

DRAFT Pepperell Climate Change Committee 1-13-2022 minutes.

Pepperell Climate Change Committee (CCC) meeting January 13, 2022.
The meeting opened at 7:00 pm.

The meeting was held remotely on GoToMeeting and the recording is published on Pepperell Public Access website at the following link: [Custus VOD Widget](#).

Present: Chair, Ken Hartlage (K.H.), Beth Faxon (B.F.), Jessica Veysey-Powell (J. V-P) Susan Edwards (S.E.), Renee D'argento (R.D.), Jason Veysey (J.V.), James Scarsdale (J.S.), Chuck Walkovich (C.W.) (arrival time:7:30), Robert Cataldo (R.C.).

R. D'argento made a motion to approve the minutes of August 2021, November 2021 and December 2021 as amended. S. Edwards seconded the motion. A roll call vote was taken as follows: YES - J. Scarsdale, B. Cataldo, S. Edwards, J. Veysey, J. Veysey -Powell, K. Hartlage. ABS - B. Faxon (7-0-1).

Chair commented that he circulated the comments provided by the CCC to the Planning Board on the amended open space zoning bylaw. The Planning Board contracted the North Middlesex Council of Government (NMCOG) to revise the OSRD Bylaw. K. Hartlage explained that the revisions provided in the document he circulated included comments by NMCOG overlaid by comments from a working group of CCC Members including C. Walkovich, B. Faxon, J. Veysey-Powell, and K. Hartlage.

The revisions made were done so to protect the open space with a focus on conservation and protecting ecosystems.

- The amount of open space protected would be increased from the current 40% to 50% (NMCOG's recommendation) to 60% (CCC's recommendation) or higher.
- The protected open space and the protected conservation land would be evaluated as a first priority and a determination would be protected as priority conservation land at the first stages of the development proposal.
- Eligibility of development projects to apply under the OSRD bylaw - in the zoning districts with a 2 acre lot minimum, that the number of lots be reduced from 10 lots to 5 lots (3 lots recommended by the CCC). Any subdivision of 5 or more lots would become eligible for OSRD.
- If a development proposal is eligible under the OSRD bylaw, then it is required to apply under the OSRD bylaw.
- Recommendation to remove existing provisions in the bylaw that allowed for active recreation such as tennis courts.

- Recommendation for the open space land be subject to a conservation restriction.
- Recommendation that the Conservation Commission (and other departments as applicable) is required to be consulted as part of the initial permitting meetings/pre-filing meetings.

J. V-P noted some confusion over which revision was circulated and under review by the CCC Members. She commented on the incentives section of the bylaw needing more content but also noted that this is still being developed. R. D'argento asked about the proposed change in the bylaw revision to the use of the yield analysis process. It was explained that under the current bylaw the applicant must provide drawings of a conventional layout plan and compare it to the plan as could be designed under the OSRD bylaw. This was thought to be unnecessary waste of resources and effort for the Applicant. The suggestions was to eliminate this requirement and only require a yield calculation which is consistent with the SMART growth plan guidelines. The number of lots calculated in either method is essentially the same.

The number of lots and the acreage stated in the applicability section was discussed and agreement was reached that the recommendation of a 3 lot subdivision would be the minimal size for applicability under the OSRD.

A discrepancy was noted in the draft bylaw revision definition of a major subdivision being any subdivision over 3 lots and in section 7.30 a minor subdivision is referred to as "less than 4 lots". K. Hartlage will check this.

A question arose about who can hold the deed to the preserved open space under the OSRD bylaw. K. Hartlage stated that currently MA fish and wildlife and homeowners associations hold the deed to the open space. MA fish and wildlife is often the deed holder because the open space land abuts land already owned. The extra protection proposed in the revision of requiring a Conservation Restriction on the open space ensures that the land use will be for conservation purposes.

R. D'argento asked about the possibility of allowing for smaller building footprints and smaller lots sizes, which she later focused to the urban areas that are serviced by public water and sewer. K. H. commented that this is a favorable pathway and this topic was discussed in various sessions but was ultimately decided to leave the matter to the experts namely the Board of Health to better understand

what the minimum lot size and building foot print could be. Some of the main limiting factors of lot size and number of building units are sanitation and Stormwater runoff which trips regulatory agencies who are more equipped to provide guidance in this area.

The discussion turned to American Rescue Plan Act disbursement of funds. K. H. commented that the Town would be receiving 3.6 million in disbursement funding from this program. He noted that there was support from other CCC Members in attendance at a recent Town ARPA information meeting that some of the ARPA funds could be used to acquire land in Pepperell's well head protection zones. Amongst many benefits to the Town, acquisition of these lands would provide a buffer to climate change impacts, providing protected habitat, and protecting water quality. He asked if the CCC Members would like to make a formal request or statement in the form of a letter to the Board of Selectmen in support of this use.

J. V. noted a few people who attended the ARPA funds meeting suggested that ARPA spending be used to mitigate the Town's Per- and polyfluoroalkyl substances (PFAS) toxicity problem in the water supply by funding a treatment plant. He noted that while this is important, the cost of treatment plant would be much more expensive than the funding available through ARPA and there is a committee forming to address the PFAS issue. He further noted that this could be included in the letter to the Board of Selectmen as a salient point. That the scale of the funding is not enough to mitigate the PFAS problem but it could be enough to protect the last remaining well that is currently (PFAS) free.

