

**Sewer Commissioners &  
Board of Selectmen Joint Meeting  
Minutes of Tuesday, February 23, 2021  
Zoom Remote – Public Access**

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**TA** Tony Schiavi  
**ATA** Glenn Cannon

**Sewer Commissioners**

James Potter, Chairman  
Jared MacDonald, Vice-Chairman  
Judy Froman, Clerk  
Peter Meier  
George Slade

Others Present: Amanda Forde, Stuart Clark – GSE, Allen Metcalfe, Kathleen Thut, Maria Pires, Mike Rausch, Mary Jane Mastrangelo, Neil, Renee Gratis, Timothy Lydon

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Participants wishing to speak should click the "Reactions" icon on the lower toolbar and then click "Raise Hand" in the dialog box to notify the Chair. The Chair will recognize participants. The 'Chat' keyboard feature will not be utilized for discussion or recognition during this meeting. For Participants who are calling into the meeting and wishing to speak should press \*9 to notify the Chair. The Chair will recognize participants. Please MUTE your phone/microphone upon entry.

All items within the meeting agenda are subject to deliberation and vote(s) by the Board of Sewer Commissioners and Board of Selectmen.

**Documents:**

**7:00 P.M. Call Public Session to Order in Open Session**

Chm. Potter called the meeting to order at 7:01 pm.

**1) Salute to the Flag**

**2) Sewer Operation Allocation**

- A. Massachusetts State College Building/Mass Maritime Academy— New Cadet Housing (11 Buttermilk Way, Buzzards Bay)**

James Potter said Mass State College Building/Mass Maritime Academy is looking for a request for operational allocation.

Stuart Clark, Green Seal Environmental, said back in Feb 2020 we received a preliminary allocation for 7,070 gpd for the new cadet dorm. We are going out to bid soon and would like to convert that to an operational allocation. Would like the Board of Sewer Commissioners to authorize the conversion of the Preliminary Allocation to an Operational Allocation.

James Potter questioned if they are concerned about the operational vs preliminary allocation? Amanda Forde, Mass State College Building Authority, said the concern is we don't want the preliminary allocation to change/expire; we want to make sure we have secured the 7,070 gpd going forward with the project.

Jared MacDonald explained once an allocation is requested, we give the preliminary allocation. Sometimes there are changes in the plans or construction and the applicant may need to change the allocation requested. Typically, the preliminary allocation carries through the construction. After construction it usually takes a year of actual usage, before we make any changes – change to operational allocation. The only change that might happen is if you have a much lower actual usage from the preliminary allocation that was requested.

James Potter said typically there isn't an expiration on the requested preliminary allocation. If the project is taking long, we usually ask for 6-month updates for review. The Board has an option to extend the preliminary allocation. Right now, we have no other projects that need allocation and we don't anticipate having to reallocate any amounts we have already allocated.

Judy Froman said there needs to be more clarity as to why Mass Building Authority or MMA thinks this request is necessary. Stuart Clark said there needs to be something in place so they can get further on the funding and get the bonds issued for this project. They are reluctant to do it on a promise of allocation, they would like something in writing.

Tony Schiavi said we could write a letter letting them (Mass College Building Authority) know that Mass Maritime Academy has the 7,070 gpd sewer allocation secured so they can go forward and get their funding.

Amanda Forde said we are trying to stay in line with some of the policy documents regarding sewer. A letter would be helpful, we don't expect the building and allocation request to change. We will use what we have requested.

Judy Froman said she would like to have more clarity on what would be include in the letter. James Potter said we can direct staff to work with MMA on how they want the letter to read.

**Voted:** Jared MacDonald moved and seconded by Judy Froman to have the Town Administrator draft a letter that covers all the aspects necessary for the MMA to continue their building for 11 Buttermilk Way.

Judy Froman said the motion is too vague, would like more detail in the motion. James Potter suggested to include in the letter - the exact gallonage, the address, and that the town is committed to suppling that allocation at the conclusion of the project.

Amanda Forde said the allocation is tied to the location and not the campus. This is for 11 Buttermilk Way.

Judy Froman suggested to amend the motion to include the address and the gallonage and possibly a statement about MMA communicating back with the town when they get the permit to start the building.

Judy Froman rescinded the second - Jared MacDonald rescinded his motion.

**Voted:** Judy Froman moved and seconded by Jared MacDonald to have the Town Administration draft a letter for the MMA and the Mass State Building Authority commenting that the allocation of 7070 gpd was preliminary approve for 11 Buttermilk Way and when the school receives their permit, they communicate with the town so an operational allocation can be granted.

**Roll Call Vote:** Judy Froman – Yes, George Slade - Yes, Jared MacDonald - Yes, Peter Meier - Yes, James Potter - Yes  
Vote: 5-0-0.

Downtown Bourne Sewer System Allocation

2A

Commercial Wastewater Management Allocation Policy (Approved October 2017)

