

**Sewer Commissioners Meeting
Minutes of Monday, October 15, 2018
Bourne Community Building
Bourne, MA 02532**

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TA Guerino

Sewer Commissioners

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

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TOWN CLERK BOURNE

All agenda items herein may be subject to a vote by or other action of the Board of Sewer Commissioners

Note this meeting is being televised and recorded. If anyone in the audience is recording or videotaping, they need to acknowledge such at this time – Michael Rausch Bourne Enterprise

Meeting Called to Order

Chm. Potter called the meeting to order at 6:30 pm.

1) Public Comment

None requested

2) Approval of minutes: September 25, 2018

Voted Peter Meier moved and seconded by Judy Froman to approve the minutes from September 25, 2018. Vote 5-0.

3) Update from Development plans for 85-93 Main Street Buzzards Bay (Michienzi)

Vincent Michienzi said he has no update on plans, just looking for the gallons.

Terri Guarino did the calculating using the Title V design flows for what was being proposed. It was estimated on the previous figures. The grease trap sizing doesn't fall into additional flow that would be needed; it is a separate calculation. It is pumped out so it won't shift over into the sewer system.

Mr. Michienzi said he is still at a standstill on construction until we get the gallons.

Tom Guerino said we needed to get a flow calculation of what the proposal was and what the flows were when the establishments were open. It shows a need for about 18,000 gpd differential. There are a couple different places within the sewer district that aren't using

what was previously allocated. The Board of Sewer Commissioners has the authority to reallocate some of that. We might be able to take some of the allocation from the Assisted Living. We could take 5,000 allocations from Mr. Michienzi's 27,000.

Peter Meier said he wants to make sure we can find a happy medium because the long term benefit for that area in Main Street will be worth the investment.

James Potter requested Mr. Michienzi come back with a hard number of seats that each business would need for their establishment.

Mr. Guerino said between the gallons we can use from the other two establishments there is sufficient flow to make this work.

George Slade brought up the concern for parking in that area. Mr. Michienzi said he has 450 parking spots.

Judy Froman clarified there is an interest in getting 13,000 gallons more than what your allocation already is. If it can't come from your other proposed development, this would be a preliminary allocation request.

Mr. Michienzi questioned since I couldn't put the housing in and that is how the allocation was dedicated but we don't have a policy in place when does his time start, when we get the policy in place or two years ago when I was awarded the 27,000 gallons?

Tom Guerino said that would come under the Regional Policy Plan through the Cape Cod Commission. Through the Regional Policy Plan they are working on getting a new density, because of the growth incentive zone. The Commission will be before the Board sometime in November to discuss where the Regional Policy Plan is. Mr. Guerino explained to Mr. Michienzi, your grandfathered you are not subject to the current policy with the 27,000 gallons that were already allocated to you.

Mary Jane Mastrangelo said there are two numbers you have to be concerned when talking about gallons per day (gpd). One is the design gallons per day and the other is the actual gallons per day. One of the recommendation the Advisory Committee made, in terms of the allocation policy, is for the Board of Sewer Commissioners to set a specific process whereby the design gallonage that you have to set up based on DEP regulation, that you have a process where you allocate the design allocation but after two years of operation if the actuals are lower than you are going to be lowered to the actual capacity because we can't run our system on design allocations forever. You have to decide when we are going to operate on the actual allocation as opposed to design allocations.

Jared MacDonald said we need to amend the policy, maybe after 3 years of operation we have to do a follow up and then adjust according to actuals.

James Potter questioned the other parcel that has the grandfathered 27,000 gallons, what is the holdup with developing that.

Tom Guerino explained we received the growth incentive zone several years ago that allowed for increased density for the downtown area. With the addition of the assisted living facility, that creates about 100 units that was not anticipated when we were looking at the growth incentive zone. When that came in it took a lot of our residential density away. Coreen Moore has been working with the Commission to get an adjustment to that density requirement within the growth incentive zone.

James Potter questioned why we are capped by the Commission.

Tom Guerino explained the density was less in our existing zoning prior to the growth incentive zone. We had to go to the Commission for an increase the density in the growth incentive zone. They worked with the town and we made some estimates for what we needed for density and what we anticipated was going to be happening over the next 10 to 15 years. The hotel came in, the apartments are going in, and the assisted living, those three things bring us there. To continue the grow pattern we need to get that expanded.

