

**Town of Londonderry, Vermont
Village Wastewater Committee
Special Meeting Minutes
Friday, September 13, 2024 – 10:00 AM**

**Neighborhood Connections, 5700 VT Rte. 100
Londonderry, VT**

Village Wastewater Committee (VWC) Members Present: Sharon Crossman, Tom Metcalfe, Gary Hedman (online), Larry Gubb.

Others in Attendance:

Chrissy Haskins (Dufresne Group – Project Engineers), Pamela J. Spaulding (Planning Commission, Resident).

Online:

Emily Hackett (EI - Environmental Engineer – VT DEC), Achouak Arfaoui – (Indirect Discharge Technical Analyst and Regional Engineer – VT DEC – ARPA Program), Matt Bachler (Windham Regional Commission – Senior Planner), Shane O’Keefe (Londonderry Town Administrator), Martha Dale (Londonderry Selectboard)

1. Call Meeting to Order

The meeting was called to order at 10:04 AM.

2. Additions or Deletions to the Agenda

Shane requested adding discussion about the ARPA grant agreement amendment during the meeting, under “other”.

3. Approve Minutes

Sharon suggested deferral of the approval of the minutes of the August 20, 2024 meeting of the VWC until the next meeting.

4. VWC – Project Status Updates.

a. Review of schedule for Design and Submissions.

b. Status of Design Elements of Concern

- i. Leach Field Designs N & S and easement survey/description
- ii. Service Connections Plot Plans

c. Status of Appraisals

- d. Status of supplemental borings for mainline design
- e. Review and discussion of Concept WW Ordinance

- a. Sharon asked if Matt had any updates and Matt deferred to Chrissy with updates on the progress of the Design phase.

Chrissy began by saying she has not yet heard comments back from Emily and Achouak on the 30% Design submittal, but said Dufresne Group (DG) has moved on to preparing the 60% Design. She said the collection system design is nearly ready for submittal and she expected to be getting the disposal field site designs today and is hoping to submit the 60% in the next few business days.

She said a meeting had been held with people from the State Wetlands program and they concurred with the wetlands delineations prepared by DG. She added that the on Tuesday DG had done another round of wetlands delineation 9/10/24, because of a change of the access to the north village disposal field site. This design change will mean that a potential easement across another property to reach the site will no longer be needed and access to the site can be made from the Town R.O.W. and an old logging road on the same property as the site. She said this would also help to expedite the north village design and permitting work and be better suited to the tight time schedule. She said the new route is about 300 feet longer than the initially proposed route, but that both routes would need to cross a wetland. The only change was having to adjust where the main pipe would now cross the wetland and show the delineation of the wetland further to the south. She said all that is needed is to at the information to the drawings and send it to the State for their concurrence. She said she did not expect the State to do another site visit. There will be a permanent impact and the wetland is believed to be a class II wetland.

She said all the dig safe mark outs for the soil borings and she was hoping that some borings would be done in next week.

Putting together approximate locations of soil boring locations the be submitted for the preconstruction meeting with VTrans. The borings will be solid auger. Borings can begin anytime on the local roads.

Achouak asked what these soil borings were for and Chrissy said that these are for the collection systems to determine ledge depths. Emily said they may also be referred to as “ledge probes”.

Chrissy continued with site visits to properties that have expressed interesting in being connected to the system. In the north village 24 properties have responded as being interested, with a capacity need of approximately 7,760 gal/day. 19 of those properties have been contacted. One additional property has been contact to gauge their interesting, hooking into 3 separate buildings. This meant that a total of 22

