

Meetinghouse Pond Sewer Project Community Meeting - Tuesday, April 30, 2024  
Nauset Room, Orleans Town Hall - 6pm  
Notes from Q&A Session

Note: any references to “Town website” generally mean the Wastewater website w/in the Town website.

Responses: RD = Reggie Donoghue, AECOM “Ombudsman”; TH = Tim Harrison, AECOM Project Engineer; KG = Kevin Galligan, Select Board Member and Chair of the Wastewater Management Advisory Committee (WMAC); Alan = Alan McClennen, member of the Board of Water & Sewer Commissioners (BOWSC) and WMAC; Mike Solitro = Assistant Town Planner; George Meservey = Town Planning Director; John Smith = member of the Board of Health and WMAC; Judith Bruce = member Cons Comm and WMAC; Ginny Farber = member Cons Comm and WMAC

Question: How and when to hire an engineer?

Answer: (RD) - early 2025; list of approved engineers and contractors on Town website. Also (KG) - letter to each property owner in December 2023 showed map of the property - which provides a starting point for discussion w/ engineer.

Question: What work will be done this summer?

Answer: (TH) - focus on pump station at Town Hall; also late May into June - Finlay Road. (Note that initial plan to include Nauset Farms Way in summer work schedule has changed to remove that work from summer schedule).

Questions: About grinder pumps and generators

Answers: Sewer User Rules & Regulations (SURR - on Town website) provide guidance re grinder pumps, eg regarding sizing. Size might guide how long could last without power. TH suggests reviewing grinder pump sizing with engineer regarding sizing. With regard to generators - can add a generator function or connect to existing generator.

Questions: Regarding betterments.

Answers: KG - specifics TBD - need to determine betterment specifics for Phase I - Downtown first. Alan - referred to Betterment Bylaw - betterment based on 3-year average water flow; average used to determine “sewer unit”. Calculation for Downtown - sewer unit determined to be 72 gallons/day. TBD what the dollar value of a “sewer unit” is (based on cost of Phase I sewer project). The betterment “model” was developed 3 year ago. For Meetinghouse Pond, the “sewer unit” (average gallons per day) may be larger (more flow), but the betterment cost may be lower with more properties to share the cost (the denominator in the calculation). It was also noted that betterments can be paid as a lump sum payment - or delayed over up to 30 years, with interest at 0-2%.

Question: (Scott Laird - Lucy’s Lane) about low pressure sewers and the new water main (actual question unclear - what did he want to know?). He also asked what the budget was for betterment calculations.

Answer: Re betterment calculations: for the Downtown areas, calculated determined that the average flow for 600+/- Downtown condominiums would equal one sewer unit, which meant that the betterment charge for each condo w/be \$4,700. But more recent calculations, using the new, more accurate water meters, have resulted in an updated estimate of about \$5,500. The calculation for Meetinghouse Pond would most likely be higher because there are many more single family homes that have a higher water usage.

Question/comments: Sue Fleming thanked AECOM's Reggie Donoghue (Ombudsman) and CC Construction crew for their hard work. She noted her understanding that 60% of Town will be sewerred and 40% not. She said she has heard that betterments for Phase II - Meetinghouse Pond could be \$53k. She noted that Orleans has the "5<sup>th</sup> lowest tax base" in the State (unclear what she was referring to - NOT 5<sup>th</sup> lowest tax rate or 5<sup>th</sup> lowest total assessed value of all property in Town - so unclear). Her question - why put burden of betterments on property owners and not on the Town?

Answer: the Select Board voted (and the Betterment Bylaw - approved at Town Meeting - confirms) to put 80% of the cost on all taxpayers and only 20% on betterments. Much of the 80% is funded by the Town's hotel/motel tax through the Wastewater Stabilization Fund. Woman asking the question said that she is already paying \$60k for her sewer (perhaps for the connection?). KG - betterments are based on average of 3 years of water flow and total cost of sewer project for a given sewer area (eg, Downton, Meetinghouse Pond).

Question: when will sewer main reach the Federated Church at Main Street/Meetinghouse Rd?

Answer: between May and September. KG referred to monthly community outreach meetings on the 2<sup>nd</sup> Tuesday of each month.