Judy Froman questioned is that a formal process that has to happen or a conversation between the planning department in the Cape Cod Commission. Tom Guerino said it is both. They had been working with our planning staff and it needs to be an amendment within the Regional Policy Plan.

James Potter questioned are we anticipating enough growth. Tom Guerino suggested to talk to Coreen Moore, we can have her come before the Board.

Tom Guerino stated tonight's session was an update, but the Board can take action. We need to have the courtesy to let the assisted living facility know if they are not utilizing their allocation it may be the Board's intent to redirect some of that allocation.

James Potter said we have the ability to grant an allocation, because we know that the allocation is a design allocation it's not going to be a use allocation so we have the capacity for it. We don't have a policy that discusses that. We need to work on a policy.

Jared MacDonald said it is not a bad idea to allocate that usage so we can get the businesses to move forward. Our next step is to get a couple policies in place that require us to look at those numbers after a certain period of time once the business is operational.

George Slade suggested to make sure we have someone to watch over the design allocation, used allocation, and unused and keep track of that information.

Terri Guarino said in the existing policy under the definition of the operational allocation it specifies it will be reviewed after the operation has been online for three years.

James Potter said Mr. Michenzi has projects and is ready to move forward, he needs allocation to show prospective customers that if they have a project, it is attainable.

Peter Meier said if we keep putting this off we are going to lose traction, we have an active project that is going on.

Judy Froman said it does sound like we may have 13,000 gallons that are not being used. Would like a timeline of when we can find out where specifically the allocation would be coming from.

Tom Guerino said you have a policy and there are requirements within the policy as well as providing an allocation. You can vote this evening to allocate 13,000 gallons, with the understanding that it is wavering from the policy a little, as long as the Board puts it in the motion that they are allowing a vacillation from the policy. We can move the allocations around after the fact.

Voted: Jared MacDonald moved and seconded by Judy Froman to approve the 13,000 gallons tonight and find a way to make the litigation for it work within a two week period, and this is a one-time exception, as we can see there are gallons available, we just have to locate them and allocation them.

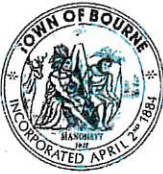
James Potter said and we may have to tweak our policy.

Jared MacDonald rescind his motion Judy rescind her second.

Voted: Jared MacDonald moved and seconded by Judy Froman to allocate the 12,915 gallons above and beyond additionally for the project at 85-93 Main Street, giving ourselves and staff two weeks to do some litigation and paperwork, and note that this is a one-time exception.

George Slade said he will approve as long as going forward there is a well-documented method of voting.

Vote: 5-0-0



Town of Bourne
Board of Health
508-759-0600 ext. 1513



September 27, 2018
Preliminary Estimate of Wastewater Allocation
RE: 85-93 Main Street, et al.

Type of Establishment	# of Seats	Design Criteria	Design Flow	Grease Trap Sizing	Minimum Capacity
Jake's Pizza- 91 Main Street	15 seats (2015)	35 gpd/ seat	525 gallons/ day	15 gpd/seat	225 gallons
Cape Cod Creamery- 89 Main Street	18 seats (2015)	20 gpd/ seat	360 gallons/ day	n/a	n/a
Krua Thai-100 Main Street	18 seats (2018)	35 gpd/ seat	630 gallons/ day	15 gpd/seat	324 gallons
Senor Trappers/ CC Burgers- 71 Main Street	up to 20 seats (2012)	20 gpd/ seat	400 gallons/ day	15 gpd/seat	300 gallons
Antique Shop(s)-85 - 93 Main Street	estimated 9,100 s.f.	50 gpd/ 1000 s.f.	455 gallons/ day	n/a	n/a
		ESTIMATED FORMER ALLOCATION	2,370 gallons/ day	Existing Grease Trap(s) *	_____ gallons
Proposed Establishments 85-93 Main Street					
				Grease Trap Sizing	Minimum Capacity
Restaurant A (possibly pizza)	185 seats	35 gpd/ seat	6,475 gallons/ day	15 gpd/seat	2,775 gallons
Restaurant B (new location Krua Thai)	24 seats	35 gpd/ seat	840 gallons/ day	15 gpd/seat	360 gallons
Bakery	8 seats	20 gpd/ seat	160 gallons/ day	15 gpd/seat	120 gallons
Bar/ Tavern	78 seats inside	20 gpd/ seat	1,560 gallons/ day	n/a	n/a
Outdoor Bar/ Tavern	50 seats outside	20 gpd/ seat	1,000 gallons/ day	n/a	n/a
Restaurant Patio	150 seats outside	35 gpd/ seat	5,250 gallons/ day	15 gpd/seat	2,250 gallons
		PROPOSED FLOW	15,285 gallons/ day	TOTAL NEEDED	5,505 gallons
Other Considerations					
545% increase from previous allocation					
Brewery (SIC Code 2028 Manufacturing)	est. 650 barrels/ year	Industrial Waste	Defer to MassDEP		
Any future proposed use for 100 Main Street					
Capacity of Existing Subsurface Grease Traps? *					
If not taking into consideration the former restaurants at 71 Main Street, the former allocation is estimated at 1,970 gallons/ day & therefore the proposed is a 676% increase over existing					

