shall occur outside of a properly noticed meeting.

- Other New Business

Finance Committee member Mark Minassian mentioned that he has been asked to update the Fincom tomorrow (March 14, 2013) evening at their scheduled meeting.

- Schedule Next Meeting – April 10, 2013

At 9:00 P.M. Craig Blake asked for a MOTION to ADJOURN which was made, SECONDED and VOTED unanimously in FAVOR of.

ROUTE 20 SEWER CITIZEN'S ADVISORY COMMITTEE

Zoning Sub-Committee Report (3.20.13)

The Zoning Sub-committee met on:

Wednesday, March 6, 2013

6:30 PM at Flynn Building

Sub-committee members attending:

Pete Abair, Jon Danielson, Steven Eppich, Jonathan Lapat

Additional attendees:

Jody Koblack, John Baranowsky

REPORT

The meeting was called to order shortly after 6:30 PM. Peter Abair was assigned meeting clerk.

The group discussed the charge of the sub-committee, i.e. consider full committee discussions held thus far related to zoning issues (potential zoning changes, 40B impact, build-out potential in context of current/future zoning) and develop a rationale for supporting the sewer project that is able to answer community questions on how current/future zoning will complement the provision of sewer service to the sewer district. The sub-committee will develop talking points aimed at supporting a sewer proposal in public forums.

Past full committee discussions on current zoning was summarized as follows: current zoning does not necessarily limit growth but the lack of a sewer does, as lack of sewer does not compel high investment and best uses as return on investment is limited.

Jody Koblack provided the survey that was presented to Route 20 businesses to assess growth plans and issues affecting them. The group reviewed potential zoning changes to the Route 20 corridor which are in early stages of discussions by the Planning Board. The group emphasized that the sewer project and potential zoning changes would be best characterized as supporting "redevelopment" rather than "new development". Overlay zoning could be aimed at supporting more pedestrian friendly center commercial district (identified on a map as areas A & B), while larger institutional redevelopment could be incentivized in Area C (Raytheon/Chiswick Park area).

The group discussed that the concerns of some residents might be that zoning changes and a sewer might make the Route 20 corridor more like Route 9, though it was noted that Route 20 is already often congested, that limited access routes to Route 20 and between properties is problematic, and that commercial market demand would naturally limit the type and amount of development in the future.

The group also discussed potential implications of 40B housing development that could be drawn to the corridor by the provision of sewer and new zoning. There was some debate on the ability of the Town to use various planning tools to avoid unfriendly 40Bs and instead incentivize higher density housing at locations in the corridor which could support such density. More discussion is planned on this, including case studies on what other communities have been able to do. In addition, concerns were expressed about the extent of the Route 20 corridor impact, notably will this contribute unplanned “new development” and sprawl in the western area of the corridor

The group will focus its next meeting on the developing the following talking points: what does current underlay zoning allow, what would sewer enable, what would overlay zoning allow AND what would NOT be enabled with zoning and sewer, e.g. excessive building heights, floor area ratios, etc.

The next zoning sub-committee will be at 6:30 PM on April 4th.

The meeting was concluded at 7:45 PM.