buildings are among those who have been contacted. 17 have responded and 16 are scheduled or already surveyed. More properties of those scheduled or surveyed so far are being surveyed today. 3,825 gal/day is the needed capacity for those who have been scheduled or already surveyed. The planned system has a capacity of 6,480 gal/day. This means an additional 2,600 gal/day more in connections are needed to maximize the north village system. In the south 31 properties are interested totally about 10,300 gal/day. 25 of those properties have been contacted and 24 have either been scheduled or surveyed. The total capacity needed for those that have been scheduled or surveyed is 8,000 gal/day. Phase I in the south village the capacity equal 6,480 gal/day. This means that some properties will not be able to connect in Phase I. Chrissy did mention that she had just spoken to a property owner that did not want to connect all of the buildings on their property. Chrissy will have to adjust the map based on recent information. She thought even if the property owner she spoke with recently did not want to connect all their buildings, there still may remain a shortage of capacity in Phase I of the system. In that even the Londonderry Selectboard would need to know this and based on a recommendation by the committee, decide on a prioritization for deciding which properties have the greatest need.

For design concepts, in the north village, as mentioned the access to the system would be via a Town Road, then an old logging road for the pipeline and the electrical. This means a single easement for the property the system field is on plus the area needed to access to the system. Both the system and the access to it are on the same property. It will be a drip dispersal field with a small building and buried tankage. Once Chrissy has the plans from her site engineer, she can delineate that easement and begin to have the appraisal done. Based on who has been surveyed, collection would be on north Main Street (VT Rte.11), Hell's Peak Road, Middletown Road and Edge Hill Road.

In the south village, the design presented for the last VWC meeting had one larger field and two smaller fields on the north side of the property and one smaller field on the south side of the property. The current design has combined the north side systems to be a single large field with the same capacity as the prior design with three fields. This will provide 6,480 gal/day in Phase I. With pre-treatment to this in Phase II the capacity would be doubled to 12,960 gal/day with no additional field area construction for Phase II. Phase II in this design scheme would only entail adding the pre-treatment.

Tom asked what the value of the pretreatment would be, assuming Chrissy had some feel for the cost. Chrissy responded that it would be over \$100,000. Chrissy said once all the cost estimates become more detailed, if there is enough funding, the pretreatment could be added in Phase I. Tom said this would be the time to look into the additional funding to be able to add the pretreatment in Phase I from Northern Borders or other sources. Chrissy said that Shane had some news on some increases in the ARPA grant funding, which Shane confirmed and Emily spoke of.

Emily said that the increase was minor, but covered the PCS that Chrissy had given her in July. Chrissy explained that the original cost estimates were higher than current, due to the high contingency used for early estimates. Emily was able to find additional funding to cover the costs with the higher contingency. She added that the additional amount was not huge and there won't be anymore increases from ARPA, but there are the other source options like NBRC (Northern Borders) mentioning the importance of keeping the requirements of the NBRC for the matching and federal funding which are quite strict. Chrissy said NBRC requires no more than 80% total federal grant contribution. Emily said the additional ARAP funding covers 90% of the funding, and the bond votes for both systems makes up the 10% match.

Tom said he was unsure of how NBRC funds might help based on no more than 80% federal funding. The numbers would have to be worked through to see how NBRC may be able to help with funding. Chrissy looked further into the cost of pretreatment and said that as part of a larger project, the cost would be about \$400,000 and higher if it were done as a stand alone project. Emily added that \$400,000 was a typical cost for similar projects.

Chrissy said on the north side of the Prouty Town property there would be the large single field constructed in Phase I. Phase II would be to add pretreatment, not more field construction just adding two pretreatment tanks. This will be included in this design phase. The design will include a valve pit which would allow the pretreatment to be connected to what would be the existing system without interrupting the operation of the existing system. This would also allow maintenance work on the pretreatment to occur by bypassing it which the pretreatment is being worked on. She said there is still space for another field on the south portion of the Prouty Town property, that will not be designed at this point, but may be a Phase III project that could possibly add another 6,000 gal/day bringing the total for the south village to roughly 18,960 gal/day capacity. She said this additional field could use the Phase I and Phase II collection system and use a "flow splitter" which would use a timer to send the septage to one field or another.

