

Minutes
March 11, 2008

The meeting was called to order at 7:00 PM by Elaine Fiore. Members in attendance were Elaine Fiore, Peter Cobb and Sean Walsh.

MOTION, by Elaine Fiore, seconded by Peter Cobb to approve the minutes for February 12, 2008 and Feb 27, 2008. The motion was so voted.

Ms. Fiore mentioned the Phase 1 Waiver granted by Ian Bowles of MEPA for Thorndike's project. A section of the approval states that the Town needs to appoint the proponent (Thorndike) as agent for the Town in the permitting process. This has been brought to Kevin Donovan's attention.

CDM has provided some graphic depictions of what the wind turbine might look like at the WWTF site. The Board should review them and report any adjustments that are needed.

Mr. Vandal discussed that something has to be done about the ongoing inflow problem. Over the weekend the plant received over 430,000 gallons in 24 hours during the 3.25 inch rainfall. The all-time high was 467,000 gallons, but that was over 3 days of rain. Ms. Fiore said she would add this to her presentation for March 27th.

Ms. Fiore reported that she had attended the Board of Health meeting last night and that the Board of Health has reinforced their policy on allowing building in sewer areas. Copies of the policy have been provided in tonight's package.

Mr. Buitenhuys of 2R Hillcrest Road attended to discuss connecting his house to the sewer. Ms. Fiore said the Board has decided to bring gravity sewer to his property line. The Town would be choosing the contractor for this work. Mr. Buitenhuys stated that he had spoken to Lenny Bianco and that he could provide a gravity connection to service his basement level for \$4800.00. This included bringing the sewer in from Hillcrest Road. He estimated it would be \$3000.00 to bring the sewer from Hillcrest Road to the property line. If the Town brings the sewer to his property line then he will have Mr. Bianco connect it to his house. There was a question as to whether the stub was 11 feet deep as stated on the tie card, or 16 feet deep. Mr. Cobb mentioned that the estimate was based on it being 11 feet deep. If Mr. Buitenhuys wants it deeper than that to service the basement, then it would only be fair that he pay the difference in the cost. All other properties are guaranteed service to the first floor only. Mr. Buitenhuys stated that all of his plumbing drains down to the basement level to the back of his house. He thinks it would be very costly to replumb to bring the waste pipe out at the first floor level. It was established that the basement was not completely finished and that it would be possible to install an ejection pump and replumb the waste pipe. Ms. Fiore said that the Board agreed to provide gravity service to the first floor. Estimates should be obtained for whatever might be needed. Mr. Buitenhuys felt that \$4800.00 was a reasonable price to provide a gravity sewer connection to his basement. Ms. Fiore said it wasn't a question of price but of service being provided to one customer that was not offered to every customer. He is asking for more that was done for other customers. Mr. Buitenhuys stated that his basement was not completely finished. He has a bathroom and family room. There is a workbench in the remaining basement area. There is no ceiling in this area. He continued that the berm at the end of his dirt road was destroyed when the sewer was put in. There was supposed to be a berm placed at the intersection of the dirt road and Hillcrest Road when Hillcrest Road was paved but there was no berm placed there. Ms. Fiore

explained that Mr. Basler had agreed to pave the road because he wanted paving delayed until he could do some drainage work. Mr. Basler was in charge of paving Hillcrest Road. Mr. Buitenhuis said he had spoken to Mr. Basler also and it still was not taken care of. Ms. Fiore said she would contact Mr. Basler regarding the berm. Ms. Fiore clarified that the Board had agreed to provide gravity service for the first floor of the house. The Board will obtain another estimate to bring the gravity service low enough to service the basement and also to completely finish the connection to the house. Mr. Buitenhuis would be asked to pay the difference if the cost. Mr. Vandal stated that after looking at the as-builts it looks like the invert is 17 feet deep. Mr. Buitenhuis said he would measure his house to see how deep the waste pipe is where it comes out of the house in order to determine how deep the gravity service would need to be.

Sharon Lane met with the Board on behalf of her daughter Heather Lane. She wanted to discuss the status of the basement living space at 5 Summer Street. Ms. Fiore and Mr. Cobb agreed that this would require a Deed Restriction. Ms. Lane said her attorney had told her she would need a Restrictive Covenant stating that the space would never be used for any sleeping space. Mr. Cobb stated that this issue was really not the jurisdiction of the Sewer Commission. The egress does not meet building code according to Paul Armstrong. The size of the windows is illegal for bedroom space. The rooms that would be logical to use as bedrooms cannot be used as such. Mr. Armstrong recommended the use of a Deed Restriction that referred to the space not meeting building code to allow for bedroom space. Ms. Fiore stated that it was for the building department to determine whether the space can be used as rental space or not. The Sewer Commission understands that it cannot legally be rented. Ms. Lane asked if a Deed Restriction stating that the space could never be rented would be sufficient. Her attorney stated that it would have to specify that nobody would sleep down there. Ms. Fiore said if it were ever to be used as rental space it would have to be altered through a new building permit. That is when the Sewer Commission would become involved with a building permit. The Board can provide a letter to Mr. Armstrong stating that the Sewer Commission will agree to a Deed Restriction instead of a Restrictive Covenant. The Board will work on the language for the Deed Restriction with Mr. Armstrong. Ms. Lane clarified that when they purchased the property it as listed for sale as having an in-law apartment. She questioned why nobody from the Town ever questioned this.

MOTION, by Elaine Fiore, seconded by Peter Cobb, to send a letter to Paul Armstrong stating that as long as the basement at 5 Summer Street is not used as a rental apartment, that the Sewer Commission is agreeable to a Deed Restriction stating that it cannot be used as a rental unit. The motion was so voted.

MOTION, by Elaine Fiore, seconded by Sean Walsh, to adjourn the meeting at 7:30 PM. The motion was unanimously voted.

Suzanne Richards
Administrative Assistant