

Sunderland Ditch Committee Charge

Document Note: This committee charge document is an update based on an original draft (dated 03/08/2012) for a Sunderland Ditch Committee that was never officially formed. Many of the goals of the original charge were met by a study that was created for the Sunderland Conservation Commission on June 27, 2013 by Collen B. Samson. That study, along with more clearly defined goals for the charge, have been laid out in this new document.

For the rest of this document the committee will be referred to using the abbreviation SDC for convenience.

Cause or Need Statement:

The SDC is officially being created and tasked with a mission because of recent and historical issues related to the town's hydrology and changes in the historical use of land in the town. Some town members, notably in the southern portion of the town, periodically have had varying levels of water infiltration and drainage issues over the years on their properties and in their basements. For example:

- Most recently a number of town members have attended Select Board meetings in the latter half of 2018 with complaints of high water levels in their basements and on their properties due to record amounts of rainfall in 2018.
- A small number of town members, again primarily in the southern portion of the town, have periodically complained of water-related issues over the years.
- There has been some confusion over the years about what some water features in town actually are. For example, are they drainage ditches or actual streams?
- Wetland regulations have changed over the last 50 years.
- In 2012 an attempt was made to create a similar SDC, but due to budgetary constraints at the time and a lack of valuable hydrological information at the time, an SDC was not formed.

Committee Composition Statement:

The SDC shall consist of 7 members. One member shall be appointed from the Select Board. One member shall be appointed from the Sunderland Conservation Commission. One member shall be appointed from the Sunderland Highway department. The remaining members shall be appointed at large from the town's population.

Committee start, duration, and findings report statement:

The SDC shall commence its work based on the Select Board's appointment of a quorum of the committee. The SDC shall report its findings, progress, and make recommendations in writing to the Select Board by (TBD).

Mission/Purpose Statement:

The SDC will be charged with making recommendations to the Select Board to definitively resolve the town's role and responsibility with respect to various hydrological issues in the town and any actions that may need to be taken in the future as a result of these roles and responsibilities. The SDC will arrive at these recommendations by working with the Sunderland Conservation Commission, The Highway Department, and other groups as needed, *within the scope of existing laws, rules, and regulations* to:

- Officially verify if the report created as a result of the 2012 ditch work will be used as the scientific basis for the SDC's work since the report addressed many of the tasks set forth in the draft charge for the 2012 ditch committee (mapping, abutting property identification, analysis of groundwater, etc.). If said report will not be used the SDC must define what data *will* be used as the basis of the SDC's work.
- Clearly define the (geographical) area of scope for the committee.
- Clearly define the hydrological features of interest to the committee within the area of scope to avoid any future confusion for the committee, the town residents, and the historical record. For example, clearly define:
 - What is a perennial stream
 - What is an intermittent stream
 - What is a drainage ditch, etc.
- Define which hydrological features of interest to the SDC, if any, are on public vs. private land.
- Define what work may need to be done, and what can be done, by existing land owners (be they the town or private citizens) with respect to the issues of concern stated by the SDC and identify any permitting and regulatory requirements necessary to do said work
- Identify any properties that may require, or may already have provided, easements or rights-of-way for any work that may need to be done by the Town. With the assistance of Town Counsel, when necessary, outline any legal requirements for the execution of any required easements or rights-of-way.
- Estimate the costs and make recommendations to the Select Board to identify financially responsible parties and explore options for funding any work recommended by the SDC. For example, what will it cost, who should pay for the work, and how should the work be paid for.
- **Clearly define success.** The SDC should create a brief statement that defines what the SDC considers the successful completion of its charge.

Select Board approval granted on (01/22/2019):

Select Board amended on (MMDDYYYY):