Allocations for BB sewer System (rounded to closest 1000/gpd)

85,114– Buzzards Bay

30,000 – Hideaway Village

23,430 – Assisted Living (Keystone) Actual use = 8,263 gpd average 2016-2018 current

28,000– Correia (per minutes of October 2015 BOSC as amended by 892 gpd in 9/19/17)

27,080 – Michienzi (per minutes of October 2015 BOSC)

NET 193,624

Available estimated daily flow for allocation is 6,376 (raw numbers)

2017 Average Daily Flow for Hideaway and BB is 96,148/gpd

2017 Peak Daily Flows Per quarter for BB and Hideaway. (July, Aug., Sept.) estimate is 106,544 gpd

Actual use by gpd for the following

Hideaway – use of 11034 variance of 18,966 from the 30,000 allocation

Keystone - use of 8263 gpd variance of 15,167 from the 23,430 allocation

Unused allocation = 34,133 gpd variance

4) Discussion and report related to Savery Avenue

Tom Guerino briefly spoke about the failure of the system at Savery Avenue that services 13 families.

Terri Guarino said there has been regular maintenance to maintain that system. It has been more frequent than anticipated. There has been ongoing pumping of the tanks there to keep up with the use. We are working with Bracken Engineering to answer several different questions, trying to fit the best possible upgrade within the existing boarder of that easement. Bracken put together a preliminary plan. We are still gathering information on what the water usage was, and the bedroom counts for the 13 houses that are connected to the system. I am optimistic that the footprint would be adequate if using an alternate type absorption system, as Bracken did propose. It offers a significant reduction in the effective leaching area. It appears to meet most of the requirements of Title V.

James Potter said we should speak with the owners of the system that are tied in. Would like to know if the Board thinks this should still be part of the sewer system or give them the option to go privately. This operation is expensive and wonder if it would be cheaper for the homeowners to have a private system. This is the second time it needed to be replaced. Is it advantages for these homeowners to be on our sewer system.

Tom Guerino said not all the homes were able to have a septic system put on their property at that time. If this system costs \$150,000 to replace, the fees paid by those households over the last 13-14 years is about \$136,000. They have paid for grinder pump replacements, generator station repairs, chemicals, and the staff. If you took the \$150,000 replacement value and broke that into a betterment, everyone took a 40 payment betterment it comes to about \$1152.00 per year per household. Over the life of the next 15 years they each would pay approximately \$17,300. Met with Counsel and we spoke about betterments, we can have the work done and place the betterment within six months. The folks on Savory Ave have made payments judiciously over the last 30 years and are due some consideration to the \$136,000 that they have paid in.

James Potter questioned how we paid for the system in 1987 and 2003.

Tom Guerino said in 1987 there were supposed to be betterments established. The sewer users paid the 45,000 for the 2003 replacement. We can't find any records of the betterments being assessed in 1987; it appears it didn't happen. Instead of the betterment payment they paid a fee.

James Potter recommended we should reach out to the 13 homeowners on Savory Avenue have them into a meeting and discuss what would work for them and the town.

Peter Meier questioned how long can we keep pumping this system?

Terri Guarino said the time frame is two years within the code with no added discretion of the Board of Health. It is important that it is being maintained as often as necessary. If it wasn't being maintained there would be pressure to upgrade the system.

George Sala said we monitor this on a daily basis; we are pumping every two to three days. To date we have spent \$9500 dollars on pump-out. We are looking at \$640 per pump.

