

Farm Pond Advisory Committee

Minutes

December 15, 2009

Members Present: Doug Cassell, Pat Cassell, Catherine Rocchio, Judy Cohn,
Steve Scrimshaw (late).

The meeting was called to order at 7:42 PM.

Minutes of the November 17th, 2009 meeting were approved as amended.

Status Reports

- a) Medfield & Water Rights & “Valve Enclosure” roof – Doug Cassell reported on the BoS meeting of November 12. The Selectmen voted to send a letter to our senator and representative pointing out the Selectmen’s support for the Home Rule Petition. Doug noted that the actual draft, seen several days later, was from Town Administrator Dan Keyes, to be signed by him instead of the Selectmen and simply stating that the Selectmen supported the petition. Doug corresponded with the Selectmen about this, it being his understanding that the letter was to come from the Selectmen themselves and was to express strong support. Doug has not heard of any resolution. The Selectmen also voted to send a letter to DCAM telling them to fix the roof. He also noted that Dan Keyes said he would be meeting instead with DCAM on the subject of the “Valve Enclosure” roof, but Doug has not heard of any meeting results. It was suggested that Doug should remind the Selectmen about these subjects.
- b) Financial – Doug distributed copies of his analysis of spending so far and forecast for coverage for lifeguards, rangers, and gate guards for the remainder of the fiscal year. Doug noted that spending is well within budget limits and on track to be within limits at the end of the fiscal year June 30th, 2010. It was noted that the analysis did not include consideration of extra lifeguards in the event of over-crowding incidents. Doug agreed to add that to the analysis.

Preparation for Public Hearing on Rules

Doug reported that he had sent the specific language for the proposed rule change on the unaccompanied child age limit to Diane Moores, Dan Keyes and the Selectmen, for use in the announcement of the public hearing. Anticipating further discussion about a possible Annual Town Meeting warrant article that had been mentioned by the Selectmen, Doug also sent a memorandum explaining our position once again: That an article is not necessary nor suggested by the committee, but, if the Selectmen really wanted an article, offering wording that might be used as a housekeeping amendment to Chapter 24 of the Town By-Laws, recognizing the updated version of the rules as the most recent version. Doug also noted that he had corresponded with Selectman DeRensis about whether state approval to the proposed rule change was required. It is Doug’s position that the change falls well within the latitude allowed for minor changes and adjustments to the rules, as spelled out in the detailed versions of the already approved rules.

Consideration of Recommendations for Sticker Lottery Changes

The committee considered the basic problem, as raised by Jeanne Guthrie and discussed at a recent Selectmen’s meeting, that there are a number of sticker lottery “no-shows” – persons who are selected in the lottery but do not come to pick up their sticker and pay. Jeanne says that

typically there are about 25 such persons. Current response at the Selectmen's office is to draw some more names, but even that does not fill the complete quota of 125 (the number sold in 2009 was 114). Even the lower-priced August stickers have never booked completely (23 in 2009). Some people apparently change their minds or make other plans after sending in their names. Others are likely to have made other plans by the time we get back to them for the second round.

A number of possible approaches were discussed by the committee:

Increase the original number: Jeanne suggested (at the Selectmen's meeting) increasing the number of authorized lottery spaces (e.g. from 125 to 150, so that, if approximately 25 are still no-shows we will have sold the originally allotted 125 – essentially “overbooking”.) The committee felt that this would be subject to “moral hazard” or “thin end of the wedge” issues in the future in the sense that the allowed number might be increased in future years because there would also always be some degree of dropout and consideration of additional increases.

Require a deposit with application: This might reduce no-shows, but the committee felt that there would be a great deal of trouble for the Selectmen's office to return losers' checks.

Change the timing of the lottery: Holding the lottery a month earlier might capture some more before they change their minds. The committee felt that this would be cumbersome and disruptive. The present schedule is well-known—to change now could create bad public feelings.

Provide a discount for early response: The committee noted that we are not trying to induce early action. We just want to try to ensure that the full quota of 125 NR stickers is sold. Providing a discount would also be cumbersome.

Penalize no-shows: Possible ways to do this are (1) don't allow no-shows to participate in the next year's lottery, (2) require lottery applicants to send in a deposit when they apply. The committee felt that this would also be too complex.

The committee also noted that the purpose of the lottery is not specifically for revenue; it is to manage use levels while providing fair Great Pond access.

