

Water Resources Advisory Committee  
Minutes of Meeting  
October 27, 2010  
Town Hall Room 126

Present: Barry Rosen (chair pro tem), Michael Kreuze (BoH liaison), Jeff Clymer, Matt Mostoller, Helen Probst, Carol Holley (clerk), Janet Adachi (Selectman liaison)

The meeting opened at 6:52 p.m. Mr. Rosen noted that in the absence of Mr. Beck, he would take on chair's duties.

The minutes of the September 29 meeting were reviewed and corrected. Ms Probst moved to accept the minutes as corrected, Mr. Clymer seconded, and all voted in favor.

Mr. Rosen related that Mr. Beck would like the group to try to work on specifications for what we wanted in a consultant – Mr. Rosen saw this as an eventual deliverable, noting that the group would probably have to do this as a request for proposals (RFP) once we know what the deliverables are. Then, we can see what the cost is. We will need to make sure that we will get funding, as none of the municipal staff nor members of this committee have the needed expertise. Mr. Clymer noted that a lot of consultants come in before the RFP process starts to try to address what the group should be thinking about. Ms Probst noted that Woodard & Curran had helped the town write the RFP for the sewer project. Mr. Rosen noted that some companies have been used in the area, adding that we need to be careful about making sure we are not front end loading for any particular vendor. Mr. Rosen thought the group should have at least two vendors approached, and Mr. Clymer felt there should be more. Mr. Clymer asked if, when you go through an RFP process, you have to take the cheapest bid, and the answer was yes. Mr. Rosen noted that we may want vendors to talk about the critical issues we need to be addressing.

Mr. Rosen felt that the group needed to address the scope of when regulations kick in, giving Sudbury's 200 square feet as one end of a spectrum. Mr. Kreuze stated he would ask what the minimum required by the DEP would be, and then go something beyond. Mr. Rosen noted that 5,000 sq. ft. was required by the EPA, but we could go smaller. Mr. Rosen asked if we should consider slope, and Mr. Kreuze observed that is why we need the consultant. Mr. Rosen asked if the 2020 Committee would also be involved in this effort.

Ms Holley noted that the Selectmen had thanked us for our presentation, and Chairman Rosenzweig-Morton had dubbed us a "good group". Compared to last year's initial directive to concentrate on wastewater management, our current designated focus is completely different. Other than "good presentation", there wasn't a sense of any new directives from the Selectmen.

Selectman Adachi related that the idea that the next town meeting was the original timeline for stormwater bylaw number two has been pushed back, noting that we have a little more breathing space than next spring. She noted that the product should not be slipshod. Ms Adachi had told Mrs. Rosenzweig-Morton that this is a very complicated issue, and to make it make sense and be coherent and enforceable will probably require outside help.

Mr. Rosen asked, do you think it's better for us to give them what we think the money needs will be sooner rather than later? Ms Adachi noted that budget discussions are on-going, and all department

heads are working on budgets. Mr. Rosen observed that union contracts still are not settled, and wondered about the impact of that process.

Ms Adachi noted that she would like the members of this committee to remain motivated; Ms Probst observed that stormwater was part of the group's original mission. Ms Holley noted that to ease the effort the group can continue to use other by-laws as templates.

A brief debriefing of the 2020 event ensued. Mr. Kreuze had facilitated two groups on town assets. He had a script to which people in the first group reacted negatively. He related that people were also arguing about the data that was in the package. Mr. Mostoller, who had also attended, observed that people thought the conclusions were very forced in terms of goals, and the goals and objectives didn't necessarily fit together. Major objectives were not coming through, even at a high level. It was noted that traffic and water concerns were left out. Ms Adachi noted that financial sustainability needs to come into the mix as well. Mr. Clymer noted that people didn't even think about planning for clean water. Giving a facilitator's point of view, Mr. Kreuze recommended giving the process the benefit of the doubt and trying to be constructive.

