

COMPREHENSIVE WASTEWATER MANAGEMENT
CITIZENS ADVISORY COMMITTEE (CAC)

September 20, 2007 – 4:00 pm
Town Hall Meeting Room - Televised
Main Street, Chatham, Massachusetts

PRESENT:

CAC: Phil Christophe, Fred Jensen, Didi Lovett, David MacAdam, Chuck Pollard, John Randall, Burt Segall, and John Payson

CAC members not present: Bob DePatie, John Raye, Scott Tappan

TAG: Bob Duncanson, Bill Redfield

Others Present: Chuck Bartlett, Al Haven

The meeting was called to order at 4:00 pm.

Members introduced themselves for the television audience.

Item 1: Minutes

Minutes of the August 16, 2007 meeting were approved without changes.

Item 2: Discussion of Preliminary Draft of Chatham's Comprehensive Wastewater Management Plan.

Chuck Pollard asked about the goal/purpose of the discussion; Fred Jensen suggested that, in the absence of staff from Stearns and Wheler, the discussion be focused the most important issues/questions which have been identified by members in their review of the draft. Members had sent comments about the preliminary plan to Stearns and Wheler and TAG.

Items suggested during discussion included the following:

- A suggestion that an independent peer group should provide oversight and monitor implementation (John Randall);
- A need to clarify the role of Town Meeting in the approval process (Fred Jensen);
- Inclusion of information about the additional connection costs which can be anticipated by individual homeowners when hook-up occurs (Fred Jensen);
- Additional information about build-out assumptions should be included in the report/plan (Fred Jensen);
- Citizens will want more information about costs. A re-write of the Executive Summary should be done to make it understandable to the average reader and to include individual homeowner cost estimates (Burt Segall); and,

- The emphasis in the plan is on nitrogen reduction and there is little information about other benefits of sewerage. The additional benefits should be included in the plan (Fred Jensen).

Chuck Pollard asked for Bob Duncanson's opinion regarding the draft report/plan. Bob Duncanson responded that he felt the report was comprehensive and well done. He agreed that the TAG was looking at the report from a different perspective than the CAC and stated that CAC input would be helpful in refining the plan/report. He added that some of the comments received from the CAC were easy to respond to while others were more difficult. He said that all comments or questions will receive responses and suggested that once those responses have been completed the TAG, S&W, and CAC should meet to discuss the responses prior to making changes to the plan.

Phil Christophe asked about the timeframe for this process. Bob Duncanson indicated that the responses are likely to be prepared in the next few weeks. There was discussion as to whether to have a special meeting for discussion or to wait until the next regular meeting in October. It was generally agreed that the October meeting would be an appropriate time for this discussion.

John Payson asked about the future involvement of the CAC. Bob Duncanson explained that once the plan is approved by the various regulatory agencies (MEPA, DEP, CCC) and implementation begins, the Water & Sewer Advisory Committee will be the lead and the CAC can "retire". The plan has been prepared to meet requirements of state regulatory agencies. Once they agree that the plan addresses the nitrogen problem in Chatham, we will begin the implementation phase. Town Meeting will be required to approve expenditures to implement the plan, but will not vote directly to accept or reject the plan itself.

Bob Duncanson indicated that policy decisions regarding how to pay for the project have not yet been made. The discussion includes an examination of property taxes, betterments, real estate transfer tax, etc. as they relate to funding the construction over the next 20 to 30 years. Presentations will be made describing the impact of various approaches on the tax rate. He also noted that staff has been gathering data about recent sewer connections and the actual costs to homeowners. This information will be available in the near future.

It was noted that there is not much information in the report about IA systems. Bob Duncanson explained that once it was determined that IA systems and community/cluster systems would not provide the best solution in Chatham, there was no reason to include extensive discussion about these systems in the report. The bulk of the information on IA systems is included in Appendix K.

David MacAdam noted that it is important that the plan recognize that things will be different in the future. Bob Duncanson agreed, stating that "Adaptive Management" can be used to make changes in the plan in the future. We are looking at a 30-year implementation period during which many changes in technology and needs could occur.

John Payson said that, in some areas of town, 70% of the households contribute only a small amount of nitrogen and suggested that it may not be necessary to sewer in those areas. Burt

Segall suggested that it may be difficult to justify sewer construction in some locations based on nitrogen alone, but it is important to consider the other benefits of sewerage, i.e., protection of the public health and protection of ground water.

Bob Duncanson noted that the principal issue in the report is nitrogen removal, but that other benefits will be gained and these should be more clearly presented in the report.

John Payson asked about the role of the Board of Selectmen in approving the report and seeking advice from the CAC. Bob Duncanson indicated that the CAC should provide comment to the Board of Selectmen if desired. The report will be reviewed by many agencies during the MEPA comment and review process. Additional comments can be made by members of the CAC during the MEPA review process.

John Payson asked about the Water and Sewer Advisory Committee which will be involved in implementation of the plan once it is approved. The decisions regarding where to begin sewer construction will be made after approval is obtained and with regard to other factors in the community, i.e., reconstruction of Route 28, redevelopment initiatives in various parts of town, etc. The plan is flexible in allowing those decisions to be made as needed. Staff will be looking at the options and Town Meeting will approve or disapprove of those decisions as it votes to appropriate funds.

