

February 27, 2012

**BOARD OF SELECTMEN
MINUTES
FEBRUARY 27, 2012**

Present: Thomas Creamer, Chairman
Mary Dowling
Mary Blanchard
Angeline Ellison
Priscilla Gimas
Shaun Suhoski, Town Administrator

The Chairman called the meeting to order at 6:30 p.m. following the Pledge of Allegiance.

A.Ellison expressed her thanks for the opportunity to serve as a Selectman, but announced that she will not run for re-election for family reasons.

Continuance of the Public Hearing for the Underground Fuel Storage Tank

S. Suhoski provided the Board with the application to amend the fuel storage license under MGL Ch. 148, §13 issued to Omer Akisik, 51 Rambling Road, Sudbury, MA. The subject property is Bee Zee Gas, 149 Charlton Road, which is located across from the entrance to Hobbs Brook. He noted that these licenses run in favor of the land owner, not the business entity on the site.

T. Creamer had asked for the continuation in order to review DEP files associated with the properties in question, and after conducting a review of all files associated with the properties, he was now fully supportive of approving the request as the DEP requirements had all been satisfied, and provided the Board with the DEP printouts to substantiate his position.

S. Suhoski said that the application will modify fuel storage by eliminating the two above ground storage tanks located to the right of the building in favor of two 20,000 gallon double walled fiberglass underground storage tanks to be located under the pavement to the right of the fuel islands. The project is part of a larger renovation of the fuel facility which will soon participate in the Stop & Shop Supermarkets gasoline rewards program. The project includes many site and aesthetic improvements that were stipulated through the wetland and site plan review process by the Planning Board. Fire Chief Leonard Senecal has reviewed the application and endorsed it effective January 19, 2012.

S. Suhoski said that as noted on the printout from the MassDEP website, the prior contamination on the site and the abutting disposal site has achieved Response Action Outcome status with MassDEP. There are no active contamination sites in this vicinity listed with MassDEP.

MOTION: To close the public hearing, by M. Blanchard.

2nd: P. Gimas

Vote: All in favor.

MOTION: That under the provisions of MGL Ch. 138, the Board of Selectmen approve a license to store flammables, combustibles or explosives at 149 Charlton Road, Assessor's Map 208, Lot 02253-149 to Omer Akisik of 51 Rambling Road, Sudbury, MA 01776 for two 20,000 gallon underground storage tanks to be installed in accordance with site plan dated January 9, 2012 entitled "Proposed Fuel Facility" by Vanasse Hangen Brustlin, Inc., by M. Blanchard.

2nd: P. Gimas

Vote: All in favor.

Community Preservation Act

M. Dowling said that a lot of people have been asking about the Board's position with respect to the CPA. She said that the Board always gives a recommendation before going to Town Meeting. She offered the following motion:

MOTION: It is the recommendation of the Board of Selectmen that retaining the CPA is in the best interests of the community, and its residents, both in terms of economic considerations and quality of life, by M. Dowling.

2nd: M. Blanchard.

M. Blanchard said that a lot of people have been under the impression that by signing a petition and putting it forward that their taxes would be reduced by that assessment, which is not true. She said that it is not in the best interest of the Town to rescind the CPA because it is unknown what will come along in the future, whether a small amount or a big project. She said that it would be best for Sturbridge to keep it.

P. Gimas agreed, and noted that it is a matter of \$50 per year, which will not make a difference in anyone's life. She said that unfortunately inaccurate stories are being circulated, so people need to do research to find out the truth and what is in the best interests of the community. She stated that she is very much in favor of the CPA.

A. Ellison said that she is in favor of keeping the CPA and agreed with comments made by the other Selectmen.

T. Creamer said that initially it was his intention (as an individual member of the Board) to stay away from taking a public position on this because he believes that when it comes to ballot initiatives that they are internal to the Town, as opposed to external. He said that the people should have the opportunity to make an informed decision without being guided one way or the other by the executive branch. He said that the question has come up repeatedly from residents as to what his position is on the CPA; as a result

of that, he felt it was important for the Selectmen to weigh in as the executive branch. He said that there is a spending problem in Sturbridge, but it is not specific to the CPA, because the CPA has no money of its own to spend, nor does any other committee or board in this community. The only people who can spend money are the people of the legislative branch, the voters at Town Meeting. He noted that the voters alone determine what is spent or not spent. He said that the \$50/year will continue to be something that residents will have to pay, whether or not the CPA is revoked.

