

**Wastewater Management
Commission
February 11, 2015
Regular Meeting
~ Minutes ~
Final**

I. CALL TO ORDER

The meeting was called to order at 6:02 PM by Chairman Thomas M. Ferrio

II. ROLL CALL

Attendee Name	Title	Status	Arrived
Thomas M. Ferrio	Chairman	Present	
Robert D. Frost	Commissioner	Absent	
Barbara Lutzell	Commissioner	Present	
Peter Ogle	Chairman	Present	
Elizabeth V. Richardson	Vice-Chairman	Present	

III. REVIEW AND APPROVAL OF MINUTES

1. Review and Approval of WWMC January 14, 2015 Regular Meeting Minutes

Minutes approved as written.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elizabeth V. Richardson, Vice-Chairman
SECONDER:	Peter Ogle, Chairman
AYES:	Thomas M. Ferrio, Barbara Lutzell, Peter Ogle, Elizabeth V. Richardson
ABSENT:	Robert D. Frost

IV. COMMUNICATIONS AND REPORTS

1. Wastewater Manager's Report

Wastewater Manager's Report received and placed on file.

RESULT:	NO VOTE TAKEN
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2. Solicitor's Report

Solicitor's Report was received verbally from Attorney Brochu regarding Municipal Court proceedings.

RESULT:	NO VOTE TAKEN
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V. OLD BUSINESS

1. Motion to table this item until later in the meeting upon arrival of Town Solicitor Wyatt Brochu

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Ogle, Chairman
SECONDER:	Elizabeth V. Richardson, Vice-Chairman
AYES:	Thomas M. Ferrio, Barbara Lutzell, Peter Ogle, Elizabeth V. Richardson
ABSENT:	Robert D. Frost

2. Discussion of Town Comprehensive Plan Re-Write

Discussion ensued regarding Comprehensive Plan Re-Write.

Discussion resumed regarding Comprehensive Plan Re-Write.

Ms. Virginia Lee introduced herself to the WWMC as the Town Council Liason. She explained that if the WWMC comes up with any ordinances, the WWMC can request that the Town Council adopt such an ordinance without it being in the Comprehensive Plan. She asked that when things like this come up, please forward them to staff and legal counsel for help in getting them to the Town Council. She also explained that a Town's Comprehensive Plan can be a powerful tool to address what the Town wants for its future.

Discussion resumed amongst the Commission members pertaining to the Wastewater Management Department's role and the Comprehensive Plan and included the following ideas and suggestions: residential well monitoring in high density developed areas, residential underground oil storage tank monitoring, management of nitrate loading from fertilizers into groundwater, establishment of Community OWTS and Community wells for assuring better quality control, better performance, consistent management, and to provide the best opportunity for maximum separation and performance in a specific area of high development, pond water quality, performance of Advanced Treatment Systems, encouragement of additional innovative OWTS systems, and the elimination of the remaining sub-standard OWTS.

Mr. Brochu spoke about enforcement of this proposed monitoring and what a burden this can put on Town resources.

Town Council Liaison Virginia Lee voiced her concern over the functionality of denitrification OWTS for seasonal dwellings and a brief discussion ensued.

Mr. Ferrio volunteered to work with Mr. Dowling to come up with some notes to give to the Planning Commission for the Comprehensive Plan Re-Write.

3. Motion to resume discussion of Comprehensive Plan Re-Write

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elizabeth V. Richardson, Vice-Chairman
SECONDER:	Barbara Lutzel, Commissioner
AYES:	Thomas M. Ferrio, Barbara Lutzel, Peter Ogle, Elizabeth V. Richardson
ABSENT:	Robert D. Frost

VI. NEW BUSINESS

1. Cesspool Temporary Hardship Waiver Application Hearing

The applicant was present for the meeting and was sworn in by Attorney Brochu. Mr. Dowling presented the applicant's waiver request to the commission. Mr. Ladd presented his information to the commission.