OWNER	LOCATION	GPD Req'd	GPD Exist'g	\$1500 App Paid Date	Planning Board Approval Date	Preliminary Allocation Approval Date	Prelim Alloc Fee	Prelim Alloc Date Paid	Sewer Develop Fee	Comments	6-Month Review Date
	2020 GPD Downtown Actual Use	112496								Based on yearly flow (2018 = 108,719gpd; 2019 = 111,345gpd; 2020 = 118,211gpd)	
	2% Residential Reserve	6000									
<b>Operational Allocations</b>											
Vincent Michienzi	85-93 Main Street	13000	931	10/24/2018		10/15/2018	\$18,000.00	10/24/2019		Temp OC	11/25/19, 5/25/2020, 9/8/2020
HAMPTON INN	12 Kendall Rae Place	15243	4614			9/30/2014		11/11/2019	\$48,533.12	OP issued: Jan 2020	On-line (3 year review Jan 2023) 2020 = 4614gpd
	<b>Total Operational GPD</b>	<b>146739</b>									
<b>Preliminary Allocations</b>											
GENCON/Robert Gendron	12 Wagner Way	17750		1/5/2018		6/18/2019	\$22,750.00	11/20/2019			11/25/2019, 5/25/2020, 9/8/2020
CALAMAR	13 Kendall Rae Place	16800			1/29/2018	9/19/2017	\$21,800.00	1/6/2020			11/25/19, 5/25/2020
Vincent Michienzi	100 Block	26080				10/13/2015				-1000 gpd 11/25/2019 (originally 27080)	11/25/19, 5/25/2020, 9/8/2020
Oak Bay Brewery	140 Main Street	2256		8/23/2019	11/14/2019	12/18/2019	\$7,256.00	1/16/2020			7/18/2020, 9/8/2020
MMA Cadet Housing	11 Buttermilk Way	7070	310	12/27/2019	N/A	1/28/2020	\$12,070.00	2/20/2020			9/8/2020
James McLaughlin	227 Main Street	79	40	12/31/2019	10/10/2019	1/28/2020	\$5,079.00	2/7/2020			9/8/2020
Bay Motor Inn	223 Main Street	11985	640	5/20/2020		7/28/2020	\$16,335.00	9/1/2020		Approval after BBWD moratorium sent letter 08.03.2020	2/1/2021
CMP Development LLC	2 Kendall Rae Place	46475		2/25/2020		7/28/2020	\$51,475.00			Approval after BBWD moratorium sent letter 08.03.2020	10/28/2020
340 Main St LLC	340 Main St	3095		8/19/2020	2/27/2020	8/25/2020	\$8,095.00	11/2/2020		Potential 2nd phase to include 18-24 residential units / sent letter 09.01.2020	2/1/2021
	<b>Total Approved GPD</b>	<b>278329</b>									
	<b>Total Available GPD</b>	<b>21671</b>									
<b>Pending Applications</b>											
				Requested:							
<b>Projects Not Counted</b>											
				Requested:							
Louis Costa	25-27 Main Street	0	36				\$0.00	N/A		Waiver Received	Waiver Req'd
Judah Branagan	6 Washington Ave	880	0					N/A		Approval not required	
<b>Conceptual Projects</b>											
Updated: 2/18/2021						Fees total to Date:	\$162,860.00		\$48,533.12		

**3) Sewer Business**

- A. Update regarding the Buzzards Bay Water District permit increase application**
- B. FY 22 Sewer Budget update**
- C. Discussion regarding developing a Comprehensive Sewer Vision and Strategy**
- D. Discussion regarding cost/benefit analysis about dissolving the Sewer Enterprise Fund and creating a Sewer Department within the Town of Bourne**
- E. Discussion relative to a Town Administrator Wastewater Working Group — Group make up and community outreach**
- F. Update regarding Buzzards Bay Wastewater Treatment Facility**
- G. Cape Cod & Islands Water Protection Fund update and discussion about special legislation**

**3.A. Update regarding the Buzzards Bay Water District permit increase application**

Tony Schiavi said Mass Department of Environmental Protection sent a letter to the Buzzards Bay water district at the end of January. The Buzzards Bay Water District put a permit application in to increase their water withdraw back in October. DEP reviewed their application and issued to them an order to complete. When DEP reviewed the initial application, they had questions and there might have been missing information they needed. The Buzzards Bay Water District has 90 days from January 29th to answer DEP. Reached out to the Buzzards Bay Water District to see what support we can provide to them. This permit request will extend out to about 2031.

James Potter said it would be good to know if it was the lesser number.

Peter Meier said we did inquire, a few years ago, about putting irrigation wells in Buzzards Bay Park. Need a separate application for a storage tank to capture the water that is being used, recycle it, and use it at the splash pad.

Tony Schiavi said we talked about the possibility of an irrigation well. We haven't looked at a storage tank. There would need to be discussions regarding how it would work, health issues, what has to be done after it is captured before it can be used again.

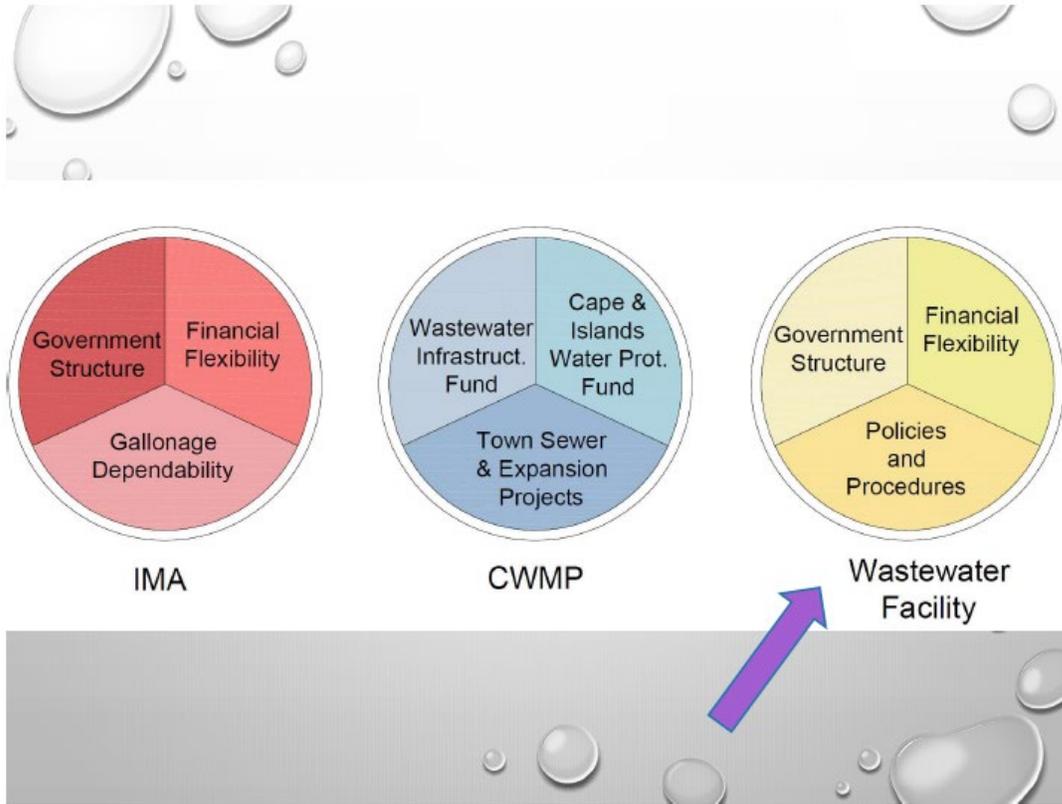
Judy Froman said maybe Mass Maritime Academy can help with what a plan might be and what is involved with reclaiming the water.