Question: what determines type of sewer mains to be installed - and need for grinder pumps?

Answer: TH - system design is based largely on geography. Low pressure mains with grinder pumps are needed for properties below the main sewer main. The overall area design is also structured to minimize the number of costly pump stations. The Downtown area has 3 pump stations and Meetinghouse Pond has one (adjacent to the Town Hall parking lot).

Question: for the proposed new areas of Meetinghouse Pond (eg, Black Duck, Cedar Cove Road and Walker) - have those residents been informed yet that they will be included in the MHP area?

Answer: an information meeting will be organized for those residents following Town Meeting (anticipating that the extension of the MHP sewer area "footprint" will be approved at Town Meeting). KG - they could also be notified prior to Town Meeting.

Question: will the slides shown at tonight's meeting be posted on the Town website:

Answer: yes

Question: what additional work is being done/needs to be done on Main Street - and when?

Answer: maybe further connections. TH - in the fall.

Question (not recorded): perhaps a concern about a potential need to replace a septic system with an I/A system

Answer: KG referred to new MA DEP requirements for new I/A systems; however, Judith Bruce noted that the Town has a watershed permit for Pleasant Bay which exempts the Town/residents from the I/A system requirement.

Question: reference to “Aquifund” financial support for residents - but what financial support is there for non-year-round residents?

Answer: KG referred to various tax credits and other financial assistance. Also new legislation pending re septic tax credits.

Question: Libby Callahan referred to timing of work on Nauset Farms Way and concern about access for renters.

Answer: KG noted that DPW needs to approve access (Traffic Management Plans).

Question: What is the timing of the 3-year look-back for measuring the average water flow? (Same question asked a moment later by “Matt” participating on-line.)

Answer: Alan noted that it is 3 years back from “substantial completion” - which will likely be in early 2025. He also noted that the majority of MHP properties are single family homes.

Question: noted that other towns are paying for the purchase and maintenance of any necessary grinder pumps.

Answer: KG noted that the Town worked to get the best deal for property owners who need to purchase grinder pumps at a price substantially below market rate. (Note: the grinder pumps are purchased by the property owners from the vendor - not through the Town. The Town has no role in these transactions.)

Question: about getting a second water meter for water used for irrigation.

Answer: a second meter can be installed to measure Town water used solely for irrigation - a deduct meter. Contact Sue Brown, the Town’s Assistant Superintendent of the Water Department.

Questions/Comments (Peter from Nauset Farms) - reference to work on Finlay and anticipated impact on Eldredge Park Way (traffic) and access to the transfer station. His on-going concerns about further work in East Orleans and the impact on his business.

Answer: Mike Solitro noted that project team is contacting business owners directly impacted by Finlay Road/Giddiah Hill work. Rich Waldo/DPW - Access to the Transfer Station will be coordinated.

Question: Tom Finan about “stubs” on Main Street and Nauset Farms Way. Also paving question.

Answer: TH - timing of work/where depends on availability of construction crew (as to when they’re available to continue East Orleans work).

Question: when will Main Street area be re-seeded (grass areas)?

Answer: TH - some restoration work has started - depends on which road. Don't seed if the work is likely to fail (ie, if it's too dry).

Question: what potential impact on zoning/zoning changes? ADUs?

Answer: George Meservey - properties currently subject to septic-based limitations; but once on sewer line, property owner can apply to Board of Water & Sewer Commissioners (BOWSC) for an increase in flow.

Question: why is the project finding unmarked utilities?

Answer: RD - utility companies won't mark private utility lines. KG - National Grid marks their own (gas lines).

Question: why not add sidewalks along Main Street while the roads are dug up?

Answer: not included in project scope (cost).

Question: Gail Briere - does the Town have a handle on National Grid (gas) lines?

Answer: RD - National Grid will have someone on site during major work near gas lines (eg, Town Hall area work).

Question: What is the process for abandoning a septic system?

