

NADF 3/14/11 Meeting minutes

Individuals' names have been changed to "NADF Officer," "Volunteer," or "Donor."

Meeting convened at 10:00 am.

Composition of Sheffield ZBA

Current members include R. Gunn, E. Carlson (chairman), B. Elsbach, D. West, and R. Blackburn. One member's term is up and another member may not be reappointed in May 2011. Need to find interested parties for two possible appointments. Discussion of why board seems to be in favor of plant. Many people do business with plant, truck drivers, Segalla's, Collingwood, etc. Most people do not know anything about asphalt production or its associated downsides. ZBA does not have scientifically sophisticated members. Several members will probably welcome information in weighing their decision.

Timing of upcoming events

CA first submitted its plan application to operate its stone crushing plant, concrete batch plant, and proposed HMA plant in October 2008. Deadline for CA to submit all requested information was 2/28/11. After that date, NADF Officer emailed S. Motamedi, MassDEP enforcement, asking whether CA's application was complete as of 2/28/11, but she has had no answer to that question. There should be word soon as to whether the application is complete, and whether MassDEP is beginning its technical review, which can take months to complete. Then there is a short period of public comment. If approved, the permits will be issued to operate the plants. Then CA will apply to the Sheffield ZBA again for a special permit to install and operate an HMA plant. If the ZBA approves the special permit, there is a 20 day window to bring suit against the MassDEP for violating MA environmental law, and against Sheffield ZBA for violating town by-laws and ZBA procedures.

Written materials

Volunteer feels it is important to paint a realistic picture of what this plant could do to the neighbors and the area. Consider using photos of homes, here or in West Sand Lake, that are stained by emissions, or have plastic barriers installed to counter airborne dust and other emissions, etc. Be up front about CA individuals as being good persons. It is not about individuals, it is about a parent company from New York State that is trying to install HMA production in Massachusetts, without concern for the health and welfare of the community. Importance to focus on the impact on children. Include story of NADF Officer's neighbors with a three year old and a newborn, trying to get CA to buy their house so they can protect their children by relocating. Develop information concerning economic impact, cost of repairing infrastructure through increased taxes, increased numbers of doctor visits, hospitalizations, loss of tourism, etc. Volunteer feels that kind of analysis may be helpful, perhaps could get some help or recommendations from the governor's office. Ask P. Puciloski if he knows of any resource individuals who could help on an economic assessment.

What we are trying to accomplish

We want to keep CA from installing and operating its HMA plant. In order to do this, we want to stop the MassDEP from approving CA's plan application for its HMA plant. We want to stop the Sheffield ZBA from approving a special permit for CA to install and operate an HMA plant. Failing these measures, we want to bring suit against MassDEP and Sheffield ZBA for their combined roles in violating MA environmental law, and violating Sheffield by-laws and ZBA protocols. In order to do this, we want to get the valley's population to understand why the HMA plant would be bad, and care enough to donate, write letters, and attend meetings.

Strategic approaches

Volunteer suggested approaching MA Governor Deval Patrick's office concerning the detriments of the HMA plant. Concerning business leaders, we need to put together a target list to approach. Consider contacting James Taylor for support. NADF Officer suggested that the way to get to pro-HMA people may be through the impact on their livelihoods longterm, i.e. ~75% of people in southern Berkshires make their living from the service industry (check with Chamber of Commerce for more data) which would be negatively impacted if the area accepted such heavy industry. Discussion of need to meet with P. Puciloski for strategy meeting in next several weeks. Obtain a list of cases that our attorney has been involved in, perhaps from the Lazan Glover Puciloski website, brochure.

The way forward

NADF Officer will rework our three documents (flyer, information sheet, and whitepaper) based on inputs from all so far, then we will complete the documents at our next meeting (next week), then submit them to P. Puciloski for legal clearance. Discuss with P. Puciloski whether we should use the whitepaper yet. Volunteer will investigate the approach to the Governor's office, and consider using these documents in that approach. Consider speaking with ZBA members, find out whether this is permissible/advisable. Begin the educational/fundraising process soon, first with other environmental organizations, then with several large donors. Set up email site: noasphaltdefensefund@gmail.com. Responses will be handled among NADF Officers, depending on issue. Importance of maintaining control of the message, for legitimacy, consistency, etc.

Adjournment

Meeting adjourned at 12:15 pm.

Next meetings

We will meet next on Monday, March 21, 2011, at NADF Officer's house (thank you!) at 10 am. NADF Officer will set up a 1-hour strategy meeting with P. Puciloski, on Tuesday, March 29, 2011.

Respectfully submitted,
NADF Clerk