James Potter suggested to talk to the water district to see if there are any grant opportunities available for the conservation of water, and helping us install a system that would help recycle the water and conserve water.

Peter Meier suggested to talk about it with the CPC committee at the fall town meeting to use CPC money; and possibly partner with MMA to help with design ideas on the filtration system.

Allen Metcalf said the MMA would be willing to work with the Town on this.





## New Wastewater Facility Armory Rd, Buzzards Bay

### 2017 Budget Process and Environmental Commentary



## Article 2, Fall Town Meeting 2017

(Article 4 passed.)

### ARTICLE 2

MODERATOR PARADY: Article 2 on page 11 of your handbook. I recognize Mary Jane Mastrangelo, Chairman of the Finance Committee. Do you have a positive motion on Article 2?

MS. MARY JANE MASTRANGELO: Yes, Mr. Moderator, we do.

MODERATOR PARADY: Please state that motion.

MS. MARY JANE MASTRANGELO: We move that the sum of \$6,558,000.00 is appropriated to make various wastewater

summarizes the decision we are faced with tonight. Put in real numbers, what it means now is that we can send a maximum of 200,000 gallons of sewage to Wareham each day.

With the current users current daily use of 103,000 gallons and the

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MS. MARY JANE MASTRANGELO: Thank you. I just have to have a drink. First of all, I have to say that this project is not a wastewater project. It is an economic development project. All of the grant money that has been requested or rewarded is for economic development.

required reserves for peak flow in July and users who have paid betterments, that constitutes another 36,000 gallons, and the 55,000 gallons per day that have been allocated for three projects that are in the planning process. We have only 7,000 gallons per day to allocate to new projects. I will repeat that. We currently have only 7,000 gallons per day to allocate to new projects.

## Article 2, Fall Town Meeting 2017

There is an assisted living project proposed for Wagner Way that has been waiting for an allocation of 17,000 gallons per day for two years. There is not enough sewer allocation to grant to that project so that project cannot go forward.

There is a mixed-use retail/restaurant/housing project next to the hotel that can't go forward because there's no sewer allocation available.

Appendix 1 on page 16 in the handbook has an overview of the project cost and how it will be paid for.

After the 335,000 funding at the Annual Town Meeting this spring, the estimated project cost that is in this article is \$6,558,000.00. The project cost estimate has been reviewed and revised by the owner's project manager who reviewed and updated the initial cost projections that had been developed by Weston & Sampson.

The Town has been awarded a \$1,500,000.00 MassWorks Economic Development Infrastructure Grant. This is an extremely competitive grant program. Over 90 projects applied for grant funding this year and only half were awarded grants. Bourne was awarded the full grant requested, which is an indication of how important the Commonwealth views this economic development project.

## Article 2, Fall Town Meeting 2017

The Sewer Enterprise Fund will pay \$2.4 million of the project cost. The new users coming into the Enterprise Fund will bring in enough revenue to cover the operating cost and the debt service for the 2.4 million. Sewer rates will not increase due to this project and in the long-term adding additional users to the Sewer Enterprise Fund will help stabilize the sewer user rates.

The developments that this project will allow are going to bring an investment of over \$100 million into the Town of Bourne. Once constructed, these projects will pay over \$1 million in additional tax revenue to the Town each year, as well as the ongoing cost of the wastewater plant operation. The Town and all the taxpayers will benefit economically from the project.

But just as important, we need to create a vibrant, economic downtown where businesses can thrive.

17 in the handbook answers many of the frequently asked questions. The three main questions that I heard about the project are, first, why should the Town pay? Why shouldn't the sewer users who will benefit from the project pay?

## Article 2, Fall Town Meeting 2017

The two projects that are currently before the Planning Board and that will be under construction soon will provide about \$463,000.00 of new annual tax revenue, which will more than cover the cost of the debt service for this project. The projects that come after will provide the Town with additional new revenue that can be used to maintain services or reduce property taxes in the future.

The debt service based for the 2.4 million is estimated about \$177,000.00 a year. That falls in with the number of users that are coming in within the same current rates that everyone's paying. And as a matter of fact in the long-term, because one of the problems we have in this, our sewer system, is there's only a little over a thousand users. And so when you have fixed costs for a system and only a thousand users, it's, you know, you have to pay the fixed cost. So when you bring in more users, it will actually help stabilize the rate so that, you know, hopefully in the long-term, we might be able to bring it down a little bit.

## Article 2, Fall Town Meeting 2017

MR. JOHN YORK: Yes, so the question is, going forward, will we be actually doing accounting, finding the time to put together the outcome looking back, we'll be hindcasting, "How did it work?"

MODERATOR PARADY: Yes or no.

MS. MARY JANE MASTRANGELO: I would say it is something that -- it's not necessarily the function of the Finance Committee because the function of the Finance Committee is to advise Town Meeting. So we might be able to look at that in terms of our budget and our forecasting and to see what trends we've had, and I think that's a really good idea, and I would look at trying to do that.

I'm not exactly sure, other than that, who could really tell you that other than looking at these developments came in this year, and we should have to track that, and this is how much, and how did it affect our budget? Were we required to have additional public safety personnel, for example?

## Article 2, Fall Town Meeting 2017

### BUZZARDS BAY WASTEWATER TREATMENT FACILITY QUESTIONS AND ANSWERS October 19, 2017

#### **What will this facility cost to build?**

Although detailed project design is not yet completed, Daedalus Projects Incorporated has provided a conceptual budget estimate of \$5,249,000 for construction, including a 15 percent contingency. Engineering, project management, and other costs bring the total to \$6,893,000, \$335,000 of which was authorized by the Annual Town Meeting. This estimate is considered to be generous so as to avoid having to request additional funding after bids are received. It does not reflect potential cost savings, nor does it reflect any grant funding.

#### **How will it be paid for?**

The most likely source of funding for this project is municipal bonding. The town has been awarded a state MassWorks infrastructure grant of \$1.5 million that will reduce the maximum amount to be financed to \$5,058,000. Additional grant money for up to \$2.6 million may be available through a Federal economic development program. Application for that grant has been submitted in partnership with the Cape Cod Commission, and is currently pending review.

The remaining \$2.4 million can be paid by the existing sewer enterprise fund, enhanced by user fees paid from new development connections. Those fees will also pay all operating and maintenance costs. It's important to note that there will be no additional costs imposed upon existing customers or taxpayers.

