

From: Siobhan Peng [mailto:siobhanop@comcast.net]

Sent: Thursday, December 2, 2021 1:32 PM

To: Peter Hughes <planner@marlboroughct.net>

Subject: Letter for Zoning Commission

Dear Peter Hughes and Members of the Zoning Commission,

Thank you for taking the time to hear from residents of the Lake Terramuggus Watershed and Overlay Zone as you finalize zoning regulations to protect our beautiful lake. I appreciate that you have made changes to the proposed regulations based upon input you have received and that you are not rushing the process.

A few weeks ago, shortly after the last Zoning Commission meeting, I was shocked to see the clear cutting of trees and a house demolition on a Lake Terramuggus lakefront property to prepare for the construction of a new lake house.

I have lived on Lake Terramuggus for 20 years. Through the years I have noticed that the lots around the lake change every time a house is sold. Houses are remodeled or replaced, trees are taken down and lawns are re-landscaped. But this recent dramatic and stark change really struck me and made me realize that this will only continue around the lake, and that unless we update our current watershed regulations, our tree canopy, and then the health of our lake, will decline.

This reminded me that all watershed property owners should look at how changes they have made to their own lots impact the lake. Through the years, with the approval of the Conservation Commission, I have removed over a dozen trees and I am about to remove eleven more. While many new trees have naturally planted themselves and grown on my property over my 20 years here, in all these years I realize that I had only planted one tree.

In reading the proposed lake regulations and looking at other town's lake zoning regulations and learning about the life cycle of lakes, I recognize that the time to take action to protect our healthy lake is now.

While the proposed grid and point system is a bit confusing, I found that Columbia has even more confusing zoning regulations to protect the Columbia Lake Watershed:

For all applicable land use activities within the Columbia Lake Watershed Protection Overlay Zone, a Nutrient Allocation Worksheet shall be used to calculate the Maximum Parcel Allocation of phosphorus runoff for the subject parcel, and to estimate the phosphorous runoff both before, and after, the proposed changes. If the proposed changes result in phosphorous runoff that exceeds the Maximum Parcel Allocation, the parcel's runoff must be mitigated. The proposed mitigation (See Best Management Practices in Section 21.4.7) shall be shown on the site plan submitted for the building or zoning permit. Once implemented, all Best Management Practices (BMPs) mitigations as shown on the approved site plan shall be maintained and kept in working condition by the property owner. If the BMPs as shown on the approved site plan have not been adequately maintained, no further zoning permits shall be issued until the BMPs on the site have been brought back to working condition.

(Columbia Zoning Regulations Section 21.4.4 Effective 5/17/2021)

After looking at Columbia's complex Nutrient Allocation Worksheet required to determine phosphorus runoff, the proposed grid system seems simple in comparison.

If the proposed regulations are approved of, I ask that the Zoning Commission include a diagram of the grid system as Peter's explanation of marking out the grid on a lot made more sense with a visual reference.

And I ask that the planting of trees be allowed and encouraged in the new regulations so that when the time comes to remove a dead tree homeowners are less likely to be facing a grid that is deficient in trees.

I further ask that you include due process in New Article 10, Section J, 13 Permitting Process, c. Variances. No variance shall be granted for any provision of this Section J. I learned at the last Zoning Commission meeting that the Zoning Board of Appeals will not grant variances as this type of request is outside of their purview. So if it is not a variance request before the Zoning Board of Appeals, then the property owner should be directed to the correct process by which to make an appeal from this section.

Thank you for your time and consideration, and for reading another letter from me. I really appreciate the work that the Zoning Commission members and Peter Hughes are doing to maintain and protect our lake.

Sincerely,

Siobhan Peng