

TOWN OF WESTFORD
PLANNING COMMISSION/OUTREACH COMMITTEE SPECIAL MEETING MINUTES
COMMUNITY WASTEWATER INFORMATIONAL MEETING
MINUTES FOR OCTOBER 18th, 2023 MEETING
Approved on November 6, 2023

Planning Commissioners Present: Gordon Gebauer, Mark Letorney, Mo Reilly

Outreach Committee Members Present: Pat Haller, Eric Ford

Consultants Present: Amy Macrellis (Stone Environmental), Peter Lazorchak (Stone Environmental), JB Hinds (Birchline)

Town Staff Present: Melissa Manka (Town Planner), Harmony Cism (Planning Assistant, Minute Clerk), Bill Cleary (Selectboard)

Meeting Began: 6:31pm

Introduction:

G. Gebauer gave an introduction. This is the same information that was presented on September 13th. For details on the presentation, please see the minutes of the September 13, 2023 Wastewater Informational Meeting.

Discussion:

Julia Andrews asked if the ballots were sent to every resident, or to every registered voter. Nanette Rogers answered that they have been sent to all active registered voters.

Andre Roy asked a question about tax cost vs. cost to connected users. He thinks the data may be misleading. JB Hinds spoke about the cost to connected users. A resident's tax bill is in addition to fees paid if connected to the system. The numbers for property tax impact are different from the fees for connected users. It is not based on WW capacity, but on individual property value. Andre asked for clarification about why user fees would increase when bond repayment begins. JB Hinds replied that with bond repayment under CSWRF, you begin bond repayment one year after the construction of the system. In 2026, operating costs would start. In 2027, the bond cost would be added if any of the bonded capacity is used. O&M costs would be charged to users monthly. The tax impact from the bond would be based on property value. The impact is different for each property. Andre disagrees with the discussion. He doesn't understand why the user fee increases if the bond passes. JB Hinds replied that under the proposed ordinance, users pay a share of the bonded debt related to how much system capacity is used. The user cost reflects O&M and also the users' share of bonded debt.

Vicky Ross stated that there are 2 unoccupied parcels in the service area. She wondered how many occupied parcels have the ability to be subdivided in the service area. G. Gebauer replied that each parcel would need to look at specific restrictions and zoning regulations.

Lori Johnson said that she has heard there are no other options. She said that two properties have recently found alternate solutions. She wonders what other options haven't been considered. At one point, the Westford Common Hall was supposed to be an answer for the Town Office and Library. Issues with well

shields were based on a 2014 study with incorrect location of wells. Lori believes that there are other options. She also brought up that the water in the Town Hall was said to be unsafe for drinking, but a recent test shows that the water is fine. G. Gebauer responded that solutions have not been found, but property owners are in the process of looking for new solutions. The Common Hall has expanded its uses. This is private property that is not owned by the Town. Initial studies indicated that the Common Hall would need a mound system with pre-treatment that could serve the then existing capacities of the Town Office, Library, and church. The Common Hall has now expanded its uses and is behind this proposal. There are options, but they are not good options. When the PC began an investigation in 2008, they looked at soils, wells, and existing conditions. The Town now owns the Maple Shade Forest, which has great soils that can serve the community much more broadly than individual sites. It makes more sense to look at a possibility that will serve all municipal and civic buildings as well as serving private properties. Small systems would impact wells, but this system does not. The proposed system protects and safeguards wells. It is the PC's goal to protect the health and safety of residents. A. Macrellis spoke about the water sampling that was done at the Town Office. The issue coming up was E. coli, which is bacterial. Sampling a well for bacteria in winter months would not show any, as it is too cold for bacteria to survive. It would be beneficial to sample the water at other times of the year when bacteria would be more biologically active.

Carol Winfield said that she was initially in support of the project. She does not think the zoning, the Town Planner, or the PC will protect the beauty of town because the 1705 project did not pass. Carol brought up a developer's proposal that showed two 8-unit structures. She had looked at some of the grant proposals. The CRRP grant asked for a brief description of the proposal project. The Town's application described a WW system that will generate development of new business, expand existing businesses, and development of new housing. Westford has goals to increase housing in the village. Carol quoted some other applications for grants that spoke to higher density, compact development. G. Gebauer responded that the 1992 Town Plan first identified this type of infrastructure as a necessity to increase development in the areas that Carol was talking about. This plan has been in place for 30 years. The PC has done numerous surveys and questionnaires. The results from these surveys and questionnaires showed that the community as a whole, not one or two individuals, wanted more development in the Village. Residents have wanted a more vibrant Town Center and more housing. It was the view of the community that it makes more sense to concentrate development rather than sprawling it throughout Westford's roadways.

Dick and Tess asked why the new Westford store well is labeled as public well. A. Macrellis replied that it is a public water supply because it can potentially serve more than 9 people per day. This is part of the State Water Supply rule. They had to get a permit amendment in the last year or so in order to comply with that State requirement.

Ira Allen thanked G. Gebauer for a good presentation. He asked for clarification on the statement that Westford is exempt from S.100. JB Hinds said that S.100 was passed by the legislature. It takes effect in certain districts that are served by BOTH public WW and a public water system. No public water system is proposed in Westford. Westford does not fit the criteria, so S.100 does not apply here. Ira mentioned a slide that showed many well protection zones. Zoning allows great density of 3 or 4 dwelling units per acre. Ira believes there is a denial that a community water system is necessary. It seems inconsistent to say that we will develop the Common/service area and water supply won't be an issue. G. Gebauer responded that what is being proposed is an infrastructure project. Zoning controls how development occurs, it doesn't mandate development. Before a structure can be built, a State WW permit is required. Each property owner is responsible for finding their own water. Regarding WW, the water being used now is the same water that will be used if the system is approved. We won't have to find more water to feed

the system. A. Macrellis added that water supply around the Common has not risen as an item of interest or worry in any Town Plan. Westford doesn't have a water quantity problem right now. There may be a water quality problem.