#### **Will current users be saddled with either capital or operating costs of the new facility?**

No. Financial projections indicate that new capital and operating costs will be the same as current costs and will be covered by new users added to the sewer system. As new developments tie in, however, fixed annual costs of the system will be spread over more users, so annual fees for existing users will be stabilized.

## Article 2, Fall Town Meeting 2017

### BUZZARDS BAY WASTEWATER TREATMENT FACILITY QUESTIONS AND ANSWERS October 19, 2017

***Will additional town employees be needed to operate and maintain the new facility?***

The town will hire one additional operator who will run this plant and the existing plant at the high and middle schools. Other current town employees will also be trained to operate the plant. All operating and maintenance costs of the new facility will be paid from user fees.

***What is the status of the environmental mitigation issue?***

Consultants at Weston & Sampson initially advised the town that it may have to sewer up to 80 properties near the shore of Buttermilk Bay in order to mitigate the effect of total nitrogen introduced into the ground water by subsurface disposal of treated wastewater. The Secretary of Environmental Affairs, in his certification of the MEPA Notice of Project Change issued in July, however, stated that no mitigation will be required since the infiltration beds are located in a portion of the site where the groundwater flows entirely into the Cape Cod Canal, and not toward Buttermilk Bay or Cohasset Narrows.

***Will the groundwater flowing into the canal affect its water quality?***

The enormous volume of water flowing through the canal, on the order of 80 billion gallons per day, coupled with the rapid currents, could accept a direct discharge of treated wastewater with no measurable effect. The discharge from the proposed treatment facility is basically clear water with less than five parts per million of nitrogen, so it will not contaminate the groundwater, much less the canal.

## Article 2, Fall Town Meeting 2017 – Environmental Discussion

MODERATOR PARADY: Any further discussion of the motion of the Finance Committee on Article 2?

MR. GARY MALONEY: Gary Maloney, Buzzards Bay. I understand the economic benefit very well. I think it's been very well thought out and stated. But what's the environmental benefit of putting the sewage, even though it's been treated for nitrogen to a state-mandated level, what's the benefit of increasing that into the ground today versus not having it at all? You've made the argument, I guess; it's an economic plan, not an environmental plan.

MS. MARY JANE MASTRANGELO: Well, I think this is a state-of-the-art facility that treats the wastewater to the point where it is highly almost drinkable water

and it's going into leaching fields that are going to be in the ground like any, you know, so it's treated water going into the ground which will then seep through the layers of ground and be dispersed into the groundwater. It is the most environmentally responsible way of handling what we have to do.

MR. GARY MALONEY: This is increasing growth. Does it meet the guidelines of the 208 Plan to try to minimize growth with environmental pollution? Does it get us any closer to a Town-wide Comprehensive Waste Management Policy for wastewater or do we not have it?

## Article 2, Fall Town Meeting 2017 – Environmental Discussion

MS. MARY JANE MASTRANGELO: It is the first step in that plan.

MR. GARY MALONEY: The first step in the plan is to build a facility?

MS. MARY JANE MASTRANGELO: Yes.

MS. MARY JANE MASTRANGELO: The second part of it is the Regional Long-Term Plan which is most likely going to be an expansion of the Wareham plant in cooperation with Plymouth and Wareham and Bourne because there's parts of Plymouth that need to get involved in that. The permitting process for that is based over 10 years. So, I mean, we've been permitting this plan since, you know, for five years. And so that's a much more extensive and it's a larger permit and a higher thing. So it's our first step.

MS. LINDA ZUERN: Linda Zuern from Monument Beach. I have a few concerns and just want to make a couple of comments about the LCP. Originally, that was stated in the LCP to keep the character of each village, and I don't believe that putting up three/four-story buildings the size that we're doing right now is really keeping in the character of Buzzards Bay.

It's also producing a lot more traffic. We have parking problems now. With growth, you also have problems.

So when I was on the Wastewater Advisory Committee, they were talking about hooking up residential properties to be able to pay for this cost. And so my first question is would that be mandated or --

## Article 2, Fall Town Meeting 2017 – Environmental Discussion

MS. MARY JANE MASTRANGELO: There is no -- there was talk about mitigation that was part of the initial -- when we were

looking at the Queen Sewell location as handling 335,000 gallons per day, part of the gallonage was going to go into the -- not -- what's happening with the hundred thousand gallons per day is it's going into the leeching fields to the groundwater towards the Canal. And the Canal each tide 20 billion gallons of water go back-and-forth. So water that comes filtered through the ground into the Canal is not going to have a negative impact. The issue was that if you were going to go the other way into Buttermilk Bay, which would be necessary to use more of that site, that was going to create the need for mitigation. So that was one of the reasons that it was decided for the long-term plan rather than to take that site, which was approved for 335 gallons per day but to limit it to 100,000 gallons per day and to not go into the Buttermilk watershed -- Buttermilk Bay watershed and that avoided the mitigation.

## Article 2, Fall Town Meeting 2017 – Environmental Discussion

MS. LINDA ZUERN: So that means that nobody is mandated to hook up to --

MS. MARY JANE MASTRANGELO:

Correct.

MS. LINDA ZUERN: -- the sewer if they're in residential --

MS. MARY JANE MASTRANGELO:

Correct. There's no mandated hooking up for those residents.

MS. LINDA ZUERN: Okay. And they're not fined if they don't or anything like that?

MS. MARY JANE MASTRANGELO: No.

The other thing I want to talk about is the 300,000 gallons per day. We are not planning on using the 300,000 gallons per day that could be done on that site because of the issues of the Buttermilk Bay. The alternative plan and the regional plan with Wareham is what was determined to be the future expansion if it's necessary for sewerage the rest of the area under the 208 Plan. It is not a plan to do an expansion of this plant to the 300,000 gallons.

## Article 2, Fall Town Meeting 2017 – Environmental Discussion



The Commonwealth of Massachusetts  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Charles D. Baker  
GOVERNOR  
Karin E. Polito  
ATTORNEY GENERAL  
Mikhael A. Bevers  
SECRETARY

Tel: 617/725-1000  
Fax: 617/725-1000  
http://www.eoeea.gov

June 24, 2016

### CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS ON THE ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Buzzards Bay Wastewater Treatment Facility  
PROJECT MUNICIPALITY : Buzzards  
PROJECT WATERSHED : Buzzards Bay  
EIA NUMBER : 15514  
PROJECT PROPONENT : Town of Buzzards  
DATE NOTICED IN MONITOR : May 25, 2016

Pursuant to the Massachusetts Environmental Policy Act (M.G.L. c. 30, ss. 61-62D) and Section 11.06 of the MEPA regulations (301 CMR 11.09), I hereby determine that this project does not require an Environmental Impact Report (EIR).