John Payson asked about the TMDLs and whether they may change in the future. Bob Duncanson indicated that they may, in fact, change in the future, but that the changes are not likely to impact on the wastewater treatment plan. He stated that he has asked the state about this and received a vague response based on the fact that they are working in other towns where TMDLs have not yet been assessed/determined. He added that the flexibility in the plan allows for us to cut back if it is later determined that the TMDL levels have changed in the future.

Item 3: Discussion of “*Performance of Innovative Alternative On-site Septic Systems for the Removal of Nitrogen in Barnstable County, Massachusetts 1999-2007*”.

There was brief discussion about the merits of composting toilets arising from the recent above referenced Barnstable County report. Bob Duncanson noted that the information in the report on composting toilets was based on only a single system, and that the data reported was actually from the gray water system. He also indicated that the report did not explain many of the disadvantages of composting toilets (a separate plumbing system is required to separate gray water from black water; there are ongoing maintenance issues; odors are a problem, so these toilets are not generally well received by homeowners).

Fred Jensen asked about IA systems. Bob Duncanson indicated that some are more effective than others and explained that it is very difficult to measure the effectiveness of these systems. The Barnstable County report evaluated the various IA systems performance relative to their ability to meet the DEP TN standard of 19 mg/L. The performance of these systems in actual installations, as measured by the % removal of nitrogen, is extremely difficult to determine due to a lack of data on influent nitrogen levels. Burt Segall added that IA systems have most often been rejected because of maintenance difficulties.

Item 4: CWMP's responsibility for repairing privately owned roads during construction.

Bill Redfield explained that state statute allows public utilities to have access to private roads, but that they must return all privately owned roads to "equal or better condition." There was brief discussion of the option for property owners to use this opportunity to upgrade their streets if desired, although this could become a problem to the project if many neighborhood groups decide to upgrade their streets for public acceptance. A policy discussion on road acceptance will be needed.

Item 5: MEP Technical Memo of 8/31/07 regarding Bucks Creek

Bob Duncanson explained that the report indicated that there would be no negative impact on Bucks Creek if the town were to increase effluent discharge through sewerage the entire town.

Phil Christophe asked about the closing of Cackle Cove Creek in recent years. Bob Duncanson explained that these closings have been due to bacterial issues related to natural sources and were not the result of faulty septic systems or effluent from the treatment plant. He added that there is no easy "fix" to this problem which is due to wildlife such as migrating birds.

Item 6: Status of the CAC letter to the Board of Selectmen regarding property owner connection costs.

Bob Duncanson said that responding to the letter will be part of the Board's future discussions of how to finance the plan. Information about individual connection costs is being gathered for inclusion in this discussion.

Item 7: Discussion of the need to hold public information meetings

It was agreed that discussion of various means to address public information activities will be discussed at the October meeting.

David MacAdam asked about the Board of Selectmen's involvement in reviewing the report. Bob Duncanson indicated that the Board is likely going to rely heavily on input from the CAC regarding the plan. He suggested that the CAC should take the initiative in requesting a meeting/discussion with the Board of Selectmen to provide input.

Item 8: Other Business

Stillwater and Lovers Lake Study

Bob Duncanson indicated that the water column profiling/sampling has been taking place over the summer and 3 sets of water column chemistry data have been returned by the contract lab. Two more data sets are expected in October. The consultant is working on the project and a late November report is expected. He indicated that the results are likely what have been expected: that the lakes are eutrophic, with high levels of phosphorous.

Fred Jensen indicated that the towns of Harwich and Brewster are working together to treat Long Pond with alum. He made reference to a recent article in the Cape Cod Times.

Cape Cod Water Protection Collaborative (CCWPC)

Fred Jensen asked about a recent document from the CCWPC regarding legislative changes. Bob Duncanson summarized the major legislative changes are being sought:

1. To allow sewer “checkerboarding” as was done in Provincetown, without a separate act of the legislature.
2. To earmark a % of the State Revolving Fund for communities to directly address nutrient mitigation. For communities meeting certain criteria the SRF funds would be loaned at 0% interest rather than the current 2%.

This legislation has been filed but not yet assigned a number, so will likely be re-filed in January when the legislature re-convenes for the new year.

The CCWPC is seeking proposals under a grant program entitled “*Shared Watersheds, Shared Responsibilities*”. The Pleasant Bay Alliance is working on 2 grant proposals, one on the dike restoration in Muddy Creek and the second on the issue of fertilizer management. Proposals are due September 28th.

Bob Duncanson has replaced Sean Summers as Chatham’s representative to the CCWPC.

Water Monitoring

John Payson asked about the Mitchell River testing station and whether it is still considered a “sentinel” station. Bob Duncanson responded that after recent discussions with SMAST and DEP, it was decided to continue water monitoring at a “maintenance” level for the next few years, until water quality monitoring becomes more important in assessing the results of implementation of the CWMP.

Letter to the Editor

John Payson informed the committee that he may write a letter to the Editor in response to a recent comment made in the *Cape Cod Chronicle* about the CAC’s focus on details rather than policy.

Item 9: Next Meeting: Thursday, October 18, 2007 at 4 pm.

The meeting was adjourned at 6:00 pm.

Marie Williams
Recorder