

01/17/2024 Workgroup Meeting Notes by Dan Van Schalkwyk

Attendees: Robert Pontbriand (Town Manager), Jonathan Kranz (Planning Board/Resident/Workgroup), Dan Van Schalkwyk (Ayer DPW), Matt Herson (Ayer DPW), Beth Suedmeyer (Resident), Jannice Livingston (Selectwoman/Resident), Heather Hampson (Conservation Agent), Emily Scerbo (Tighe and Bond), Natalie Koncki (Tighe and Bond), Jin Hong (Finance Committee/Resident/Workgroup)

Discussion of Phased Approach for Assessing Large Property Fees

- Capping at 100 ERUs is 320,000 square feet of impervious area. This results in approximately \$118,000 of lost revenue that needs to be made up by increase the cost per ERU from \$127 to \$143. Note that a Single Family Residential (SFR) is proposed to pay a flat rate of one ERU.
 - Concern over the SFR rate being relatively high compared to other communities
 - There are 10 properties that would see a reduction in result from capping
 - Consensus among some in the group, not all, that a cap should not be allowed. The use of credits allows for the reduction in fee
 - Credits act as a financial incentive for a property to install stormwater controls which benefit the watershed
 - Future iterations of EPA permits will start to require more stringent stormwater treatment within the watershed, the credit system can be a way to make this happen on private property
 - Many properties have stormwater treatment already and will likely qualify for some level of credit
 - Public opinion -- potentially consider input for this item
 - Need input from Town Counsel to confirm a cap is allowed

Side Discussion: Town Meeting Approval Procedure and Funding

- The Group discussed administratively, the procedure for approving the Utility and Fees
 - Would the rate structure, policies, and utility be approved at Fall Town Meeting, then subsequently, the Rate Review Committee recommend FY26 rates to the Select Board
 - Would stormwater funding for FY26 be allowed at Fall Town Meeting
 - Would initial funding be solely from the new Enterprise Fund or would some General Fund be used as a transition
 - Note: \$127 ERU is still draft not set in stone, would likely come down as we progress due to movement of expenditures such as sweeper and labor

Discussion of Tax vs User Fee Impacts

- Tighe and Bond presented two (2) slides related to the cost to pay for stormwater in a scenario of general fund and scenario of enterprise fund fee.
 - In summary:

- Stormwater Revenue Distribution from General Fund: stormwater would be funded approximately 46% from single family residential tax base and 54% from commercial/industrial tax base.
 - Enterprise Fee Scenario: stormwater would be funded by approximately 21% single family residential properties, 76% commercial/industrial properties, and 3% non-profit properties.
 - Assumptions/Notes: Based on 2023 tax assessment values, no capping on enterprise fee, did not take into account drop in taxes due to movement of stormwater from general fund to enterprise fund.
 - Add to FAQs: will there be a reduction in taxes if institute an enterprise fund for stormwater?
 - Need to present that taxes will increase to pay for stormwater or Town can implement enterprise fee
 - How will billing be handled
 - This has not been determined at this time, most advantageous way is to add to water and sewer bills. This will be further vetted by the Workgroup at a later time.
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Review of Issues During beta Testing of the Online Property Viewer

- Clip the Ayer portion of Devens
 - Confirmed National Guard on Barnum Road is in Devens
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Public Outreach Discussion:

FAQ Document

- Distribute to the Workgroup in Word format
- Clearly identify when the MS4 Permit and local bylaws and regulations went into effect, this shows context of how more recent properties are meeting the latest stormwater standards
- The Chart on page 4 is too complicated
- Add a question between 9 and 10, What are the consequences of neglecting stormwater infrastructure?
 - As the Group moves forward, recommendation to present real life examples and the personal cost, such as Rt 119 culvert collapse in Littleton flooding parts of Ayer.

Speaker

- Jonathan presented Stefanie Covino, Blackstone Watershed Collaborative, as a speaker for a presentation at the Library on environmental information including stormwater.
 - Have recorded by APAC
 - Include link to Stormwater Workgroup website

Timeline

- Jonathan to work with Dan and Matt to develop brief slides to be used at upcoming Board/Committee presentations

The next meeting will be held hybrid at DPW/Zoom on February 21st at 4:00 PM.

Assignment 1 – Town Counsel:

Robert will contact Town Counsel regarding the legality of a cap and procedure for approving the stormwater utility and funding by Town Meeting

Assignment 2 - Capping:

Workgroup may revisit the capping item as the rates are further considered.

Assignment 3 - Speaker:

Jonathan will schedule Library for Speaker on the evening of February 28th. **Jonathan** will share the speaker's bio and program with the Workgroup through Dan. **Robert** will add the meeting to the Select Board announcements. **Dan** will provide photos of Ayer.

Assignment 4 - Outreach:

Jonathan, Heather, Dan, and Matt will develop a brief set of slides to be used to inform each Board/Committee of the Workgroup's effort.

Dan and Matt will edit the FAQ document with items discussed above. The FAQ document will be distributed to the Workgroup in Word format, the **Workgroup** shall review and provide any feedback to Dan and Matt to incorporate prior to the next meeting.