#### Environmental Impacts and Mitigation

The project will alter approximately three acres of land and discharge approximately 100,000 gpd of treated wastewater effluent to the groundwater. Measures to avoid, minimize and mitigate environmental impacts include offsetting the anticipated increase in nitrogen loading associated with the groundwater discharge by extending sewer service to approximately 80 homes with septic systems or cesspools that currently discharge to Buttermilk Bay and by locating the subsurface disposal beds as far south on the property as possible to direct groundwater discharge to Cape Cod Canal and away from Buttermilk Bay (an impaired waterbody). Additionally, it is expected that the treated wastewater effluent will have a discharge of approximately 5 mg/l Total Nitrogen which is below the anticipated 10 mg/l permit standard. Stormwater best management practices (BMPs) will be utilized during the construction period to reduce potential erosion and sedimentation.

# Article 2, Fall Town Meeting 2017 – Environmental Discussion

3225 MAIN STREET • P.O. BOX 226  
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD  
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**By Electronic Mail**

June 10, 2016

Matthew A. Beaton, Secretary  
Executive Office of Energy and Environmental Affairs (EEA)  
Attn: MEPA Office, Page Czepiga, Analyst  
100 Cambridge Street, Suite 900  
Boston, MA 02114

**Re: Environmental Notification Form (ENF) – EEA No. 15514  
Town of Bourne  
Buzzards Bay Wastewater Treatment Facility  
Buzzards Bay, Bourne, MA 02532  
(CCC Project No. ENF16011)**

Dear Secretary Beaton:

The Cape Cod Commission ("Commission") provides the following comments on the ENF submitted by Wesley Ewell on behalf of the Town of Bourne for the above referenced project. Based on the following, the Commission recommends that the ENF adequately addresses relevant issues and that no further MEPA review is required for the project.

The project site is an approximately 8.06-acre town-owned parcel currently used for active and passive recreation, known as Queen Sewell Park, which is located between the Cape Cod Canal and Buttermilk Bay, and adjacent to the National Guard Armory on the north side of Routes 6 & 28 (Buzzards Bay Bypass). This project involves the construction and operation of a package wastewater treatment plant and subsurface disposal beds at the project site to provide an additional 100,000 gallons per day (gpd) wastewater treatment capacity to the Buzzards Bay Village in Bourne.

The project aims to address three programmatic issues: 1) To facilitate economic development and revitalization in downtown Buzzards Bay, balanced with water resources concerns, through additional wastewater treatment capacity; 2) To reduce nitrogen and other contaminants in Buttermilk Bay through connecting approximately 80 adjacent homes to sewer, offsetting any increase in nitrogen loading associated with wastewater treatment at the package plant; and 3) To expand recreational opportunities adjacent to current recreational facilities.

Downtown Buzzards Bay is partially served by public sewer currently, where wastewater is treated at the Wareham wastewater treatment facility (WWTF) through an arrangement between the towns of Bourne and Wareham. As an addendum to this project, the town of Bourne also proposes to seek to connect approximately 80 existing residences fronting on Buttermilk Bay and Cohasset Narrows in Bourne that currently utilize on-site septic systems to the public sewer system in order to reduce nitrogen loading in Buttermilk Bay. However, there is a need for additional wastewater treatment capacity that the Wareham WWTF cannot accommodate in order to redevelop the downtown area. The proposed package plant will supplement the public sewer's wastewater treatment capacity in the area. The town proposes to construct additional active recreation facilities on top of the disposal fields, adjacent to existing town recreational facilities.

The ENF suggests that, due to the location of the subsurface disposal field, at the requested design flow of 100,000 gpd, treated wastewater effluent flowing with groundwater will not discharge to Buttermilk Bay but to the Cape Cod Canal. A goal of the Cape Cod Regional Policy Plan is to, at minimum, maintain or improve water quality in coastal, impoundment, and estuarine areas. The project will likely have little effect on water quality in the Cape Cod Canal, which thoroughly flushes with every tide cycle and is not considered nitrogen sensitive. Reduction of nitrogen is anticipated in Buttermilk Bay from sewerage approximately 80 adjacent homes. The Commission suggests that the applicant consider monitoring Buttermilk Bay for nitrogen loading as the package plant is constructed and the homes are connected to public sewer. The Commission anticipates providing further comment during the groundwater discharge permit review process for the package plant. If the applicant seeks State Revolving Funds for construction of the package plant the project may require a 208 consistency statement from the Commission.

# Article 2, Fall Town Meeting 2017 – Environmental Discussion



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS  
OFFICE OF COASTAL ZONE MANAGEMENT  
251 Causeway Street, Suite 800, Boston, MA 02114-2136  
(617) 626-1200 FAX: (617) 626-1240

**MEMORANDUM**

TO: Matthew A. Beaton, Secretary, EEA  
ATTN: Page Czepiga, MEPA Unit  
FROM: Bruce K. Carlisle, Director, CZM  
DATE: June 10, 2016  
RE: EEA 15514, Buzzards Bay Wastewater Treatment Facility ENF; Bourne

The Massachusetts Office of Coastal Zone Management (CZM) has completed its review of the above-referenced Environmental Notification Form (ENF), noticed in the *Environmental Monitor* dated May 25, 2016. CZM does not recommend the preparation of an Environmental Impact Report and believes associated environmental issues can be addressed through the permitting process.

Included as part of the project is the extension of sewer service to approximately 80 homes fronting Cohasset Narrows and Buttermilk Bay. The ENF does not estimate the expected flow from these 80 existing homes, but assuming Title 5 design flow rates and an average of three bedrooms per house the expected design wastewater flow from the 80 homes will be approximately 26,400 gpd. The flow from these homes will be pumped directly to the Wareham Wastewater Treatment Facility (WWTF) and will be a part of Bourne's allotted capacity to that existing plant. A corresponding volume of existing wastewater flow from the Main Street section of Buzzards Bay will be taken from the flow going to the WWTF and diverted to the proposed new package treatment facility. The remainder of the flow to the proposed new facility will come from new development in the Main Street area of Buzzards Bay.