James Potter questioned did we contact the homeowners about trying to reduce water usage. Tom Guerino said we did send a letter to each of the homeowners.

George Sala said if you are going to have a meeting it should be before the residents leave for the season, some of them are seasonal residents.

Terri Guarino spoke about the Presby system, there are different benefits to that; they have been approved for both disposal and treatment. That is a technology that has an added benefits using TSS and BOD and nitrogen overall.

James Potter said it sounds like there is more flow coming out of these 13 homes than was engineered. The system was based on 3 bedroom homes, in 2003 they added sq. ft. to the leaching field to try to make it bigger and they used the same calculations. It seems like the amount coming out is more than the three-bedroom engineered. We may be exceeding the engineered design.

Jared MacDonald questioned if they are trying to locate how many bedrooms are in each residents. Terri Guarino said yes, Bracken engineering has pulled the assessors information as the number of each and what their water usage is in gallons, and comparing that to what

we are seeing as an actual use and figuring out what the design flow of the system needs to be.

Judy Froman questioned looking at grant funding?

Terri Guarino said she is not familiar with any opportunities for this unique scenario, because it is a residential system. There is always the Barnstable County Community Septic Loan Program, which they do qualify for because it is a residential type system. Sewer connections do qualify for that also.

Tom Guerino said this is a unique situation, it is owned, operated, and maintained by the Town. This has an easement from a federal agency to the town, would the easement remain with the town, would the federal agency be willing to transfer the easement to 13 private owners, or if they formed their own Association.

Peter Meier said we need to look at a short-term solution, because we can't keep pumping this out. We need to let the residents know that if we take care of it this time going forward the cost will fall on them.

Jared MacDonald said we do have to find a quick resolution, but it is important we do our due diligent for the future. How long will Bracken need to finish? Terri Guarino said she hasn't heard, the Conservation Commission will also have to hear and approve the delineation of the resources for the project.

Tom Guerino said you could have this replaced and you have a six-month period of time to figure out if you are going to assess betterments. There is a way you can honor what these folks have paid to the town sewer department for the last fifteen years.

Jared MacDonald said in regard to the conservation part, how do we define what we need to do and whether or not we have to go through Conservation. Terri Guarino said she has briefly discussed with the Conservation agent, ultimately have to compare what Bracken has delineated as the resource carrier and the Conservation Agent usually goes out as the site visit to confirm and whether or not it is within the buffer zone it requires approval by the Commission.

James Potter questioned have we been in touch with the property owner to tell them we have a failed system on their property and we need to do something about it. Terri Guarino said yes, they said they would like to be in the loop, see the plans, any notice of any public meetings.

George Slade said if we can have it rectified we still have to maintain the system, are we going to have to have a maintenance plan. Terri Guarino said the Board of Health will require a maintenance plan as part of the approval. Presbi type system may have specific requirements for the technology depending on which model it is. For shared system in general it is typically every three years it will be evaluated by a system inspector.

James Potter would like to get the neighbors and the Army Corps in for a meeting. The cost will have a big impact on what type of system we put in and the cost for maintaining the system.

Mary Jane Mastrangelo spoke about associations enforcing betterments and costs on the people in the association.

Tom Guerino said we are going to contact the homeowners to set up a meeting we will also invite the Army Corps of Engineers, Mr. Bracken, Terri Guarino, Conservation agent, Sam Haines and George Sala.

James Potter suggested having that meeting on Thursday, November 1st at 6:30, call and send a letter to the homeowners inviting them to the meeting.

5) Annual Flow analysis - per Sewer Allocation Policy

James Potter spoke about the available flow. Design allocation is different than actual allocation.

Tom Guerino spoke about the peak quarter, July, August, and September, the average flow, and spoke about the allocations.

