



COHASSET SEWER COMMISSION
Meeting Minutes

Thursday, June 17, 2021

*In Attendance: William McGowan, Chairman
Wayne Sawchuk, Clerk
Paul Kierce
Dan Coughlin
Rod Hoffman*

Meeting Open: 10:04am

Next Meeting: Tuesday, June 29, 2021 @ 10:00am Regular Meeting

Approval of 5/25/21 and 6/8/21 Meeting Minutes:
Postponed until 6/29/21 Meeting

380, 390, 400 Chief Justice Cushing Highway:

Present: Atty DeLisi, Atty Nylen and Atty Ohrenberger, Mr. Staszko, Mark Negrotti and Tony Ommobono of Tetra Tech;

Attorney DeLisi: encouraged by last meeting. Notes the commission is on board with the concept that connecting this property to sewer is achievable and preferable.

Items for discussion before moving forward:

1. Difference of how CSC calculates flow fee: CJC position is based on Title V intended flows which set forth in CSC regulations even though later, CSC enacted a policy that deviated outside the regulations.
2. Concept of reimbursement over time; 50% reimbursement over a 20 year period (at same time will be paying off the connection fee in equal quarterly payments). Or 75%

De Lisi suggests use Title V intended flow as a starting point in the agreement or pick a baseline flow. If there is change of use that increase the flow, then the fee will be re-calculated to take into account the change in use. De Lisi is asking the board formally vote to accept the application and vote on the language.

Bill McGowan agrees we made some good ground last time but disappointed with the letter asking for more concessions. Typically, the town engineers determine what the fees, not the property owner. Wayne Sawchuk would like to have a session to put a proposal together for Mr. Staszko and would include the major components of which he thought we had an agreement to last meeting:

1. \$1.6 MUSD, Million US Dollars connection fee
2. 50% reimbursed as other connect for 20 years up to 50% of connection fee
3. Calculation of EDU



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Attorneys De Lisi, Ohrenberger and Nylen discuss the following: 1. Calculation of EDU differs. They are looking at Title V flows set forth in a chart and matched up to CJC intended uses. However, CSC proposing to deviate from that based on potential uses. 2. Believes the law says it has to be a public line, but CSC says it is a private line extension for just this property. The issue is the sewer line will not be a private extension even though they are asking CSC to extend the line to their building. A portion of the fee under the law is supposed to reimburse the town for putting in the line, but if town not paying for the line - it's essentially a tax.

Ohrenberger requests CSC to consider 100% reimbursement (based on receipts) for putting in the infrastructure. Wants to see a starting point - with an upside adjustment for increase in flow and if there is a downside adjustment of flow decreases. De Lisi discusses how he came about what the flow should be, using Title V criteria. Wants to understand why CSC considers potential uses and adds a factor of 200% when Title V already has inflated number. Nylen agrees Title V already takes variables into account and suggest giving a starting number and monitor that.

Sawchuk points out that for the town to fund this line, prevailing wage etc. would apply and it would have to go before town meeting.

CSC should consider the amenity of the town achieving Safe Harbor, due to affordable units. Other big developers like Avalon will not be able to try to push 200 units if Safe Harbor is achieved. PK confirms Safe Harbor is a big item for the Affordable Housing Steering Committee. The Housing Trust has been helping forward affordable housing by the census for September 2021.

Dan Coughlin: Title V or water consumption data can be used - CSC used water consumption because it varies. For 380 CJC Highway Aug 2011 - Aug 2012 peak use period; 400 CJC Highway Feb 2013 - Feb 2014; 390 CJC Highway was escalated slightly depending on the uses. Estimate for modified use was calculated at 5,330 but probably only used 4,580 difference of 750 gals per day. adjustments for changes of use will bring it to 20,970. This is the standard criteria for evaluating properties that have existed, to calculate the flows for sewer extension. Title V can be used but the makeup of the building and commercial entity doesn't fall within the strict category.

De Lisi : June 5, 2020 Vertex provided the following: 380 at 7,275; 390 at 4,580; 400 (Stop and shop) at 7,000 - elevated because of a redesign of septic system. Totaling 18,855 gallons. The biggest fundamental difference right now is the starting point.

McGowan: does not know where the \$250,000 credit came in. CSC voted on, we discussed it and it was a discount they gave in the affordable housing component.

1. The town engineer should be doing the calculation. expert calculations are welcome, but the board recognizes what the town engineer is proposing.
2. With respect to the line, reimbursement of 50% is more than generous. It is an accommodation to Mr. Staszko.
3. Upfront deposit (\$200,000+) to cover upgrades and / or repairs to pump station.

Coughlin: If there is an annual review some issues go away. How review is done still has to be determined. Is it based on title v platform of change of use (preferred) or water use? Another issue is



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how the flow is going to be measured, at this facility. wastewater has to be measured to ensure there is no I/I influences. 200% of average water consumption is another way to define the flows, that's why its incorporated in our regulations. There has to be more controls, recommends quarterly or semiannual reporting. Because of grease traps etc. There is much more to think about than just the flow. Additionally, an application outside the sewer district is prohibited unless there are extenuating circumstances, which haven't been detailed in this application so at this point the application is incomplete. The agreement has to be executed before the application is accepted.

All in agreement to:

\$1.4625

50% reimbursement for 20 years (not to exceed 50% of the cost)

To be reviewed and discussed at next meeting:

Upfront deposit of \$200,00+

Affordable Housing Credit of \$250,000 - (credit \$12,500 per year for 20 years).

Acceptance of application

Location of where the line will be going will have to be revisited. It may need to be trenched on shoulder and there needs to be room.

Other Business: None

Meeting Adjourned: 11:53am

MOTION: Bill McGowan motions to adjourn, Paul Kierce seconds. All in favor