

Minutes of 04/13/21 Sewer Commission meeting– via Zoom (Video Conference)

Attendees: Chair- Dave MacDonald, Vice-Chair- John Reynolds, Clerk- Brett Ramsden, Members: Mike Deveikis and Carl Luck, Business Manager-Barb Lefebvre, Minutes Clerk- Jane Ranley

Guests: Jaime Rheault (Whitman & Bingham), Paula Bertram (Planning Board)

Absent: DPW Director- Rob Oliva

Dave opened the meeting at 5:04 pm. and did a roll call of attendees.

ANNOUNCEMENTS - none

PUBLIC COMMENT- John noted he would not be attending the full meeting. Paula Bertram asked to comment on the proposal to expand the Sewer Service Area (SSA) for 5 Chestnut St. She noted that the Comprehensive Wastewater Master Plan aim was to develop a sewer service plan based on capacity, development and density. Paula said she has questions about total capacity under agreement with Leominster, total utilized and reserved capacity, existing peak flow analysis, allowance for groundwater I/I and the total percentage of the Leominster wastewater treatment plant. The 40-unit project is only 1 of the proposals, and they are looking for approval without a specific proposal plan. She would strongly be against this proposal at Town Meeting and strongly discourage the Sewer Commission from supporting the project without a clear, well thought-out plan for the parcel. A single-family home would be ok but there is not enough frontage for more. She urged the Commission to look at the regulations and not entertain the proposal at this time.

CURRENT BUSINESS -

5 Chestnut Street- request to expand Sewer Service Area (SSA)- Jamie Rheault reported that he met with Rob Oliva who said there is plenty of capacity, but was concerned about I/I (Inflow and Infiltration) at the pump station. He noted that the frontage on Chestnut St. is 150 feet and they are proposing a road with 11 lots to be developed under the mixed residential development rules. The flow calculations are based on 22 2-bedroom units and 22 3-bedroom units for a total of 12,100 gals/day(gpd) at 110gpd per bedroom. They expect to remove 4 gallons of I/I for every gallon that flows. There are 23 acres in the parcel, and what they are proposing is less than 2 units/acre. Jamie had submitted the test pit data and out of the 9 test pits done, none met Title 5. They are asking for the Commission's support for their warrant article at Town Meeting to expand the SSA. Barb read Rob Oliva's comments, stating that all test pits are unsuitable for the SDS design. He added that there was one additional area not tested but did not believe the results would be any different. John asked for the clarification on flow amounts and Jamie replied it would be 12,100gpd. If they add 12,100gpd, they could remove up to 12,000gpd, which increases the capacity. Regarding capacity, Barb stated that the Leominster IMA allows for 500,000gpd and in the last year, Lunenburg averaged 158,000gpd, which is why Rob said there is plenty of capacity. Barb added that the flow is determined by the flow meters, not billing data. Carl asked Jamie how they would remove I/I. Jamie replied the Sewer Commission would hire a contractor to calculate the manholes leaking, and applicants would pick the manholes they would fix. Carl noted that there is a big difference between this project and the expansion of the SSA for Unifit on Electric Ave, which was a single commercial development. The Town did not want to enable land that could not be developed without sewer but would bring sewer to encourage commercial development. Jamie clarified that the plan did call for 40 units, so it would be 20 2-bedroom units and 20 3-bedroom units, with an 11,000gpd flow. Carl noted that Jamie had mentioned that this is 1 of several options and clearly the plan is not final. Jamie said the project still needs to go to the ZBA, Planning Board and Conservation boards. Barb stated there are 287.5 units that can still connect, and they are holding about 95,000gpd in Reserve Capacity. Jamie added that once they get the support of the Sewer Commission for the expansion, they are able to go to Town Meeting for the vote to extend the Sewer district to include the property. Next, they would go to the ZBA for the special permit, then the Planning Board for site approvals and back to Sewer Commission for plan approval. Dave noted the Commission's prime directive is that they are not able to control development. Jamie added that they also have a project at 711 Mass Ave for 8 units and Barb noted that the Planning Board hearing on that project will be May 10th. Paula Bertram said she understands the Commission cannot control development, but their bylaws clearly state the 150' frontage would support 3 units – not 40. Paula added that the Planning Board does not control growth, and that sewer controls growth. Dave