85,114 - Buzzards Bay

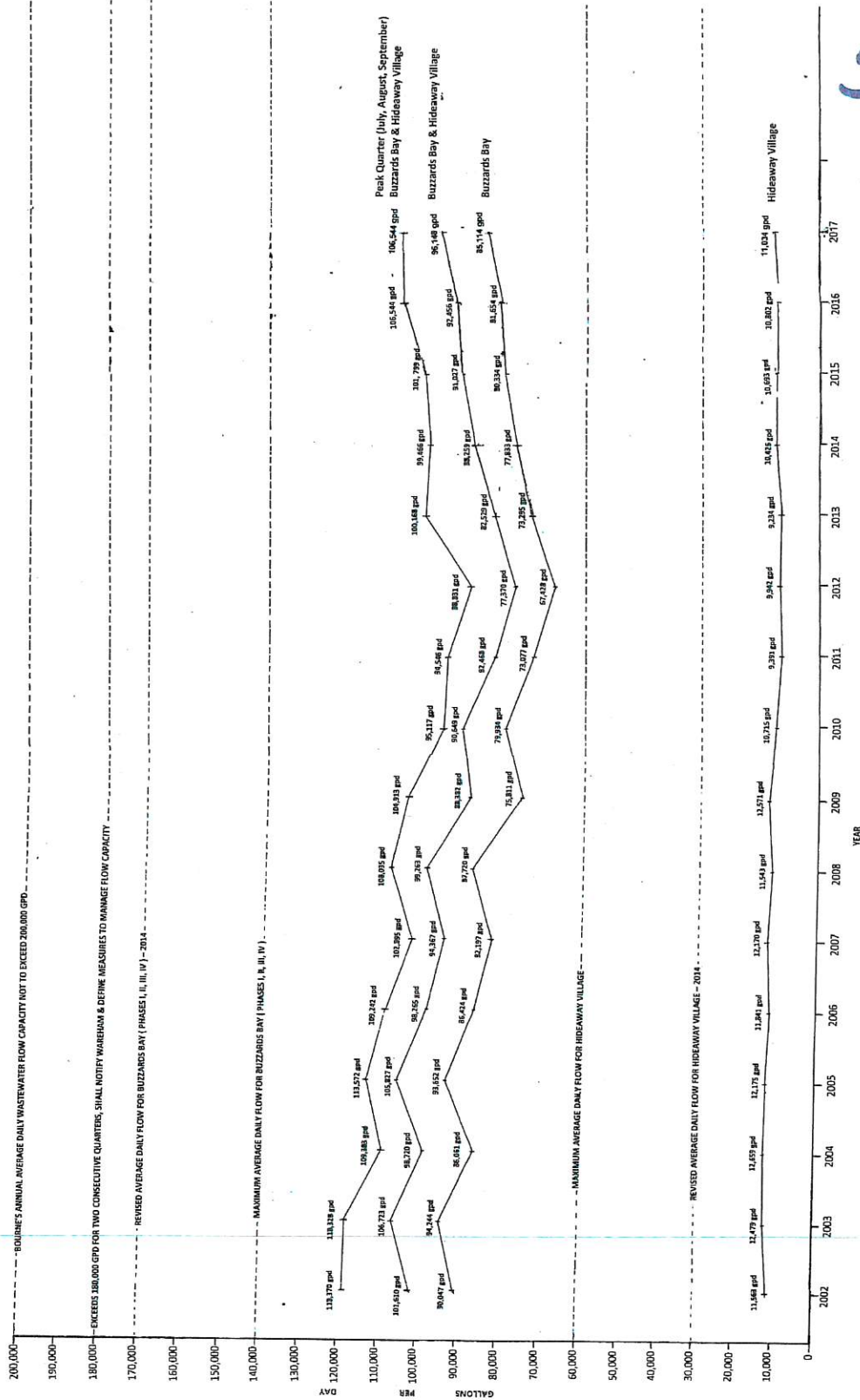
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Mr. Guerino said we do this on an annual basis; we will do it during the same month of year on an annual basis.

James Potter would like to vote a number for our uncommitted capacity. Tom Guerino said the current uncommitted capacity is 6376 gallons.

Judy Froman would like to see the different entities, what the allocation are, and what the actuals are in a spreadsheet. Tom Guerino said not many have a specific allocated amount. Jared MacDonald said he would also like to see an allocation vs. an actual numbers, the businesses, the top 20 users.

Voted Judy Froman moved and seconded by Peter Meier to approve the uncommitted reserve capacity of 6,376 gpd. Vote: 5-0-0

6) Discussion regarding renegotiations on the inter-Municipal Agreement with Wareham

James Potter said no update yet; we can touch base after Wareham Town Meeting next week.

7) Adjourn

Voted Peter Meier moved and seconded by Judy Froman to adjourn at 8:34 P.M.
Vote: 5-0-0.

Respectfully submitted – Carole Ellis, secretary.