The Wastewater Management Commission, hearing the Applicant's testimony and the report of the On-Site Wastewater Manager in the application for a Cesspool Phase-Out Temporary Hardship Waiver, makes the following findings:

- a) The Property owned by the Applicant contains two dwellings, a three-bedroom single family dwelling where the Applicant's live and a second building with one bedroom and bath,
- b) The Applicants' dwelling is the year-round residence for two adults,
- c) The Applicants' dwelling is served by a cesspool, the other dwelling on the property is served by a septic system that has not been inspected or pumped since 2004,
- d) The cesspool is located in Zone 5 of the Charlestown Cesspool Phase-Out Prioritization Overlay, required by Town Ordinance to be removed and replaced with an on-site wastewater treatment system (OWTS) suitable for the Wastewater Management District before June 1 2014,
- e) Town records indicate the cesspool was last pumped and inspected on November 1, 2011, which is out of compliance with the annual pumping and inspection required by Town Ordinance 210,
- f) The Applicants indicate that the system was pumped out last week,
- g) The Applicants have an approved design for an OWTS to replace the cesspool but do not currently have plans to install the system because of financial complaints,
- h) The Applicants intend to submit an application for the Community Septic System Loan Program,
- i) The Applicants stated their well was tested in 2011 and no bacteria was found,
- j) No drinking water tests were made available to the commission,
- k) The Applicants presented their hardship case based on lack of finances for the new system,
- l) The review of financial records provided by the Applicant in the case that the Applicants do not meet the HUD Low-Income limits.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elizabeth V. Richardson, Vice-Chairman
SECONDER:	Peter Ogle, Chairman
AYES:	Thomas M. Ferrio, Barbara Lutzel, Peter Ogle, Elizabeth V. Richardson
ABSENT:	Robert D. Frost

2. Motion to accept the findings of the WWMC regarding the Cesspool Temporary Hardship Waiver as read into the minutes by Mr. Ferrio

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elizabeth V. Richardson, Vice-Chairman
SECONDER:	Barbara Lutzel, Commissioner
AYES:	Thomas M. Ferrio, Barbara Lutzel, Peter Ogle, Elizabeth V. Richardson
ABSENT:	Robert D. Frost

3. Motion to approve the Cesspool Temporary Hardship Waiver

The Wastewater Management Commission makes the following determination in this case:

- a) The owner has demonstrated an undue hardship,
- b) That hardship is undue because the owner's financial resources are limited due to medical expenses,
- c) The Wastewater Management Commission grants the waiver request for two and one half years from the replacement deadline to expire December 1, 2016,
- d) The Wastewater Management Commission directs the Town of Charlestown On-Site Wastewater Manager to initiate enforcement procedures to resolve the inspection and pumping of the existing cesspool,
- e) The cesspool must be pumped and inspected annually until its replacement,
- f) If the cesspool is deemed to be a failed system, pursuant to Rule 7 of RIDEM Rules, it will nullify this waiver and the Applicant will be subject to the RIDEM and the Town of Charlestown repair requirements,
- g) This waiver is applicable exclusively to the Applicant for the subject property, is non-transferable and does not run with the land.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elizabeth V. Richardson, Vice-Chairman
SECONDER:	Peter Ogle, Chairman
AYES:	Thomas M. Ferrio, Barbara Lutzel, Peter Ogle, Elizabeth V. Richardson
ABSENT:	Robert D. Frost

4. Distribution of Proposed Ordinance 210 Cleanup Revisions

This item tabled until next month's meeting.

Wastewater Management Commission, Regular Meeting

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Thomas M. Ferrio, Chairman
SECONDER:	Elizabeth V. Richardson, Vice-Chairman
AYES:	Thomas M. Ferrio, Barbara Lutzell, Peter Ogle, Elizabeth V. Richardson
ABSENT:	Robert D. Frost

5. Motion to table this agenda item until next meeting

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elizabeth V. Richardson, Vice-Chairman
SECONDER:	Thomas M. Ferrio, Chairman
AYES:	Thomas M. Ferrio, Barbara Lutzell, Peter Ogle, Elizabeth V. Richardson
ABSENT:	Robert D. Frost

6. Discussion of Water Working Group/Source Water Protection Meeting as Related to Onsite Wastewater Management

Mr. Ferrio stated that he thinks it will be a bit of a slow road because we've got a majority of people in this group who have been dealing with this for quite a while, going to meetings, reading up on information, and aren't quite sure what a septic system is and they are wanting that all explained to them. He thinks that they will spend the next couple of meetings explaining OWTS 101.

Mr. Dowling was tasked with putting together a presentation for the next meeting of this group. Mr. Dowling has to come up with a presentation explaining how OWTS work and what the status is of the current OWTS program.

Ms. Richardson suggested putting this presentation onto the website.

VII. PUBLIC COMMENTS

Town Councilwoman Virginia Lee praised the Commission for their hard work and fairness in regards to the Hardship Waiver Hearing.

VIII. ADJOURNMENT

The meeting was closed at 8:29 PM

Attest:

Bonnie Langlois, Recording Secretary