A hydro-geologic analysis for the site, assuming a 335,000 gpd discharge, showed approximately two thirds of the groundwater flow eventually discharging at the Cape Cod Canal and one third discharging into Buttermilk Bay or the Cohasset Narrows. It is anticipated by the proponent that discharging only 100,000 gpd and locating the subsurface disposal beds as far south on the property as possible, will result in an even smaller percentage of the groundwater flow from the disposal beds flowing toward Buttermilk Bay. Even with the large majority of groundwater flow from the proposed subsurface beds projected to flow southeasterly toward the Cape Cod Canal and away from Buttermilk Bay the sewerage of the 80 homes along Buttermilk Bay is intended by the proponent to serve as mitigation for any potential nitrogen that flows toward Buttermilk Bay from the proposed facility.

# Article 2, Fall Town Meeting 2017 – Environmental Discussion

## Czepiga, Page (EEA)

**From:** Logan, John (FWE)  
**Sent:** Monday, June 13, 2016 11:09 AM  
**To:** Czepiga, Page (EEA)  
**Cc:** Petlipas, Christian (FWE)  
**Subject:** Buzzards Bay Wastewater Treatment Facility, EEA#15514

Secretary Matthew A. Beaton  
 Executive Office of Energy and Environmental Affairs (EEA)  
 Attn: MEPA Office  
 Page Czepiga, EEA No. 15514  
 100 Cambridge Street, Suite 900  
 Boston, MA 02114

Dear Secretary Beaton:

The Division of Marine Fisheries (MarineFisheries) has reviewed the Environmental Notification Form (ENF) for the Buzzards Bay Wastewater Treatment Facility in the Town of Bourne within the Buzzards Bay watershed. The proposed facility would be located in an upland region in Queen Sewell Park and is intended as a bridge solution to a longer term regional solution to wastewater treatment. The site would include subsurface disposal (≤ 335,000 gallons per day) with all discharge projected to ultimately flow into the Cape Cod Canal. Proposed mitigation for increased discharge consists of extending sewer service to septic systems or cesspools associated with an estimated 80 properties bordering Cohasset Narrows and Buttermilk Bay. The shorelines of the Cape Cod Canal are mapped as shellfish habitat for blue mussel (*Mytilus edulis*). Tidal flats at the southwest end of the Canal also contain mapped habitat for American oyster (*Crassostrea virginica*), bay scallop (*Argopecten irradians*), soft shell clam (*Mya arenaria*), and quahog (*Mercenaria mercenaria*).

Based on the information provided, MarineFisheries has no recommendation for sequencing, timing, or methods that would avoid or minimize impact at this time.

Questions regarding this review may be directed to John Logan in our New Bedford office at (508) 998-2860 ext. 141.

John Logan, Ph.D.  
 MA Division of Marine Fisheries  
 1213 Purchase Street  
 New Bedford, MA 02740

# Article 2, Fall Town Meeting 2017 – Environmental Discussion



Commonwealth of Massachusetts  
 Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakewood MA 02347 • 809-948-2700

Charles D. Baker  
 Governor

Kay R. Polito  
 Lieutenant Governor

Matthew A. Beaton  
 Secretary

Mark D. Sabers  
 Commissioner

June 14, 2016

Matthew A. Beaton,  
 Secretary of Environment and Energy  
 ATTN: MEPA Office  
 RE: ENF Review EOEPA # 15512  
 Executive Office of Environmental Affairs  
 100 Cambridge Street, Suite 900  
 Boston, MA 02114

ENF Review EOEPA # 15514.  
 BOURNE Buzzards Bay Wastewater  
 Treatment Project at Amory Road

Dear Secretary Beaton,

The Southeast Regional Office of the Department of Environmental Protection (MassDEP) reviewed the Environmental Notification Form (ENF) for the proposed Buzzards Bay Wastewater Treatment Project, located at Amory Road, Bourne, Massachusetts for the proposed (EOEPA # 15514). The project proponent provides the following information for the project:

### Wastewater Management Comments:

The project proposes to construct a 100,000 gallon per day (gpd) wastewater treatment facility to accommodate wastewater flow from downtown Bourne (Buzzards Bay). The focus of the project is threefold: to reduce nitrogen loading to Buttermilk and Buzzards Bays, to encourage economic development and revitalization of the downtown area, and to enhance recreational opportunities on town owned land.

Initial studies identified five wastewater treatment plant sites and three discharge sites. Subsequent evaluation determined that wastewater should be treated and disposed at infiltration beds in Queen Sewell Park. MassDEP has issued a hydrogeological approval for up to 335,000 gpd with 32% of the effluent discharges going toward Buttermilk Bay and 68% going toward the Cape Cod Canal. However, at the lower discharge rate of 100,000 gpd and with the infiltration beds located at the southern boundary of Queen Sewell Park, the proponent maintains that 100% of the discharge will flow towards the Cape Cod Canal. The ENF describes the proposed sewer service area to accommodate flow primarily from the Buttermilk Bay watershed directly removing nitrogen from that watershed and discharging to the Cape Cod Canal.

The ENF also asserts that this is a temporary arrangement (approximately 10 years) while the Town of Bourne pursues a more permanent solution with the Town of Wareham to send Bourne's wastewater to the Wareham POTW and then return the treated effluent to an ocean outfall at Taylor's Point.

MassDEP supports the concept presented in the ENF; however, additional evaluation will be required during the Groundwater Discharge Permit process. In particular, further verification of effluent flow direction at the reduced discharge rate will be required as well as more detail on the proposed sewer service area and the resulting nitrogen distribution.

**Wastewater Facility**

**2016-17:** Town meeting authorization to build a wastewater facility.

- Economic Development Fees would pay for the ongoing operation and maintenance.
- Sewer Rates would not be impacted.
- No 5 year capital study of operational costs. Development Fees were projected.
- Actual gallorage sent to Wareham...approx. 110K gallons out of 200K capacity.
- Bids came in higher, requiring an additional \$1 million borrowing from Town Meeting in 2018.