Tom asked if the Phase II field would use the pretreatment built in Phase II. Chrissy responded that it would be a field built to about 3,000 gal/day and have its own pretreatment system which would increase that to 6,000 gal/day.

Martha asked a question about how much of the available property at the Prouty Town property would be used for these systems if all were built out. She wanted to know if there might still be land available for something like affordable housing or any other uses of the property, aside from what is currently on the property, plus the total of all phases of the wastewater systems should all three phases be built.

Chrissy responded that the Phase III system would not be designed under the this agreement and pointed out that the northwest corner of the property is in the

floodplain and no septic system could be built there because of the floodplain. Buildings could be constructed in the floodplain, but would be subjected to the floodplain regulations. She added that the knoll in the middle of the property has a lot of fill on it, but also has ledge underneath it. She said there were wetlands between the two driveways. She said that between the areas that are not wetland, not in the floodplain and not being used by the wastewater design and existing salt shed, there is not a great deal of additional space left.

Sharon asked if buildings could be elevated above the floodplain level. Chrissy responded that buildings can be constructed in the floodplain, but not wastewater fields under this funding. Tom asked what percentage of the property that is in the floodplain that could be used for affordable housing. Chrissy did not know. Larry brought up the thought that many affordable housing planners and developers are looking for areas close to village centers so inhabitants can more easily walk to jobs. Shopping, healthcare, banking, etc. He added that that should not take the potential of building some affordable housing on the Prouty Town property off the table, just that it may make it more difficult to find developers and should a developer build something there, it would still be more difficult for residents to get to the villages. Tom said this would have to be a discussion with the Selectboard and the Housing Committee headed up by Patty Eisenhauer.

Emily added that the Vermont legislature recently passed regarding river corridors and she believed that more of the Prouty Town property fell into the flood plain than is shown on maps.

Chrissy added that for the south village system there will be a drip field and tankage with planned space for the pretreatment to try to ensure there is little to no reworking for Phase II. Collection system will include Main Street, Old School Street, Middletown Road, Crescent Street and Rte. 100. Tom asked how much of the interest was outside of the village center, but within the ¼ mile extension. Chrissy was unsure of whether any properties interested in connecting were outside of the village center.

Tom asked when comments would come back from Emily and Achouak. Emily responded that she was hoping to get the comments to Chrissy this week, but Monday was more likely as the State offices have been very busy with getting amendments to their agreements signed. Chrissy said that the 60% design is done by then DG would incorporate Emily and Achouak's comments. Emily added that the schedule would also change slightly. Shane added that there were some changes on the schedule as well as changes in the dollar amount. He stated that for the south village the amount would change from \$4,010,000 to \$4,143,300 for the north village the amount changed from \$4,010,000 to \$4,050,500. He said there were also changes to the timeline, but did not have them currently. He has scheduled to have the Selectboard review and approve, a week from Monday, September 23, 2024.

Tom asked if there was any extension of the federal timelines with these changes. Chrissy and Emily replied that no, there was no extension of the federal timelines.

Shane mentioned getting an e-mail from Tom Brown (VT DEC) saying there was readiness to proceed milestones, one of them being November 1st, to complete Step II, final design. Emily said this was related to any loan the Town would need, saying that ARPA funds would be used first. It was intended to fulfill any needs to borrow funds prior to June 30, 2025. She said that because of ARPA funding, she did not see a need for this until the following fiscal year or the beginning of the one following the next. She added that there she felt Londonderry could utilize the bypass process considering it has secured the ARPA funding. She said that the ARPA funds should get us through most of the construction and the need for this would be towards the completion of construction if money was needed then. Shane asked if this was for construction funding and Emily said, yes.

Martha asked what the reasons for the increases in funding were. Chrissy said that the contingencies were kept high in the last cost estimate and that some towns did not use or will not use all the money allocated to them, which was the reason for the reallocation on the State level that needed to be done by September 30, 2024, adding that monies that are not allocated or reallocated within the State would be returned to the federal government.

