



Town of Sturbridge

Shaun A. Suhoski, Town Administrator
Email: ssuhoski@town.sturbridge.ma.us

MEMORANDUM

TO: Board of Selectmen
FR: Shaun A. Suhoski, Town Administrator
DT: June 17, 2011
RE: Town Administrator's Report for June 20 Meeting

The following provides information and recommendations for your June 20 meeting:

GENERAL AGENDA ITEM

Harbor Master Hearing: Attached in your packet is the original written complaint filed on April 8, 2011 by Peter and Rebecca Mimeault (of 76 South Shore Drive) alleging violation of the Town of Sturbridge's Rules and Regulations Governing Temporary Moorings, Floats, Rafts and Ramps by Mr. Gary Allard (of 31 South Shore Drive). The complaint includes two photographs and an aerial image provided by Mr. Mimeault as evidence that Mr. Allard's dock is in violation of Section IV, Part B, Sections 1-3.

On April 19, I sent a written correspondence to both parties enclosing copies of the regulations and encouraging compliance to avoid any need for action by the Harbor Master.

On April 27, I conducted a site visit to view the dock and took the opportunity to speak with Mr. Allard. He pointed out that the shoreline varies and that he had moved the dock ten-feet further from the Mimeault's property for the 2011 season. He told me that he had not yet received the April 19 letter as he did not check his mail daily. I advised him of the complaint and that he should review the letter and the enclosed regulations to ensure he was in compliance prior to the matter needing to move to the Harbor Master.

I also pointed out that Section III, Part B of the regulations allow deviation from the requirements upon approval of the Harbor Master following submission of a letter explaining the reason(s) for any such deviation. To date I have not received any such request from Mr. Allard.

My personal observation from the shoreline is that Mr. Allard's dock does appear to violate Section IV, Part B as follows:

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- Section 1 – the dock clearly appears to exceed the 200 square foot maximum surface space, and
- Section 2 – the dock clearly appears to exceed the 25 foot maximum extension into the lake.

Because the shoreline curves and is not “square” (these docks are in a tight radius at the end of a cove), any observation I would have relative to the applicability of Section 3 would be purely subjective and I therefore offer no opinion.

Town Administrator’s Recommendation: While the need for a certain length and area of dock is obvious due to the shallow water, absent a written request from the owner for a variation from the rules, the Harbor Master would be hard-pressed to waive compliance.

Prior to initiating rigid enforcement mechanisms, the Board of Selectmen may consider voting its own ORDER to require Mr. Allard to re-align the angle of the dock’s protrusion into the lake to provide visual relief to the Mimeault’s, and that Mr. Allard submit an application for any other deviation from the rules by June 30, 2011, or face further action including an ORDER to remove the dock.

TOWN ADMINISTRATOR’S REPORT

- 1) Amendment to Common Victualler’s License – Guispad, Inc. d/b/a McDonald’s Restaurant: Attached in your packets is the application to change owner/applicant on behalf of McDonald’s Restaurant from Sellia Corp. to Giuspad, Inc. This was filed with a \$40.00 fee for a new license.

Recommended Action: That the Board of Selectmen approve a Common Victualler’s License in favor of Giuspad, Inc. d/b/a McDonald’s Restaurant as indicated in application filed June 9, 2011.

- 2) Habitat For Humanity Project @ 79 Fairview Park Road: Enclosed please find correspondence from Habitat seeking the Board of Selectmen’s approval for the Town to provide an E-1 septic pump and related equipment to the project free-of-charge for installation by the project. Habitat seeks the Town’s assent to maintain and service the pump in the future as needed which is typical for all homes.

The original design called for a gravity connection, however, when construction commenced it was determined that substantial fill would have been required to “raise” the level of the house. The finish floor of the home was lowered by approximately four-feet thus requiring the septic pump. The estimated value of

these pumps is approximately \$4,500. The DPW does have some inventory of pumps available for other non-developed lots (funded through betterment).

Recommended Action: That the Board of Selectmen DENY the request for the septic pump, but, allow Habitat to seek reimbursement of costs as part of their approved project grant agreement.

- 3) Resignation of Joni Light from Sturbridge Tourist Association: Enclosed please find the resignation of Joni Light from the Sturbridge Tourist Association as a result of her appointment to the Finance Committee. She has offered to assist the STA as needed until a new treasurer is named.

Recommended Action: That the Board of Selectmen accept the resignation of Joni Light from the Sturbridge Tourist Association with the Board's appreciation for her service to the committee.

- 4) Tornado Disaster Declaration, Funding and Debris

Throughout this week the Town Administrator, DPW Director, Tree Warden, Assessor, Conservation Agent, Town Planner, Police Chief, Town Accountant, Recreation Director and Finance Director have undertaken various roles in furthering the communities assessment of damages, preparing a revised report and impact assessment to FEMA and MEMA, gathering data to fully understand the financial costs of the debris plan, checking references for the state vendor and estimated quantities of debris.

Staff worked late through Friday we expect to have a preliminary update and report on estimated debris quantities and costs of disposal for presentation on Monday night.

The Board may also be requested to consider utilizing the existing tree removal company (Northern Tree) on a time and materials basis to undertake clearance in the Stallion Hill / Douty Road area this coming week. Your Board can weigh this additional information Monday night.

- 5) Miscellaneous

Also, in the past four days,..

- Extensive meetings re: debris removal; consulted with town administration in Wilbraham, Brimfield and Monson re: same; met with statewide vendor (AshBritt) on two occasions; coordination with MEMA/FEMA, etc.
- Reorganized tornado administrative workflow for added efficiency
- Assisted Volunteer Resource Center as needed