recommended approval of the expansion to the SSA and to let it go to Town Meeting to have the town decide. Brett said the town will decide, but he is not partial to 40 units or even 10 units and agreed that it is not the Sewer Commission's place to stop development. Mike agreed that they have capacity in the system, but it should go to Town Meeting to let the town decide. Dave suggested asking Rob to check the figures again. John said he is concerned about the daily flow and asked Carl to finish going through his list. Carl asked Jamie, given the data from the test pits, what is the criteria for Title 5? Jamie replied the test pit needs 48" of soil between the top and sub. He read data from the test pits which showed less soil than required for Title 5. He added that if they had sufficient soil, each lot would have their own septic. They could not have 1 septic system for the whole development because they do not have the soil to do it and also anything over 10,000 gals/day would require a treatment plant. Carl asked if there was any area that would be compatible using alternate/innovative options and Jamie replied that there was not because they still need the 48" of soil. Carl agreed the town should decide at Town Meeting concerning the SSA extension. He does not support recommending approval because it is against the regulations and it is up to the community. He suggested that we continue to gather more information and defer any recommendation. Barb read from the regulations under Allocation of capacity for change or expansion of use: " the Sewer Commission may allow for increased allocation for the change of use, or expansion of use which results in an increased sewage design flow, in existing facilities within the Sewer Service Area subject to available capacity and subject to the assessment of privilege fees by the Sewer Commission." That's why any proposal comes before the Commission again for approval of increased usage. Carl stated that this is not a change of use, but a new development,. John said he is concerned about daily capacity and would like to hear legal's opinion. Dave suggested waiting until the 4/27 meeting to get legal's opinion and also make sure we have the reserved capacity. The Commission discussed that the town will make a decision at Town Meeting. Dave noted that the Commission can neither control or enable development based on policy and that he recommends approval at this meeting, based on our policy. Carl disagreed, stating that what is before the Commission is the decision whether to recommend that the Town approve it, or recommend disapproval or defer the recommendation until Town Meeting. Dave asked for a motion either to accept it or hold it until the meeting on the 27th meeting.

Motion: Carl L.

Not seconded

To defer recommendation on the article until Town Meeting.

Motion: John R.

Second: Carl L.

To defer decision to 4/27, until town counsel has had an opportunity to be consulted.

Discussion: Barb noted that she will out until 4/26 and asked to amend the motion to meet on 4/29. John and Carl accepted the amendment to the last motion.

Amended motion: To defer decision to 4/29, until Town Counsel has had an opportunity to be consulted.

Roll Call Vote: Mike-aye, John-aye, Brett-aye, Carl-aye and Dave-no.

Dave stated that the meeting will be 4/29 and suggested all Commissioners review the sewer policy so they can have an answer on 4/29. Paula Bertram said she disagrees that the Sewer Commission does not have the ability to enable development, which is what this proposal does. She would like to know from town counsel, if in accordance with current policy, would they be entitled to 11,000 gals/day or would they be entitled to 3 units @ 330 gals/day. (John R. left the meeting.)

Well Policy Review- Barb read comments from Rob Oliva regarding revising the well policy. "If we are to make the cost of sewer fair and equitable among users that are on wells we would have to have water meters on their well supply line. Not sure how you go about doing this. You would also have to consider if a property then also has an irrigation system because they would likely need a second meter. Perhaps it's worth some research into what other communities do in this circumstance or try to come up with a policy that would have homeowners billed on a tiered system based on their individual situation." Dave suggested putting this on the back burner until Rob can attend. Brett suggested putting a T on the pipe coming from the well, going to the irrigation and put the meter on the pipe going to the rest of the house. Carl suggested having a policy with the option that users can put a meter in if they are not happy with flat rate.