T. Creamer said that if anyone had the opportunity to watch the budget hearing on Saturday, they will note that the Board of Selectmen had taken a very conservative approach, and will not support any unnecessary spending in the community. He said that it would be a big mistake to get rid of a program that has been a significant value to the community. He encouraged residents to look at the information and realize that the Town needs a comprehensive approach to spending, not an approach that places the burden of the Town's spending solely on the funds leveraged by way of the Community Preservation Act. He noted that the Town of Sturbridge accounts for 40% of the tax load; the other 60% of the tax load comes from the schools. He suggested that the residents be as diligent in focusing on the School Committee budget as they are on the Town budget, because both of these budgets impact them.

M. Dowling urged residents not to revoke legislation where the state provides a match. She said that with respect to new projects, revocation of the CPA would thwart the ability of the Town to tap into state funding for any project in the future, whether it is affordable housing, open space, active recreation, historical preservation, etc., which is not in the best interest of the Town.

Vote: All in favor.

Master Plan Implementation Committee Presentation

Sandy Gibson-Quigley announced that the Master Plan can be found on the home page of the Town's website, and printed copies will be made available at the Joshua Hyde Library, Senior Center and each Town department in the near future.

Sandy Gibson-Quigley introduced the members of the Master Plan Implementation Committee: Heather Hart, Penny Dumas, Jennifer Morrison, David Barnicle and Jean Bubon, Town Planner.

S. Gibson-Quigley outlined the charge of the Committee: To oversee implementation of the Master Plan; meet with responsible parties, review goals, timing, periodic status update meetings, and annually report to the Planning Board. She said that a Master Plan is a long range policy document that: Provides a snapshot view of the community today, gives direction to the future, assesses existing resources and issues, projects future conditions and needs, considers collective goals and desires, provides a framework for future development of the community, covers a time period of 10-15 years, and is closely integrated with other municipal planning documents and initiatives.

S. Gibson-Quigley said that a Master Plan is not a zoning bylaw, a subdivision regulation, a budget, a capital improvement program or other regulatory document. It is meant to provide the framework for the development of these plan implementation tools.

S. Gibson-Quigley said that the goals include land use and community design, housing, economic development, natural historic and cultural resources, open space and recreation, transportation, public services and facilities and energy and sustainability goals. She said that the Master Plan includes a matrix which summarizes the recommendations from each of the Plan elements. The department, board or commission responsible for implementing each recommendation is identified. Multiple entities are listed by action items that require coordination or collaboration among different departments or boards. Levels of priority are also assigned to assist in determining the timeframe in which each item is to be considered. If funding is required to achieve success, potential sources for the funds are listed.

MOTION: That the Board of Selectmen direct the boards and committees to review the executive summary of the Master Plan during public meetings, and welcome the Master Plan Implementation Committee, by M. Blanchard.

2nd: P. Gimas

Vote: All in favor.

Ask the Selectmen/Citizens' Forum

Janet Garon, 236 Roy Road, said that she supports the Community Preservation Act in theory, but believes that it has changed from the original mission of the legislation.

J. Garon said that regarding the Master Plan, there are a lot of projects to be funded with CPA funds, and they should be considered carefully. She said that for everything that is reimbursed to the Town, there is debt to go along with it. She strongly encouraged the residents to attend Town Meetings. She asked about the status of the conservation restrictions.

S. Suhoski said that regarding the Heins farm, the Conservation Commission is actively involved with Opacum Land Trust in resolving it. The Land Trust has expressed an interest in holding that property. He said that environmental testing is being done on the Riverlands, as it is necessary to know what the potential use of the property will be before restricting things that may be wanted later on.

T. Creamer stated that under the Town Charter, the Board of Selectmen (as the executive branch) is responsible for seeing that it gets done, and pledged his commitment to ensuring that the Town comes into compliance. He further stated that the Town had been remiss in not addressing these issues as they should have prior to the final purchases closing on these properties, and that ultimately it rested on the Board's shoulders to ensure that they are completed as outlined by Town Meeting vote.

David Barnicle, Conservation Commission Chairman, said that the conservation restriction for the Heins property will be ready for the voting public for next year's Town Meeting.

Don Miller, 501 Leadmine Road, presented some facts to clarify some of the misinformation regarding the CPA. He said that the CPA was adopted 11 years ago on an annual Town election ballot, and the only way that it can be revoked is on an annual Town election ballot. He said that revoking the CPA would not stop the surcharge nor would it stop the match.

M. Dowling said that the Town will not be able to use any grant money for any additional projects that come forward once the CPA is revoked. She was not speaking about the existing land that has already been purchased, nor existing debt. She noted that the surcharge will continue. She said that the match would stop for any new projects, and the Town would lose an alternative funding source, which does not make economic sense.

MOTION: To adjourn, by M. Blanchard.

2nd: P. Gimas

Vote: All in favor.

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Judy Knowles

BOS Clerk

Date