J. S. thought it might be good to establish an amount and a timeline for the scope. K. H. suggested not to ask for a specific amount of funds under ARPA, but rather ask for an allocation of a fair sum to allow the Town to partake whatever is appropriate in negotiations with well head protection zone property owners.

J. S. confirmed there is an inventory of lots recommended for purchase for the purpose of protecting the well head zones. With regards to timeline, there is two years to spend the ARPA funds.

J. Veysey made a motion that the CCC write a letter to the Select board expressing our opinion that the ARPA funding should be used to acquire land within our wellhead protection zone in order to protect water resources for future benefit of Pepperell, and that in that letter we also point out that the scale of the funding that is available is commensurate with the problem of water protection but

not necessarily adequate to address filtration of PFAS from the system which is another issue that people have noted. B. Faxon seconded the motion. A Roll call vote was taken as follows: AYE - B. Faxon, J. Scarsdale, S. Edwards, B. Cataldo, J. Vesey, J. Vesey-Powell, R. D'argento(R.D), C. Walkovich and K. Hartlage. The motion carried 9-0. K.H. will draft the letter and circulate to CCC Members for review prior to submittal.

The discussion continued to the topic of 2022 CCC work stream and planning. It was noted that the work stream excel spreadsheet had not updated. The Chair revised the work-stream excel spreadsheet and noted some of the categories that were changed and re-categorized. Many of the projects started last year are still in progress. Chair recommends that we add no more projects at this time. He would like to refresh and look for more volunteers to work on the projects presently listed.

The Chair proceeded to go through the work stream spreadsheet and verify the Members working on or interested in working on each. He updated the document while the discussion took place. Some of the updates include:

- RFQ is posted for feasibility study for community solar project at the landfill. A Grant has been received to hire a consultant for the feasibility study. Proposals received will be scored in mid-to-late February.
- J. S. is working on the project of retrofitting municipal buildings with rooftop solar. K. H. proposed joining efforts and individuals working on this action item with the calculating the footprint for greenhouse gas emissions line item. J. V. noted that the calculation includes all Town properties and all types of fuels. K.H noted that the calculation tool being used is the Metropolitan Area Planning Council (MAPC). J. S. thought it would be a good idea to send the links to the tool he is using to CCC Members.
- 8.1.7. Retrofit buildings - progress is unknown as much of this has been done under Green Communities Act. Inventory of energy audits is available for municipal buildings J.S. needs this information for his calculations.
- Row 14 - Scenic road act and tree bylaw evolved into more of a cumulative forest protection project over the year. Meetings were held with CCC members and DPW and bylaws from other Towns were gathered. There is interest in continuing with this effort. (Confusion was expressed over the reference documents under review in the meeting and what edition of the work flow excel spreadsheet, Chair then shared on screen).

- 8.1.5. This action item was built upon the Green community's designation and is related to municipal aggregation. Status is well underway. K.H. noted the next step is Town meeting approval/public engagement and getting the word out about planning completed for municipal aggregation. R.D. will help. Suggestion was made to get on the agenda for Community Engagement Night for this topic.
- Discussion returned to protecting trees on lots that are scheduled for development. RD noted that the shade tree work is a public and Pepperell Department of Public Works awareness campaign. Action items of understanding the present local enforcement of M.G.L. Chapter 87 Section 1 public Shade trees was not determined.
- Line 28 measuring Pepperell carbon analysis i.e., footprint carbon sequestration in forests - J. V-P. Status: analysis is done, public awareness has begun. Next steps several paths to promote forest conservation tree forestation and creating new forests including looking at the local implementation of the Shade Tree law, replanting of trees taken during construction, retaining trees on development and redevelopment sites, oversight on development sites during construction, incentive programs, community tree planting/educational programming. Carbon sequestration measurement in agricultural soils was mentioned and more information is expected from Selectman Beattie on this topic.
- Line 32 - public outreach - S.E. plans to lead a discussion on this topic at the January 27, 2022 CCC meeting. She circulated an email with a questionnaire and marketing primer to CCC Members in preparation for the next meeting. The focus of the next meeting will be on establishing succinct initiatives to promote what the CCC does and who we are.
- Biodiversity tab of the CCC work stream spreadsheet was displayed. K.H. reports ORSD bylaw status is good & develop educational brochure status is marked as done. S.E. would like to add develop and distribute of brochures and rack cards to this work item.
- Tree retention bylaw - R.D. can devote more time on this. Other work tasks in this section are going to be done in conjunction with the Conservation Commission or by the Conservation Commission exclusively. Heat island reduction topic was mentioned as a possibility for a rack card or brochure. Note include in the marketing discussion next meeting.

More items on the CCC work stream sheet not discussed will be discussed in future meetings. K.H. updated that an Ad hoc working group has been formed to review proposals for municipal aggregation.

Peregrine Company was selected and once Town meeting approves, an implementation plan will be written with the assistance of the DPW who become a partner for Municipal aggregation implementation phase. The ad hoc working group talked to 14 different communities about the provider for their referral comments, and listened to a second presentation by the provider. As town meeting approaches we will be working with Peregrine to prepare.

RD made a motion to adjourn at 9:00pm. BC seconded. All in favor (9-0).

Items on file:

1. CCC work Stream spreadsheet 13 January 2022.
2. Email from Sue Edwards to CCC Members re: CCC Outreach goals 2022: please send 6 - 9 contacts.
3. Redlined DRAFT revised Open Space Residential Development Bylaw.
4. Municipal aggregation presentations recorded