Answer: RD - reference to State regulations as well as Orleans Board of Health regulations. (also John Smith (BOH and WMAC))

Additional information from Board of Health:

**Orleans Board of Health**

**Article XVII**

**Sewer Connection Regulations**

**185-149 ABANDON EXISTING SEPTIC SYSTEM**

- A.** Upon connection of a building to the wastewater sewer, the existing septic system must be abandoned.
- B.** A Disposal Works Construction Permit must be obtained from the Board.
- C.** A licensed Orleans Disposal Works Installer must abandon the existing septic system(s).
- D.** Abandonment of the existing septic system shall be in accordance with the Board's requirements and as follows:
  - 1. Tanks** (including septic tanks, pump chambers, tight tanks or any other tank not required for the connection to the wastewater sewer) shall be removed, or the following must be performed:
    - a. Pump and legally dispose of all contents, and
    - b. Rupture the bottom of the tank(s), and

- c. Demolish the top three (3) feet of the tank and legally dispose of all debris, and
- d. Backfill remaining portion of the tank(s) with common fill and
- e. Restore area to at least pre-existing conditions.

## **2. Cesspools and block laid components**

- a. Pump and legally dispose of all contents, and
- b. Remove or crush component in place, and
- c. Backfill excavation with common fill, and
- d. Restore area to at least pre-existing conditions.

## **3. Other precast components**

- a. Pump and legally dispose of all contents, and
- b. Remove or fill component with common fill, and
- c. Backfill excavation with common fill, and
- d. Restore area to at least pre-existing conditions.

Question: post-construction timeline for required connection to sewer?

Answer: Alan - noted that Downtown area had 301 connections - initially 1 year to connect but extended to 2 years. MHP - 410 connections; currently/still set at 1 year but TBD if will need to extend (eg, availability of engineers/contractors). John Smith (BOH/WMAC) - likely will review need for extension sooner than this past year.

Question: re-paving shoulder-to-shoulder?

Answer: Rich Waldo/DPW - road-by-road decision - especially for private roads. Commitment is to restore to "as was"; however, some roads end up improved (eg, Uncle Vick's Way, Loomis Lane).

Question: new septic system - when do I have to connect to the sewer system?

Answer: John Smith (BOH/WMAC) - 10-year dispensation (delay in connection to sewer system) from date of certification of new septic system; however, still have to pay sewer system betterment.

Additional information from Board of Health:

**Answer:** John Smith (BOH/WMAC) - 10-year dispensation (delay in connection to sewer system) from date of certification of new septic system; however, still have to pay sewer system betterment.

**When do I connect to the sewer system?**

Property owners have one (1) year (extended to (2) two years for Phase 1) from the date of the “Notice to Connect” to make the connection into the sewer in the street. Notice to Connect will be sent after towns acceptance of the particular sewer phase. The Town strongly encourages property owners to hire an engineer to develop their connection plan and submit a Connection Permit Application, as well as speak with some Town-approved, licensed contractors (drain-layers) about installing the connection as soon as possible.

**Acceptance** shall mean the wastewater system is substantially complete in accordance with industry standards and all permit requirements and/or conditions have been completed and the wastewater system has been formally accepted by the Board of Water and Sewer Commissioners.

**Substantial Completion** shall mean a stage of a project or a designated portion of the project that is sufficiently complete, in accordance with the Contract Documents, so that the Town may use or occupy the project or designated portion thereof for the intended purpose.

Question: If I have recently installed a new Title 5 septic system, or will be doing so in the near term, will I still have to connect to sewer service and pay the Sewer Betterment Assessment?

- Under the Board of Health Sewer Connection Regulations, the Board of Health has the authority to defer the deadline for connection for properties with a compliant septic system, subject to other requirements.
- A deferral to connect to the sewer does not de-obligate the property owner from paying the Sewer Betterment Assessment.

**A.** All properties within the Town of Orleans which are in the Sewer Service Area, and which generate wastewater flow in any capacity shall connect to such sewer when so ordered by the Board.

**B.** All properties as to which such notice has been mailed and to which ownership is thereafter transferred, shall be required to connect to the wastewater sewer within 90 days of transfer or within one year from the date of the order to connect, whichever is later.

