

TOWN OF PROVINCETOWN — WATER & SEWER BOARD

MEETING — TUESDAY, NOVEMBER 23, 2004

GRACE GOUVEIA BUILDING, 26 ALDEN STREET, PROVINCETOWN

Members present: Jonathan Sinaiko, Chair; Anne Lord; Sacha Richter

Members absent: John Ciluzzi (unexcused)

Other attendees:

DPW Staff David Guertin and Dana Faris; Environmental Partners Group Staff Wayne Perry; Health Agent Jane Evans; members of the public and press.

Call to Order

Mr. Sinaiko called the meeting to order at 3:05 p.m.

Requests for Sewer Hook-Up

1. **Provincetown Art Association & Museum (PAAM).** Mr. Burt Wolfman, chairman of the PAAM Building Committee, formally requested a sewer hook-up in light of the Special Town Meeting vote of October 25. Mr. Wolfman stated that PAAM initially had no issue with the Board of Health's assertion that the property could accommodate a Title V. However, when neighbors objected to the planned removal of the large elm tree, PAAM retained Bartlett's Tree Service to review the status of the tree. It is Bartlett's opinion that the tree has approximately 75 years left. Mr. Wolfman said that the purpose of the STM article was to designate the tree—and not the museum itself—as a public use. Ms. Lord, noting that the requested flow of 710 gpd represents an increase over existing flow of 424 gpd, reminded the Board that the sewer has from the outset been growth neutral. Although the increased flow would be subject to growth management review, the Board inquired whether the collection system could accommodate the increased flow and were advised by Mr. Perry that M&E had approved a design of 710 gpd for this property. The Board looked long and hard for some vestige of public bathroom component. Under questioning by the Board, Mr. Wolfman stated that at present “the public has access to our [bathroom] facilities”; but he declined to guarantee that that access would be available in the future. Health Agent Jane Evans reminded the Board that there are other options for saving the tree such as a reduced leaching area. Although the Board expressed concern for the tree, the vote came down to respecting rules and regulations that are already in place, as set forth in a November 15, 2004 memorandum from the Board of Health. After one full hour of debate, Mr. Sinaiko moved, seconded by Ms. Lord, to grant a sewer connection to PAAM. The vote was one in favor and two opposed. The motion did not carry.
2. **5 Pearl St.** The request to hook up, which was made by the previous owner of the property, was received more than three months after the cut-off date. According to the Board of Health, the property can accommodate a Title V system on site. The property is on the Phase II request list. Ms. Lord moved, seconded by Mr. Richter, to deny a Phase I connection for this property. The motion carried 3-0.
3. **Laundromat at 23-43 Race Point Road.** At the October 14 meeting, Ted Malone appeared before the Board to discuss preliminary plans for a laundromat to be included in the renovations for this property. At that time the Board advised Mr. Malone that any consideration of another laundromat at this point could only occur under Phase II. Because the allotted Phase I gallonage for laundromats has already been allocated, Mr. Sinaiko moved, seconded by Ms. Lord, to postpone any consideration of another laundromat until Phase II. The motion carried by a vote of three in favor and none opposed.

Request for Water Hook-Up

257 Shore Road, North Truro. Staff advised the Board that this water connection request is for a single-family house in Beach Point. The Truro Board of Selectmen and Board of Health have already approved the connection. Mr. Sinaiko moved, seconded by Mr. Richter, to grant the connection. The motion carried 3-0.

Abatements of Sewer Use Charges

The Board next took up three outstanding sewer abatements from the spring billing that the Board had taken under advisement. All three applications involve water leaks. At its September 28 meeting, the Board voted “to adopt the 500% policy for sewer bills for those accounts that were granted an abatement of their water bills under the policy.”

None of the three applicants filed an application for abatement of water charges.

1. **478 Commercial St.** This property connected to the sewer on July 30, 2003. Because the bill covers almost nine months' usage, including both peak and off-peak usage, the Board felt that any consideration of an abatement should be in the context of annual—and not just off-peak—water consumption. Average annual water consumption for this property over the three years preceding the leak was 39,333 gals. The current sewer bill, in the amount: of \$592, is for 32,000 gals. Inasmuch as applying the 500% rule would not grant any relief to the owner, Mr. Sinaiko moved, seconded by Mr. Richter, to deny this application. The motion carried 3-0.
2. **117 Commercial St.** This property connected to the sewer on August 31, 2003. Because the bill covers almost eight months' usage, including both peak and off-peak usage, the Board felt that any consideration of an abatement should be in the context of annual—and not just off-peak—water consumption. Average annual water consumption over the three years preceding the leak was 39,000 gals. The current sewer bill, in the amount: of \$1,110 is for 60,000 gals. Inasmuch as applying the 500% rule would not grant any relief to the owner, Mr. Richter moved, seconded by Mr. Sinaiko, to deny this application. The motion carried 3-0.
3. **5 Webster Place.** This property connected to the sewer on November 1, 2003. Because the bill covers six months' usage, essentially all of which is off peak, the Board applied the 500% rule. Average off-peak consumption for the three years preceding the leak was 1,000 gals. The current bill of \$1,813 was for 98,000 gals. Applying the 500% rule would yield 5,000 gals. At the current rate of \$18.50 per thousand gals the bill would be \$92.50. Therefore, Mr. Sinaiko moved, seconded by Ms. Lord, to grant an abatement in the amount of \$1,720.50. The motion carried 3-0.

Inasmuch as water leaks have a significant impact on the Town's water resources, the Board expressed a desire that the water regulations be amended to require an inspection and, where appropriate, an upgrade of the water service every time a property transfers ownership. It was noted that the sewer regulations currently require an inspection of the on-site wastewater treatment system when a property changes ownership. The Board directed staff to draft appropriate language for review at a future meeting.

Flow Revisions

129 Bradford St., (Monument House Condominium, Unit 1 – 12-1-025-0-001). On January 10, 2002, Mark Latour (copy of letter attached) advised the owner, Monument Realty Trust, Gregg Russo, trustee, that the bakery located at this property was being allocated a flow of 200 gpd in accordance with Title V regulations, 301 CMR 15 203. Currently, the property has been assessed a betterment based on 59 gpd. Although this flow revision has been in the works for some time, for some reason it had never been brought to the W&S Board for approval. Mr. Sinaiko moved, seconded by Mr. Richter, to revise the flow on this property to 200 gpd. The motion carried 3-0. A revised betterment will be assessed to the owner.

Minutes of Meetings

The Board was presented with draft minutes of the meetings of April 28, September 28, October 6, and October 14. Mr. Sinaiko moved, seconded by Mr. Richter, to approve the minutes as written. The motion carried 3-0.

Adjournment

There being no other business to come before the board, Mr. Richter moved, seconded by Mr. Sinaiko, to adjourn the meeting. The motion carried 3-0, and the meeting was adjourned at 4:33 p.m.

Respectfully submitted,

Sacha Richter, Clerk