Barb Peck spoke about the surveys sent to residents. There are 2200 people in town and 1600 registered voters. How many people responded to the survey? G. Gebauer replied that he doesn't have the numbers off top of his head, but he can find the information for Barb.

Ilene Chase said that she has been here for 55 years. She loves the Common. She doesn't trust that the Town hasn't discussed water. It will happen soon. This would affect the Town if they put water in because the State would take over zoning. Ilene's septic is 55 years old and will need to be replaced soon. She believes that the Town should charge people who connect because no one is helping residents outside of the service area. G. Gebauer said that the SB made the decision that initial connections would not pay for connection at time of construction. There is grant money available. It is not going to cost Townspeople any money. Connection after construction will have a fee. JB Hinds addressed the water system. As an example, Waitsfield began planning for a water system in 1995, and the system didn't go into effect until 2008. Any water system would have to go through a public hearing of the State Intended Use Plan. There is not a demonstrated need for a public water system in Westford. It is not anywhere on the radar to even begin the process of feasibility for potable water. It would take years if the Town could even demonstrate a need. JB also said that there are grant and loan funds are available for residents needing new systems. E. Hackett added that it is a federal mandate that to even consider a drinking water system in a community, they have to demonstrate the need. Most small communities cannot reach Technical Managerial Financial (TMF) capacity. There is funding available for septic systems based on affordability. Irene added that grants come from tax dollars.

Anne Dufresne said that she doesn't think it's right for people to connect for free. Septic systems will use electricity and need to be serviced. Who is paying ongoing costs for individual tanks? Many residents have expensive septic systems that they put in and they footed the whole bill. Anne said that it is not accurate to say that it's free. Prices go up over time. A. Macrellis replied that O&M costs include pumping, inspection, and the contract operator. Connected users all pay a share of O&M based on gallons per day. G. Gebauer added that if this project does not move forward, the Town will still have to pay when civic buildings' septic systems fail. We are cautiously optimistic that we won't need the \$400K, but we might. Any community infrastructure requires the Town to participate. The SB has made the decision that if a user connects at the time of construction, that connection fee will be covered by grant money. Connections after construction will have to foot the bill themselves. Users will pay O&M fees to cover maintenance.

A resident asked about the O&M costs. If someone is hooked up to system, and those people can have their systems pumped out, do all taxpayers pay? She is also concerned about potable water. She mentioned that we need a new Town Office, and she is not sure why we are not dealing with that right now. G. Gebauer responded that the SB is investigating how the Town Office can be expanded or replaced. The Town is hiring a consulting firm to work on that. Taxpayers outside of the service area will not be paying to have someone's septic tank pumped. This is part of the O&M, which is paid by people connected to the system based on their allocation. The Town will have a portion of that. As capacity is allocated out, the share of costs will go down. JB Hinds restated that Westford will not be eligible for a publicly funded water system.

Dave Lavallee commented that there seems to be a scare tactic that if this project is not approved, a solution will be needed for the Town Office, Library, and civic buildings. He doesn't believe we should include civic buildings. If it costs nothing to hook up, why don't we mandate that all in the service area hook up? G. Gebauer replied that the SB considered and made a policy decision that connection will not be mandated at the time of construction. The SB has since made decisions that if a property in the service area fails and cannot be remediated on site, it will be required to connect to the system.

Dave Gauthier said that the reason he sold the property to the Town is because he spoke to the PC and the SB and gave them an idea of what he wanted to do. The SB told him they didn't want that done. The PC told him that doesn't fit in their plans.

Greg Baker said that he has supported this project since the beginning. The system is elegant in design. It is the best decision for Westford at this moment, regardless of grant funding. It is a great approach to the problem around our Town Common. There is a housing crisis. Housing in the Common area is important. We need development somewhere. This is us doing our part.

Natalie asked about the Total Project Cost and the 30% of construction cost. A. Macrellis responded that the 30% is a contingency. Contingency is "just in case" funding OVER what will be needed. The hope is that it won't be needed but the odds are it might. Natalie noted that there are a lot of pumps in the design. She asked about their life expectancy, and will they all fail at same time? A. Macrellis replied that the pumps are robust. The expected design life is 15-20+ years. While they can wear out and get replaced, they won't all go at once. Lifespan depends on usage. Replacement cost is part of the sinking fund idea. Natalie asked what the cost of one pump is. P. Lazorchak said the cost is about \$500.

A resident noted that the system is designed with a 24K gallon capacity. Does the Town have 24K gallons of water? A. Macrellis reiterated that it is not in the scope of work to consider a community or individual water system. WW issues are far more pressing than potable water issues across the state. G. Gebauer stated that the capacity of the system is determined by soils. 24K gallons per day means that the soils can handle up to that amount. We don't need that amount for it to work. JB Hinds added that just because a system has a potential capacity, that doesn't mean that it needs that much water to function. The system will handle UP TO that amount.

Bob Bancroft commented that the WW project is much too big for the Town to handle, and that it has created a stressful work environment.

Jenn Harper commented that she has lived here whole life. She had to pay for her own septic. She pays \$300/year. She has had to replace pumps. Septic is a money pit.

Adjourned: 8:33pm