**2021:**

- Projected Title 5 gallorage figures not consistent with actual sewer use. Actual gallorage sent to Wareham...approx. 115K gallons out of 200K capacity.
- Economic Development Fees collected would not pay for 1 year of ongoing maintenance and operations at the new plant [\$135K versus \$250K]
- Sewer Rates will be dramatically impacted [\$500 increase] unless we spread the new costs over more ratepayers or if the economic development fees are shared from the Town, to cover new costs.
- Town collects all of the development benefits and sewer ratepayers pay for the increased costs. Town collects bettered-property taxes, meals tax, and hotel tax. All of the financial cost increases are burdened by only 1100 sewer users.

Want to have a discussion on how we work through our plant, work through our existing agreement with Wareham. If we don't take any action it's probably a \$500 increase to the rates.

Peter Meier questioned if we should be addressing the IMA and the special agreement we have with Wareham; would help with some of the problems we have financially. James Potter said we did talk to them. Had staff look up the audit letter. There is some merit in maybe reducing the Wareham to actual usage, don't think the saving will be significant. There was also the issue that we felt we were overbilled. We had to spend money to prove that we were overbilled.

Judy Froman said in terms of the IMA we need to work with Wareham, we have an arrangement with them, we need to optimize that. Our economic development should not be shouldered by the 11-hundred people. Would like to hear how the enterprise fund could be supported by the town. Can we subsidize, is there a way the monies from some of the economic development be put back into the sewer enterprise fund.

Jared MacDonald said the rates for the sewer users is a big increase. This was an economic development plan that had nothing to do with the sewer department, nor did it have anything to do with the Sewer Commissioners. We have to find a way to correct the issues and move forward and let the voters know what the best process is going forward.

George Slade questioned if there is a way we can assess the value of the properties to achieve equity. They may be assessed at a lower amount on their property value because they are helping footing the bill for the economic vitality for the town through the identifiable sewer rates. Can we seek some relief through some equity to balance out the cost of living for the residents in town? Regarding the agreement with Wareham, we are a customer of theirs, but we had to secure an auditor to prove to them they were overcharging us. Perhaps there can be a mediator, not with Wareham or Bourne, to look at the billing. The violator, would bear the cost of the mediation.

Tony Schiavi said don't think the Wareham IMA shouldn't be the focus, thinking it will fix the problem. Also don't think supplementing an enterprise fund is the right thing to do. Looking at the Local Comprehensive Plan, the number one issue was water quality. Having an operation with an IMA and an operating wastewater treatment plant in a small village of Buzzards Bay is inviable. We should be looking at this as a town wide issue. Regarding the Wareham IMA, we have to be protective of our allocation. We need to determine what is the best course of action for Bourne.

What are the implications if we don't bring the wastewater treatment plant online as soon as it is ready; could we delay the operations. We also have to look at the infrastructure beneath the ground. We have to figure out whether having an enterprise fund on 1069 users with a plant and an IMA is doable any longer.

Mary Jane Mastrangelo said the Cape Cod Water Protection Fund might help the Sewer Enterprise Fund. This is a project that might be eligible to get funds.

James Potter said we can't wait until the end of the Comprehensive Plan to figure out that we need a town wide sewer department, if we need to increase bills \$500 dollars, we need to do something now. As a solution, from a town perspective, if we go in the direction of town sewage/sewer department, a wastewater infrastructure fund would be very important that we pay into. We could divide a percentage off. We started to have conversation with Community Preservation. It could help with some of our town sewer infrastructure needs going forward. The water protection fund is another source to help us. We need to work through this spring to figure out ideas on how to help with the rates. The first bill goes out in August.

Judy Froman questioned is there anything that can be done to provide money to the sewer users to subsidize. Tony Schiavi said we could research that. We have a structurally balance budget, so do we have to take money from the operating budget to supplement the Enterprise Fund, and what impact does that have on the operating budget. It could affect other projects we are planning.

Judy Froman said the idea of the Sewer Enterprise could be problematic in terms of our size town, the size of the Sewer Enterprise and the things we need to be doing. Would like to entertain some discussion to subsidize some, to buy some time to move forward.

Jared MacDonald said we shouldn't come up with a short-term solution which may ruin our long-term solution. We need to come up with a short-term solution that won't ruin our long-term plans.

### **3.D. Discussion regarding cost/benefit analysis about dissolving the Sewer Enterprise Fund and creating a Sewer Department within the Town of Bourne**

James Potter said we will have to look at the cost benefit analysis. There would be a benefit to the sewer rate users. There would be an offset increase, very small, if we spread it over the whole town. To make the Enterprise Fund work going forward we have to add a lot of users; either add users to the existing system or add rate payers.

Judy Froman questioned if Environmental Partners will be looking at this and have some recommendations?

Tony Schiavi said part of their scope isn't to analysis whether we should have a sewer enterprise fund or should it be absorbed in to the town. They could look at do we sewer homes.

Tony Schiavi said it is cheaper for Wareham to treat our wastewater than for us to do our own. It would make sense to get 200,000 gallons to Wareham as fast as we could, because it is less expensive.

### **3.E. Discussion relative to a Town Administrator Wastewater Working Group — Group make up and community outreach**

James Potter said Tony Schiavi suggested to consider making it a Town Administrator appointed committee.

Tony Schiavi said there will be staff input into this working group. It would be more of a task oriented working group and may require some consultant help.

James Potter said the group will also work with Environmental Partners with the Comprehensive Plan. Also need the mission of the group.

Judy Froman said it makes sense to have staff as part of the group. It would be advantageous to engage the public to have a couple people at large to participate in the working group.

Peter Meier suggested the working group should have a larger community involvement.

James Potter suggested to increase the membership to 5 representatives from the community. The 5 people are specifically appointed from the various parts of town; they have to represent that area.

Jared MacDonald said people from the different Bourne towns represent those areas, but background and knowledge will also be helpful.

George Slade said it's a working group and it can have a finite mission/time, so people know it isn't an ongoing group.

Judy Froman said like the idea of representation from around town, but not more than one person from the same village. We can reach out to people that we think might be interested in volunteering. Explain the Charge and Mission and explain it is finite. Having staff and the consultant working on/with the group is really important.

Mary Jane Mastrangelo spoke about the Wastewater Advisory Committee which had a resident from a town/precinct, a business from town/precinct, a Board of Health member, a Planning Board member, a Finance Committee member, a Board of Sewer Commissioner member, and a couple people at large. It was a way for information to get disbursed and input to happen from a number of people who were really stakeholders.