Control Panel re-design- Barb reported that Al Packard said they need to purchase a new control panel because he is unable to access some information at one of the stations. Barb added that Flygt no longer sells that component, but Al is able to construct an alternative, which will not require the probes. The panel at Electric Ave. needs to be replaced first and Barb received a quote of \$5K to replace it. The Commission would need to approve since it would be a capital expense. Mike asked about schematics and agreed to talk to Rob Oliva and Al. Barb clarified it was \$5K for a new panel and \$1,500 was to repair the old equipment and continuing to use probes that have caused problems in the past. The Commission discussed the proposal and Dave asked for a motion for a preliminary approval.

Motion: Brett R.

Second: Mike D.

To approve the new Control Panel, contingent on Mike and Rob's approval based on what they see, to get this moved forward and more dependable.

Discussion: Carl noted that there is obsolete equipment and asked for Mike's input. Mike said the relays are simple but would like to see if can upgrade to a PLC. He also would like to see what relays and enclosures they will use.

Roll Call Vote: Mike-aye, Brett-aye, Carl-aye and Dave-aye.

Elizabeth St. I/I issue remediation- Barb noted that Carl had sent out a copy of a 2018 letter from Town Counsel to the Commissioners which detailed the regulations for handling violations and that, based on her communications last year with Counsel, Adam had recommended the next step of sending a "nasty gram" letter to the new owners. Carl suggested the letter include the regulations that notes the homeowner's responsibility when a fault is found, along with the Commission's options. Barb will bring it up to counsel for his current recommendation. **Maintenance Plan-** no update. **Federal Aid programs- capital expenditures –** Barb talked to Rob, who said there is not alot on the Federal Infrastructure stimulus. Rob likes the idea of discussing funding sources with Leominster for going after I/I and would need to reach out to the new person in Leominster. **Fitchburg Chapter 147 Sewer Use Ordinance-** Barb said that the Commission should have received a tracked and a clean copy of the proposed changes to the Regulations. Brett and Dave and Barb had met on April 1 to go over the updates from Fitchburg and incorporate them into the Regulations. Barb reviewed the changes made and recommends going to Town Counsel first before sending to Fitchburg. Carl asked for clarification of removing the Building Inspector sign-off on our connection permit, questioning who determines if a lot is buildable. Barb clarified that they continue to work collaboratively with the Building Inspector, but it is through the online permitting, not hard copy sign-offs. The Commission discussed the changing the wording. Barb said that the changes will go to Town Counsel next, and she will send out a copy after legal reviews it. **Billing Algorithm-** Barb reported that she has the numbers but has not had time to put them into the program.

Minutes- 3/30 Meeting

Motion: Carl L.

Second: Brett R.

To approve the minutes from the 3/30/21 meeting.

Roll Call Vote: Mike-aye, Brett-aye, Carl-aye and Dave-aye.

Business Manager Report – FY21 YTD Budget- Barb had sent out the year-to-date budget which looks good. The expenses look high, but includes the full-year Leominster usage amounts and indirect costs. Barb corrected a formula and confirmed that the Fitchburg costs are 83% of full year. **Invoices-** Empey proposal of \$5K for Control Panel and the new Meadowwoods Flygt pump for \$17,012.39. Barb thanked Jane for her work on scanning the tie-cards found for Lower Mass Ave.. **Grease Trap Logs** were due were 4/6 and there are 3 outstanding. The Planning Board sent notice of a hearing on 5/10 concerning a project at 711 Mass Ave., which is 4 buildings- 2 units each. They are aware that they will need to come to the Commission for approval of the increased usage. Barb said she will be on vacation and the 4/27 meeting will be moved to 4/29, with just 5 Chestnut St. on the agenda.

Member Agenda Inputs for Future Meetings – Dave asked Barb to cc Heather (Town Manager) on the meeting package email.

Public Comment- Dave Passios (Park Commission) reported that Earth Day week is coming up and the Lions Club will be sponsoring several work projects. Also the DPW will be supplying trash bags for neighborhood clean-ups. Dave added the Salvation Army will be serving coffee for cleanup at the gazebo for the clean-up on Saturday.

UPCOMING SCHEDULED SEWER COMMISSION ACTIVITIES:

April 29, 2021 @ 5pm – Regular Meeting, Remote Participation

May 1, 2021 @ 9am Annual Town Meeting

May 11, 2021 @ 5pm – Regular Meeting, Remote Participation

May 15, 2021 Town Election

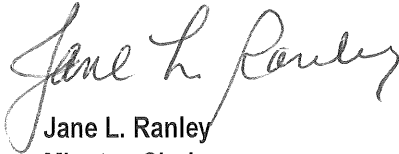
Motion: Brett R.

