



**SHERMAN CRAIG**  
Chairman

**TERRY MARTINO**  
Executive Director

Draft Minutes  
Regulatory Programs Committee  
November 16, 2017 Agency Meeting

**MINUTES OF THE REGULATORY PROGRAMS COMMITTEE MEETING  
November 16, 2017**

The Committee meeting convened at approximately 10:00 a.m.

**Regulatory Programs Committee Members Present**

Arthur Lussi, John Ernst, Daniel Wilt, Lynn Mahoney.

**Other Members and Designees Present**

Robert Stegemann, Bradley Austin, Chad Dawson, Karen Feldman, William Thomas, Sherman Craig and Fred Monroe, LGRB.

**Agency Staff Present**

Terry Martino, Sarah Reynolds, Shaun LaLonde, Colleen Parker, and Richard Weber.

**Approval of Draft Committee Minutes for October 2017**

A motion to approve the draft committee minutes was made by Mr. Ernst and was seconded by Ms. Mahoney. All were in favor.

**Deputy Director Report**

Mr. Weber noted the division's High Profile Report has been distributed.

**Agency Revised Large-scale Subdivision Application Report**

Mr. Weber stated that the proposed updates to the Large-Scale Subdivision Application are intended to do two things: revise the current review process and incorporate the assessment of significant habitat and other ecological considerations into the review process more strongly.

Mr. Weber stated that the goals are to require resource mapping and conceptual design as a first step in the review process, provide earlier opportunities for public comment, and to make concise and targeted information requests that lead to final design through a logical and more efficient review while providing for more cost efficient measures for applicants.

Mr. Lussi stated that prior applicants should be consulted for advice regarding the review process and cost efficiency for applicants.

Mr. Stegemann asked if overall environmental impacts and segmentation are addressed sufficiently within the new application. Mr. Weber responded that segmentation in this case involves phasing which is reviewed throughout the project and is adequately addressed in the proposed application revision.

Mr. Weber then reviewed the current application and the revised application and the proposed changes in the flow of information gathered by review officers.

Mr. Lussi stated that in his experience with large scale projects, he does not believe it is reasonable for staff to respond within 15 days and suggested that perhaps this requirement could be changed. He added that if there were more time to review a project perhaps staff would have less questions for the applicant. Mr. Weber stated that is what staff is trying to improve upon with the proposed changes to the application and the review process.

Mr. Weber said that the updated application seeks a two-part submission before the application is considered received: Part I – conceptual design, site analysis, map of sensitive resources, alternative analysis and preferred concept plan; Part II – public comment period which could range between 15 to 45 days. The application will be considered received upon closure of the public comment period. All comments will be forwarded to the applicant. Within 15 days of receipt of the application, the Agency will issue an additional information request.

Ms. Feldman asked if the required information can be obtained and compiled via a desktop. Mr. Weber responded affirmatively and stated that he believed applicants will also conduct field work to achieve conceptual design.

Mr. Dawson asked if the information gathered in the first stage of the review process was a part of the record and will the entire record be available to the Board. Mr. Weber responded affirmatively.

Ms. Reynolds stated that this is a better fact gathering tool that works essentially as a pre-application tool. She noted that the application will be included on our website to help to facilitate the public comment period.

Mr. Dawson stated that he was concerned that there is no requirement for the applicant to respond to public comment or to consider alternative proposals. Ms. Reynolds responded that staff will respond to proposals that can be improved upon by adjusting the proposed project design.

Ms. Feldman stated that this is a scoping process essentially that will allow applicants to know ahead what the difficult issues are before spending lots of money and time on a poorly designed project.

Mr. Dawson asked if alternatives can be identified early in the process instead of later in the decision making process for applicants. Mr. Weber responded that constant communication is established with applicants so that issues can be addressed. He said the revised application process will allow staff to develop a record that highlights issues earlier in the application process without the added expense to applicants while providing earlier public comment periods. The enhancements to the application and the review process will facilitate greater communication between staff and applicants.

Mr. Ernst stated the revisions seem to develop the target issues at an earlier stage of the review process which will create a better record.

Mr. Craig noted that a vote was not needed but asked for feedback from the Board and encouraged further discussion with Mr. Weber if Board Members had additional suggestions or information to offer.

**Project** (Patrick Connally)

2007-320R2– Saverio Ruffalo

Mr. Connally presented the second renewal request for this project. The proposal is seeking authorization of two lots involving wetlands in an eight lot residential subdivision.

Mr. Lussi asked if the pictures were current that were used in the presentation. Mr. Connally stated yes they were. Mr. Lussi asked if staff was comfortable with the wetland issues. Mr. Connally responded that Mr. Rooks, the Agency Wetlands Specialist was comfortable with the current proposal and staff believe that minimal impacts to wetlands were achieved.

Motion was called. Mr. Lussi moved and was seconded by Ms. Mahoney. All were in favor of moving the item to the full Agency for approval.

**Old Business**

Mr. Dawson stated that the variance process is also being worked on by the Board and staff to streamline the application and to clarify the information needed for variance review. He said there will be a future presentation to update the Board.

**New Business**

None

The Committee meeting adjourned at approximately 12:00 p.m.