### **3.F Update regarding Buzzards Bay Wastewater Treatment Facility**

Tony Schiavi update the Board of Sewer Commissioners on the milestones. We received the response from our RFP. We agreed on the scope of services. We should have a contract by tomorrow. Had a couple week delay in getting the O&M contract finalized and ready to send to DEP for review, it shouldn't have any impact at the end of the schedule when we are ready for the clear water test.

### **3.G. Cape Cod & Islands Water Protection Fund update and discussion about special legislation**

James Potter said Tony, Glenn and myself met with our state delegation, Senator Moran and Representative Zeros and Viera regarding the Cape and Island Water Protection Fund. Bourne situation was exclusive from the regulations, because our IMA wasn't covered because we aren't an owner of the plan and Wareham is not in Barnstable County. We wanted a meeting to talk about amending the language so Bourne would be included with funds that we might deem reimbursable through the Cape & Islands Water Protection Fund that were specific to Bourne/Wareham projects. This is for the existing IMA with the existing Wareham plant. We may be eligible for reimbursement. We talked with the Delegation about amending the language. We should pursue amending Section 19 from Chapter 29; through Home Rule Petition. We would go to Town Meeting and ask Town Meeting to authorize us to work with the Delegation to amend section 19 so it would include Bourne's situation with Wareham. It can't be fixed at the Water Protection Board Level it has to be fixed at the state level. Then we can fix it at the Water Protection Board Level in the Bylaws.

The new wastewater facility is included as a potential reimbursable project that will be reviewed this summer.

James Potter said we brought in Town Counsel after we met with the delegation and we presented him with the plan. Tony Schiavi said they will draft the warrant articles. Atty Troy proposed the language in Section 19 of 29C. We need to draft the Home Rule Petition language.

#### **4) Sewer Visioning Agenda**

##### **A. Board of Sewer Commissioners' Mission Statement**

##### **B. Discussion and possible vote to recommend including Initiative 4.5.9 into the Board of Selectmen Strategic Plan**

#### **4.A. Board of Sewer Commissioners' Mission Statement**

James Potter said some of the key words we discussed for the mission statement are respect for and response to environmental impacts, resiliency and sustainability. We should craft those into a few sentences for our mission statement. We should have a mission statement on how we will execute the plan.

Judy Froman said we had a draft that was in the SIP. Ms. Froman read the draft mission statement. To Implement projects within the town that contribute to improving the environment are sustainable and meet coastal resiliency.

James Potter said if anyone has any comments regarding the mission statement, they can send them to him.

#### **4.B. Discussion and possible vote to recommend including Initiative 4.5.9 into the Board of Selectmen Strategic Plan**

Judy read Initiative 4.5.9, Study current and projected future Sewer Rates based on anticipated capital expenditures, wastewater treatment plant and IMA expenses, etc. and make recommendations related to the long-term viability of the Sewer Enterprise Fund and/or other alternative models, i.e. establishing a town sewer department.

**Voted:** Peter Meier moved and seconded by Jared MacDonald to put 4.5.9 in the Board of Selectmen Strategic Plan.

**Roll Call Vote:** Judy Froman – Yes, George Slade – Yes, Jared MacDonald – Yes, Peter Meier – Yes, James Potter – Yes

Vote: 5-0-0.

#### **5) New Business**

##### **A. Correspondence**

- B. Any new sewer business (not foreseen 48 hours ahead of this meeting)**
- C. Public Comment**

### **5.A. Correspondence**

Judy Froman updated the public on the Correspondences and who they were from.

- I. J. Grobleski email regarding MMA Outflow Pipe
- II. D. Moerman letter regarding MMA Outflow Pipe
- III. D. Conron email regarding MMA Outflow Pipe
- IV. J. Bunevith email regarding MMA Outflow Pipe
- V. Buckley email regarding MMA Outflow Pipe
- VI. S. Barlow letter regarding MMA Outflow Pipe

### **5.B. Any new sewer business (not foreseen 48 hours ahead of this meeting)**

James Potter spoke about the article in the Cape Cod Times regarding the upper bay project and the comment.

Peter Meier wanted to clarify that James Potter didn't say anything to the papers regarding the upper by project.

### **Future Agenda Items**

- A. Comprehensive Wastewater Management Plan**
- B. Cape Cod and Islands Water Protection Fund**
- C. Sewer Commissioner Regulations & Policies Guidebook and implementation**
- D. Inflow and Infiltration Study**
- E. Upper Bay Project (Bourne-Wareham-Marion-South Plymouth)/Buzzards Bay Coalition**
- F. Equivalent Residential Unit Sewer Rate Analysis**
- G. Bourne/Wareham Inter-municipal Agreement subcommittee**
- H. Bourne/Wareham Inter-municipal Agreement Capital Budget**
- I. Joint Base Cape Cod Sewer**

## **6) Board of Sewer Commissioners Adjourn**

**Voted** Peter Meier moved and seconded by Judy Froman to adjourn the Sewer Commissioners meeting and reconvene as Board of Selectmen.

**Roll Call Vote:** Judy Froman – Yes, George Slade – Yes, Jared MacDonald – Yes, Peter Meier – Yes, James Potter - Yes

## **Board of Selectmen: Call Public Session to Order in Open Session**

Chair Froman called the meeting to order at 9:55 pm.

**1) Selectmen's Business**

**a. Discussion and vote on the Board of Selectmen Strategic Plan**

Judy Froman said we did vote on the strategic plan at the last BOS meeting with the understanding we would vote an amendment this evening.

**Voted:** Peter Meier moved and seconded by James Potter to approve the amended Town of Bourne Strategic Plan by adding 4.5.9 as voted this evening.

**Roll Call Vote:** James Potter – Yes, George Slade – Yes, Peter Meier - Yes, Jared MacDonald - Yes, Judy Froman - Yes

Vote: 5-0-0.

**2) Board of Selectmen Adjourn**

**Voted** Jared MacDonald moved and seconded by George Slade to adjourn at 9:58 P.M.

**Roll Call Vote:** James Potter - Yes, George Slade – Yes, Peter Meier – Yes, Jared MacDonald – Yes, Judy Froman - Yes

Vote 5-0-0.

Respectfully submitted – Carole Ellis, secretary.