

**Board of Selectmen Agenda
SITE WALKS
Saturday, December 23, 2023**

The Board of Selectmen will be going on site walks starting at 8AM at the following locations:

8:00AM

1. 45 Oak Street, (DEP #143-0989) BlueWave Solar

9:00 AM

2. 105 & 123 Gilboa St, (DEP #143-1042) The Cubes at Gilboa

Approximately 10:00AM return to Municipal Center for Deliberation

BOARD OF SELECTMEN
SATURDAY, DECEMBER 23, 2023 SITE WALK
MEETING MINUTES

8:00 AM site walk of 45 Oak Street, (DEP #143-0989) Blue Wave Solar

9:00 AM site walk of 105 & 123 Gilboa St, (DEP #143-1042) The Cubes at Gilboa

Attendance: Vice chair Mike Fitzpatrick, Ross Smith, Max Postma, Matt Wojcik Town Administrator, Joe Fitzpatrick (Conservation Commission), Brandon Faneuf Conservation Agent.

Mike Fitzpatrick called the meeting to order at 10:01 AM

The purpose of the meeting is to get input from the public on what they would like to have addressed at the next regular scheduled meeting for either Conservation or the Board of Selectmen.

Joe Fitzpatrick stated that any comments he has he will discuss at the Conservation Committee meeting.

(1:55 TS) Lori Hout and William Rossi of 41 Oak Street stated that their concerns have been submitted via email to the Town Administrator and Brandon Faneuf. Their concerns are about runoff in the opposite direction of what has been being discussed this week. They live on the southwest corner of the project and what they see is there has been a berm built directly behind their property that is pretty tall and a drainage ditch that is directing the water into their property. The wooded area that is behind their property is totally unusable and always muddy and wet and it was never like that for the last 5 years. In addition, there is a drainage ditch that from 45 Oak Street to in front of 41 Oak Street and travels to another property and is the same cloudy water that has been draining into the lake. They would like to see the town of Douglas issue a stop work order and fines issued like the Town of Sutton did.

(15:00 TS) Lisa Mosczynski of 60 Oak Street asked where the Planning Board is in all of this because they were the permitting authority for the project. Mr. Mike Fitzpatrick stated that he does not know and that they are an elected board, so she would have to go to one of their meetings to find out more information. She stated that one of her concerns is the stabilization of the slopes, as sediment is being diverted onto abutters property including her own. The main thing she would like to see happen is to stop the erosion from happening on the slopes. Mr. Mike Fitzpatrick went to the site and saw water percolating around a telephone pole near 61 Oak Street and he called the highway superintendent to ask if that was new or existing and was told it has been a problem over the years. The conservation agent was also made aware of this issue. The Town of Sutton has given Blue Wave until the end of the day on Wednesday December 27th to produce a plan for remediation.

(19:00 TS) Town Administrator Matt Wojcik wanted to clarify his role and everyone else's in this. His role assumes both the authority and responsibility that arises from the following: to inquire and investigate at any time into the conduct, operation of office, and performance of duties of any officer or employee, department, board, commission, or other town agency. TA Wojcik acknowledges that he finds himself in an unenjoyable position to have to interact with several volunteers who give their time and care about the town who may not be doing a terribly good job of what they have been charged to do. TA Wojcik must deliver a clear and comprehensible message to people so that they can take whatever action they need to take. The Select Board appoints members to the Conservation Commission and has every right

to inquire into whether that commission is implementing policy and the approach that they prefer to have as the chief policy making board of the town. The Boards direct enforcement authority is implicated by only one thing, which is if water from this site goes onto a public road. There is a groundwater issue and no matter where it comes from it cannot go onto public roads. TA Wojcik stated his disappointment and frustration with what happened at the Conservation meeting with a room full of concerned citizens. He stated that with this project and developer there has been a cavalier attitude towards things that are written in plans. They did not follow their order of construction operations and did not secure the site from storm water problems that were supposed to be done. A sedimentation and infiltration pond was supposed to be built as the lot was cleared, and contrary to the plans this developer went up there and cleared far more than the plans called for and took their own plans out of sequence. In TA Wojciks's opinion that is when the Planning Board and Conservation Commission must take notice of what is going on because the developer does not have the authority to do anything different from the plans that were approved by the town. The Building Commission took note of it and stated he was going to give them a cease-and-desist order until the sedimentation and infiltration basins are built. Mr. Frasier needed to get feedback from the Planning Board and Conservation Commission in order to follow through with this order. TA Wojcik stressed that the people that are hired need to do their job. Mr. Mike Fitzpatrick requested that the items TA Wojcik discussed should put on the Board of Selectmen next meeting agenda. TA Wojcik stated for the record that they are 100% supportive of the newly appointed Conservation Agent, Brandon Faneuf acting in an enforcement capacity and will stand behind him for problems that need to be addressed and the Select Board would like to echo that.

(38:15 TS) Shirley Mosczynski of 60 Oak Street stated she feels these issues are because the town does not have a town engineer. Mr. Mike Fitzpatrick stated that may be an issue, but at the moment they need to focus on the immediate problem and get it taken care of.

(43:55 TS) Motion to adjourn made by Max Postma, seconded by Ross Smith. Roll call vote – Max Postma, Ross Smith, and Mike Fitzpatrick all in favor.

Respectfully submitted,



Stephenie Gosselin
Recording Secretary