**C.** Unless the condition of the approval was granted otherwise, any property owner who has installed a complete septic system, as defined in the State Environmental Code 310 CMR 15.000, Title 5, fewer than 10 years prior to an order to connect may, upon approval by the Board of Health, defer connection to the wastewater sewer to allow for the utilization of the septic system for a total of 10 years from the date of the issuance of the certificate of compliance for said system. The owners of said system must prove a history of compliance in operation and maintenance of the system, as contained in the Board of Health and the Department of Environmental Protection approval.

- C1. This provision is not applicable to properties in nitrogen sensitive areas, which may affect compliance with the Comprehensive Wastewater Management Plan’s nitrogen removal goals for the Town of Orleans.
- C2. If the property is transferred during the approved deferral time, the property shall connect to the wastewater sewer within 90 days of transfer.

- C2a. Condominiums which utilize shared systems are exempt from connecting within 90 days of transfer, and may use the existing septic system(s) for the entirety of approved deferment time.

**D.** If a septic system having been granted deferment by the Board is required to be repaired, upgraded, or modified, the owner of such property shall connect to the sewer within 90 calendar days of receiving written notification from the Board or its designee.

**E.** The owner of any new structure shall connect said building to the wastewater sewer prior to occupancy of the structure.

**F.** Following connection to the wastewater sewer, owners shall immediately abandon any septic tanks, cesspools, and all other corresponding septic system components.

Question: Tom Finan - with the sewer "betterment" - will property taxes go up with a "bettered" property?

Answer: no. Quarterly sewer fees will be included on the quarterly property tax bill (a quarterly sewer base rate plus a usage-based rate) - but the property tax itself will not go up for a "bettered" property.

Question: Will Main Street temporary pavement be improved?

Answer: Yes, pending.

Question/Comment: Gail Briere suggested that it w/be helpful to have a one-page summary of all property owner costs - even if some costs are estimates/ranges.

Answer: Understood.

Question: (Not recorded)

Answer: Ginny Farber (Cons Comm and WMAC) - reference to expedited process for approval (but notes are unclear what this was about)

Question: Woman expressed a concern about potential loss of electricity (frequent occurrence on the Cape) - what happens then if relying on a grinder pump?

Answer: KG noted reference in SURR about grinder pump back-up capabilities and//or ability to connect a generator. Generator-related information will be pulled from SURR to post separately for easier access (still will be included in SURR).

Question: restaurant-related question - Cameron Hatfield/Barley Neck Inn - would connecting to sewer system allow restaurants to add more seats?

Answer: Yes - contingent up approval from the BOWSC for increased flow and from the BOH for their purposes. (follow-up note from Dick Hartman - need to tighten sequencing of approval between BOWSC and BOH)

Question: another grinder pump sizing question

Answer: as noted above, work with engineer to determine size requirements; see SURR

Question: “Ann” (on-line) regarding tie-in costs for individual property owners.

Answer: KG said that engineers should know - but Ann indicated that engineers don't want to talk to MHP property owners yet. “David” said he talked to 3 different engineers and none wanted to talk to him yet. Guy living on Uncle Vick's said the delay was due to needing stub-related information. Reggie Donoghue (AECOM) said that engineering could begin with a 75% plan.

Question: Property owner asked about getting started now - why not installed property owner pipes now given rate of inflation - why wait 2 more years for “substantial completion”?

Answer: Rich Waldo (DPW) - septic system is still in place/functioning. Reggie (AECOM) - likely would not want to install pump-related gear now but perhaps OK to install pipes if a long run between the sewer main (in the road) to the “house.

Question: about invert elevations?

Answer: Reggie (AECOM) - tie cards have all necessary information

Question: do grinder pumps require electricity?

Answer: yes

Question: another question about the process for abandoning septic systems

Answer: John Smith (BOH and WMAC) provided brief summary of steps required for “abandoning” (decommissioning) a septic system as part of sewer connection process. Septic equipment does not have to be removed from underground (permit is required, etc. - SURR provides detail).

Question: another question about betterments

Answer: betterment calculation is based on average water flow. Septic system “size” is based on the number of bedrooms in the home on the property - regardless of how many people are living in the home (thus regardless of the water flow).



Notes: Lynn Bruneau / Finance Committee and WMAC  
Supplemental BOH answers supplied by John Smith, Board of Health