Returning to the topic of consultant deliverables, Ms Probst asked, what are reasonable things that we can hold people to? When we talk about compliance in the future, how do you measure whether or not they are doing it correctly? Can you count wastewater in recharge calculations? How do we close out loopholes? Mr. Rosen noted that there are indices and accepted formulas, but how do you populate the data? Unless it's defined, anybody can claim their method is legitimate. We need to standardize things like rainfall, permeability – we need to define inputs. A good engineer could define how to do it best. In the model ordinance there are a lot of formulas but they don't define how to go about inputs. Sudbury goes into a lot of detail on that. Mr. Rosen noted that the consultant would need to develop a lot of the manual. What do we think we want them to do? How broad do we want the help to be? Mr. Rosen guessed that the more help, the more money it costs.

Ms Probst noted that we don't need to reinvent the wheel here – we are late (compared to other communities) in doing this and there are a lot of manuals out there. She would be inclined to use one we like as a model, then the consultant could say if it makes sense in our area. Ms Probst thought that the group should be able to take a document from somebody else and tweak it, and we may want to go further than some communities because of our reliance on groundwater. She felt the consultant could help us with specifics and crafting messages.

Ms Adachi said she was under the impression the consultant would be to review what the committee had put together rather than doing the whole thing. Ms Probst noted the help needed with defining metrics for compliance and testing would be useful.

Mr. Mostoller felt that the group should pick a consultant that could work on the technical stuff. We can pick a model we like, make the tweaks and have them back further engineering stuff into it. He noted that the MAPC has done a lot with communities and they have partnered with consultants. They sell it as streamlining the regulatory process; instead of multiple stops at multiple boards there is one process in place. This could actually be a selling point to developers. The requirements may yield fewer options but it's only one process instead of multiple committees. Mr. Mostoller will email links to relevant materials to the rest of the group over the next few days. Mr. Mostoller noted that Hopkinton's documents looked promising, and they are similar to Acton in terms of reliance on groundwater.

Mr. Rosen noted it sounded like the group was going for a minimalist approach – we want the consultant to verify what we have taken from other places. Ms Probst felt the group might want their significant input on the technical aspects of the by-law. Mr. Rosen asked, are we going to ask them how to measure things? The group thought yes. Mr. Rosen noted there is what do you measure, and the process of how we are going to measure.

Mr. Clymer thought that the group look at the template and sent it off with the RFP as a starting off point.

Ms Adachi felt that what made sense was looking at Mr. Mostoller's links, reading the Massachusetts generated model, comparing that to New York and then start flagging things that are the requirements that are beyond the technical abilities of this committee. Mr. Rosen observed that in Massachusetts, the regulations are promulgated town by town but elsewhere it's at a state level.

Mr. Clymer felt the consultant should be able to tell us a range of outcomes; we could get statistics. He wondered if it would be appropriate to ask somebody in for an initial discussion with the WRAC. He felt that the group needed to know the pay-offs for more stringent regulation, and Ms Probst agreed.

Ms Holley noted that the DEP seems to like tiered levels of protection – different standards for Zone I's versus Zone II's, etc.

Mr. Clymer noted that you don't want to be an outlier going into town meeting.

Mr. Rosen summed up, what I think I am hearing is Ms Probst would like cost benefit analysis, but Mr. Mostoller thinks it will be hard to quantify. Mr. Krueze called it impact analyses. Mr. Rosen noted that one of the things we might want to look at is building patterns – how many building permits are there, and how many are less than 5,000 square feet? If we drop below 5,000 it might change these permits. It could have to do with slope. Mr. Rosen will talk to the building department about building permits – additions and other changes to impervious surfaces over the last three years. After some discussion, it was decided that the assessor's office might have appropriate electronic records, and Mr. Rosen would start there.

Ms Holley stated she would check into room availability for November 17 and December 15, because people don't want to meet right before the holidays.

At 8:47 Mr. Clymer moved to adjourn, Ms Probst seconded, and all voted in favor. Meeting adjourned.

Respectfully submitted,

Carol Holley  
Clerk