To adjourn: 6:45 pm

Second: Carl L.

Roll Call Vote: Mike-aye, Brett-aye, Carl-aye and Dave-aye.

Respectively submitted,

A handwritten signature in cursive script, appearing to read "Jane L. Ranley".

Jane L. Ranley
Minutes Clerk

Handouts: Comments from Rob Oliva re. 5 Chestnut St.
Well Policy

Well policy from Sewer Regs

ARTICLE VII-3-C. The Sewer Commission is empowered to establish a flat rate that would be equitable with other similar users in cases where properties do not have metered water records available (i.e. in the case of homes on private wells).

The flat rate has been set at 1833cf since the start (2006) at current rate = \$231.87/quarter

We have a total of 9 well customers.

Barbara Lefebvre

From: Rob Oliva <roliva@lunenburgonline.com>
Sent: Monday, April 12, 2021 3:09 PM
To: Barbara Lefebvre
Subject: RE: items on the agenda.. looking for any input you may have..

See below

Robert Oliva, Director
Town of Lunenburg DPW
(978) 582-4160

From: [Barbara Lefebvre](#)
Sent: Monday, April 12, 2021 9:38 AM
To: [Rob Oliva, DPW Director](#)
Subject: items on the agenda.. looking for any input you may have..

Input on Montachusett Regional recent call in regards to Federal Aid programs – capital expenditures - and Dave wanting to sit with Leominster to discuss grants to help pay for I/I remediation
I sat in on the informational session that MRPC held. There was no specific information available for the upcoming federal infrastructure stimulus. I'd recommend meeting with Leominster to see if they are aware of any funding sources or other opportunities that we could go after jointly (or on our own).

Any update on 5 Chestnut? Conversation with Jamie?

The 8" sewer main in Mass Ave should have no capacity issue with an additional 40 townhouse units. From conversation with Al Packard from Empey, the Mass Ave. #3 pump station sees high flows and pumps frequently. He believes that this is I/I as he sees flow into the station at any given time of the day even when there should be low flow. Jamie and I discussed this, and he questioned if the Commission has any policy on new development contributing to I/I removal. Other than addressing the potential source of I/I, there are no capacity issues. Also asked Jamie to supply soil testing logs for the test holes that were performed on the site.

Well policy – your recommendation?

If we are to make the cost of sewer fair and equitable among users that are on wells we would have to have water meters on their well supply line. Not sure how you go about doing this. You would also have to consider if a property then also has an irrigation system because they would likely need a second meter. Perhaps it's worth some research into what other communities do in this circumstance or try to come up with a policy that would have homeowners billed on a tiered system based on their individual situation.

Control panel re-desing for \$5k by Empey

Given that the existing panels are no longer available and new Flygt panels are more costly and would require other upgrades, the solution presented by Empey is a more cost effective, simpler option. Future maintenance of the panel gear installed under this scenario is with all readily available, off the shelf equipment. I recommend having Empey do the upgrade as presented.

Elizabeth St – any update on recommendations, (W&S or otherwise)

I've reached out to three Contractors to provide quotes to do the cleaning, inspecting, joint sealing, and service connection sealing based on the W&S I/I Report.

In reviewing the I/I report, the I/I rate into the problem service (33 Elizabeth) is estimated to be 1,440 GPD. Assuming that I/I conditions exist for 6 months out of the year, the annual I/I from the service in question would be about 35,000 CF (262,080 gallons). At \$5.18/100 CF for Leominster's sewer rate that totals \$1,813/yr in charges to Lunenburg. The W&S report estimated the cost to line the service to be \$15,000 to \$18,000 which would result in a 8 to 10 year return on

investment. My guess is that it would be far less cost to excavate and replace the service. My recommendation would be to continue to pursue the property owner to do the replacement work.

Thanks.. ! and go Gabby! ☺

Barbara W. Lefebvre
Business Manager for the Lunenburg Sewer Commission
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