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| The committee concluded unanimously that no change should be made to the present lottery process. |
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Consideration of Recommendations to Manage Beach Over-crowding

The committee reviewed the list of suggested approaches to managing occasional over-crowding incidents at the beach. The list was developed at the last meeting for consideration at this meeting. The following is the list:

- a) Divide Pond access times: Cars with stickers would be allowed only at certain times of day; drop-offs only at other certain times. Drop-offs would have to pay to get in.
- b) Everybody pays per 1935 rule. This would include Sherborn citizens as well as out-of-towners. Parking stickers would no longer be used.
- c) Drop-offs would pay per 1935 rule and get wrist bands so that they could be identified. Cars with parking stickers would also get wrist bands, but would not have to pay at the gate.
- d) Close the gate temporarily when conditions become too crowded.
- e) Allow drop-offs only from cars with stickers.

- f) Cars with stickers park as normal. Drop-offs pay at the gate per 1935 rule, but wrist bands would not be used.
- g) Abandon any management of the beach. (It was noted that Ashland appears to have taken this position with respect to their former town beach.)

Complications of collecting money at the gate were discussed. It was noted that it would probably be necessary to hire additional gate staff (e.g., two should be on duty when money is being handled). Delivering money to a safe keeping place at the end of the day would be an additional complication.

Variations that restricted Sherborn citizen access (item a)) were considered untenable. It was also felt that use of wrist bands would not be found acceptable. It was noted that the Reservation is not completely surrounded by fencing. It would be impossible to assure that access was given only to those who had paid unless some form of reliable identification was arranged. Without such identification, the arrangement would be unfair – only honest drop-offs would be paying.

The committee concluded unanimously that closing the gates temporarily when conditions become too crowded (item d) was the best and only acceptable approach.

It was noted that standards were available for determining when an over-crowded condition existed: (1) The number of spaces in the main parking lot (60) and the overflow lot (which needs to be estimated) and (2) the accepted standard ratio of 20 swimmers to each lifeguard.

At discussions in other meetings, additional questions were raised such as what constituted a crowded condition on the beach itself and how to deal with persons who were denied admission due to crowded conditions.

The committee felt that it could be left to the professional judgment of the Waterfront Director to decide when an over-crowded condition exists and to use the following means to manage it: (1) declare a “safety check” (common current practice) and (2) instruct the gate guards to close the incoming gate and turn away vehicle and drop-off traffic until the Waterfront Director orders otherwise.

It was felt that the number of persons specifically on the beach itself as opposed to in the water was unlikely to become an issue. It was felt that the gate guards could manage dealing with persons who were denied admission; they have experience dealing with individuals in a variety of similar situations during the ordinary course of the day (e.g., citizens who have not yet purchased stickers, who are using a different car for which they did not obtain a sticker, who did not know that stickers were required, and so on).

Selection of Length Overall Threshold or Other Requirements for Boat Permits

The Selectmen did not wish to require boat permits for all vessels. Instead, they suggested some form of length requirement. After discussion, the committee agreed to look into lengths of typical vessels and make a suggestion based on that information. The yacht club’s paddle boat was mentioned as being a possible example. Doug will collect some typical lengths for discussion at our next meeting.

Capital Requirements (incl. Possible Early Engineering Work for Parking Lot Paving) & Town Meeting

Doug reported that he discussed the parking lot with several people, including Mike Lesser of the Conservation Commission, John McAvoy of CM&D, and Wayne Perry of Norfolk RAM. The general opinion of all was that the parking lot is not in need of urgent attention at present and

that a low-key examination of what would be involved in re-paving was more appropriate than an effort to obtain engineering funds at this time. Mike Lesser will send Doug information about porous paving materials. John McAvoy said that CM&D could measure the surface area of the lot at some time this spring.

Phosphate Limitation Agreement

In view of the high level of other matters before the committee, it was agreed to defer this subject for the time being. Note was taken of related materials provided by Steve Scrimshaw as background on this subject.

Farm Pond Booklet

No information was available on this since Matt Neutra was not present at the meeting.

New Business—Sophie Cannon

It was noted with regret that Sophie Cannon has resigned from the committee. The committee discussed issues involved with selection of another person to represent Farm Pond abutters. Note was taken of the new conflict of interest law and the difficulties that may be attendant on appointing someone who also abuts the Town Reservation. Doug has corresponded with the ethics commission and received guidance which indicates that it is possible to appoint an abutter but only with certain disclosures and appointing authority approvals. Since almost every item of business before the committee would involve the Reservation, the committee felt that it would be better to seek a person whose property does not actually abut the Reservation. The committee felt that it would be useful to include Farm Pond watershed residents as possible candidates. Doug agreed to extract the list of names of Farm Pond watershed residents from the Town Resident list and send it to the committee for consideration and discussion at our next meeting.

Date of Next Meeting

Wednesday, January 20th, 2010, at 7:30 was selected as the date and time for our next meeting.

Meeting Adjourned: 9:35 PM

Respectfully submitted,

Douglas Cassell