

**BOARD OF SEWER COMMISSIONERS
MEETING MINUTES**

March 27, 2015

Carby Street Municipal Office Building, Champagne Meeting Room

The meeting was called to order at 8:32 am

Present:

Commissioners: Jim Connors, Chair, Frank MacPherson, and Tony Antonellis (via speaker phone)

Staff: Todd Korchin and Jeff Bina

Daniel Bailey (Rackemann, Sawyer and Brewster)

Benchmark Properties: Mike Terry

Minutes recorded by Tish Healey

Opening Comments

- The Sewer Commission thanks Tony Antonellis for attending remotely, due to a work commitment in Colorado. Remote participation request filed with the Westwood Town Clerk and the Board of Selectmen.
- Referenced, Letter of Understanding as drafted on March 23, 2015 between BSL Norwood Development LLC ("Benchmark"), the Town of Westwood Board of Selectmen, Sewer Commissioners, and the Planning Board.

Benchmark Properties- Assisted Living Facility located off of Clapboardtree Street

- BSL Norwood Development LLC ("Benchmark") is a 90 unit assisted living facility located off of Clapboardtree Street on town of Norwood property. The property in question does not have street access to Norwood; the only street access is via Clapboardtree Street in Westwood.
- Benchmark is requesting a sewer connection permit, which would allow for the project to connect to the sewer line on Clapboardtree Street.
- Jim Connors stated that there is little benefit to the Town of Westwood for this project. Taxes generated from this property support the Town of Norwood. Also, noted that Selectmen Pat Ahearn and the remaining Board of Selectmen have kept the Sewer Commission updated on all requests by Benchmark to the Town of Westwood. Per the engineer study, our current sewer line on Clapboardtree Street can handle the flow, but the Town should require safeguards to prevent backflow into system, such as diapers or other debris. Jim Connors stated for the record, questioned whether some items should be litigated by the Town.
- Frank MacPherson asked for a clarification as to what items should be litigated. Dan Bailey claimed that the zoning issues could be litigated. The right of access from a Westwood Road to land in another town. The Town attempted to create a zoning bylaw, but the Attorney General struck down by Law for it being too broad. Also, if the Board of Selectmen instructed the DPW to not issue a curb cut or street permit for the Benchmark project, then the Town would be headed to litigation. Also, no agreement will be made unless the Sewer Connection permit is allowed. The current agreement involves three Town of Westwood boards: Board of Selectmen, Planning Board and the Sewer Commission.
- Frank MacPherson asked how the connection will impact the current capacity flow. Per Jeff Bina, the additional usage will put maximum flow above 90% of capacity. Engineering standards do not like to see capacity above 90%, but the system can handle the flow. These are engineering standards, and not standards set by the Sewer Commission. Todd Korchin stated that initially the Sewer Department was reluctant due to the integrity of the pipe. But, the pipe was re-lined and the integrity is no longer a question.
- Frank MacPherson questioned whether an amendment to the agreement should be made to allow for safe guards, such as a holding tank. He feels the current agreement is not good for our sewer system. Jeff Bina, the sewer connection fee of approximately \$109,000 will be placed into retained earnings for capital improvements for the sewer lines. Frank MacPherson stated that initial estimates of \$200,000 to \$300,000 in improvements may be necessary.

- Tony Antonellis would like an estimated annual fee for use of our sewer system. Jeff Bina stated that cost estimates were based on Title V flows, but could request additional information from Benchmark and develop costs. Tony asked whether connection into existing pipe will harm the line from Clapboardtree Street to the pump station. Per Jeff Bina, based on expected flows provided by Benchmark, there are no current concerns over capacity. No immediate need for the expansion of the pipe.
- Frank MacPherson asked whether we should be concerned that the flow capacity is almost at the maximum. Jeff Bina stated that the EPA/Stantec study took into account any potential development in the area, as well as the flow from the assisted living facility to calculate the capacity estimates.
- Frank questioned what steps the Sewer Commission should take to insure protection to our current system and how do we protect ourselves from future expansion of the current project. Jeff Bina stated that the EPA peer review last summer, included thorough effects anticipated on the system. Any anticipated expansion to the assisted living facility, would require a new peer study, additional flow study and connection fees. Dan Bailey stated that there is room for expansion, but no plans at this time.
- The current sewer connection fee takes into account number of bedrooms and calculated flow.
- Jim Connors asked if the current agreement includes a provision for a holding tank. Dan Bailey stated that no provision is included, but the DPW could make it a provision of the Sewer permit. A written request would be need to be issued to Benchmark. It was stated that we should also include a provision for screening and grinding. Per Jeff Bina, this would require a manhole structure, inline grinder and fee for electricity. Per Mike Terry, the conditions of the permit to include screening and grinding as appropriate should not be an issue.
- Tony Antonellis stated that he is in agreement with both Frank MacPherson and Jim Connors comments. He also supports the comments by the Town Engineer, Jeff Bina, and the DPW Director, Todd Korchin. The Board of Selectmen is in knowledge of the agreement, recommends that is it in the best interest of the Town and recommends that the Sewer Commission support their position. Tony is in support of the agreement and motions for Dan Bailey to draft motion to vote.
- Motion read by Dan Bailey to adopt agreement. Tony Antonellis moved that the Board authorize to sign a Letter of Understanding dated March 23, 2015 between BSL Norwood Development LLC and the Town of Westwood Board of Selectmen, Sewer Commissioners and Planning, and approve issuance of a sewer connection permit for the Benchmark facility, to be conditioned upon installation of a screen and grinder as appropriate, to be determined by the Westwood Town Engineer. Jim Connors noted that he supported this agreement in light of other circumstances benefitting the Town as a whole.
- Tony Antonellis made motion to adopt, Frank MacPherson voted no to adopt and Jim Connors seconded motion to adopt. Vote is 2 to 1 in favor of accepting motion to adopt. The Board appreciates the work of Frank MacPherson and notes his objection to Benchmark's request.

Adjourn: Motion to adjourn at 9:05 am by Jim Connors, seconded by Tony Antonellis, motion approved.

Approved:

Date

 12/11/15

Sewer Commission, Clerk