Chrissy added that service connections are now on the plans based on those who have responded with an interest in connecting to the system. For those properties that have not yet been confirmed, the main service line is shown on the map based on where potential connections may end up being added. Tom asked about where a specific service connection might go to a property in the south village and Chrissy didn't recall where the connection would end up running, but there were some options. Emily asked Chrissy if she could send the APE to send to section 106, VT Dept. of Historic Preservation, now that she knew where the service connections would go. Chrissy said that not all properties are known. Emily asked if the ARA included all the properties in the villages, whether they will connect or not, just in case? Chrissy said yes. Emily asked if she had received this yet and Chrissy said she was told she would receive it mid-October. Emily asked if any Phase I work is being proposed. Chrissy said she did not know yet and site visits had not yet been done adding that the okay was done to do the south village back in August and a site visit had not yet been done. Emily asked if Chrissy could contact the Dept. of Historic Preservation to see if any Phase I work is recommended that they do it this fall so as much can be done this fall as possible, otherwise the project would have to wait. Tom asked if there is enough information to determine if Phase I need to be made for each potential property? Chrissy said research has begun on the south and north villages, but a site visit has not been made. Sure was unsure of what point would be needed for there to be enough information.

Tom asked if this was a potential problem up to 90% design. Chrissy responded that the concern now is that if Phase I investigations are needed, they cannot happen outside of growing season, meaning an early snow or getting to November might mean those Phase I investigations would be delayed until late April or early May.

Sharon had a question about some properties where the owners are deceased or the buildings abandoned. Chrissy said this is a potential concern with properties that have been sold or are about to be sold, as well and that it takes time for property transfers to be recorded and track down new owners. Sharon suggested that this would mean going to the Town's Grand List to see which properties have been recently transferred and to send the new owners a mailing, as their addresses would not likely include an e-mail address.

Chrissy said that in the south village there are more than enough people who have expressed an interest in signing up to use up all the capacity of the system to be completed in Phase I. If there were money to do pretreatment, then additional people could connect, due to the added capacity. Chrissy said that currently the north village needs more interest in connecting to the system so that all of the capacity was utilized. Sharon asked if there was any sense about why there is less interest in the north village. Chrissy said there was one inquiry that if it went ahead would mean a substantial use, but currently it was not confirmed. She added that some knocking on doors was successful in getting some additional people interested. She went through the list of people that have responded as interested or not interested. She spoke about properties off of Crescent Street in the south village saying the church was not interested in connecting to the system. Sharon asked about another specific property and Chrissy responded that there was no response.

Chrissy said in the north village most properties have responded to the initial letter. Shane said he had contacted Chrissy about two north village property owners who said they had not heard anything about the projects and requests for interest in connecting. Chrissy said that all the properties are surveyed currently.

Matt asked a question about project status concerning drip dispersal systems and whether an RFQ would be needed to proceed with those projects. Chrissy said no pre-qualification bid would be needed for a regional wastewater permit. The north village system would be seeking a regional wastewater permit and the north village system would have a specific approval for its particular technology/manufacturer. She said indirect discharge systems do not have that sort of specific approval and she did not know yet what sort of permit would be sought for the south village Phase I system, adding that an indirect discharge permit may be needed down the road for Phase II, meaning it would be good to get an approval for that, even if it would not yet be constructed. Matt asked when the pre-qualification approval would need to be made and if it would need to occur before the 90% Design approval. Emily responded that yes, that would be preferable. Chrissy had an example of the RFQ that the town

of Montgomery had used. Chrissy said that drip dispersal systems are approved by the State of Vermont, but each project needs to have the system manufacturer approved for each system design. She said the manufacturer chosen is the only manufacturer of these sorts of systems in the northeast. Matt asked who issues the pre-qualification. Chrissy said the town issues the pre-qualification, but DG would advertise for manufacturers to provide a bid and other information. She added that it needs to include a bid bond. Tom asked when requests for these would go out considering they would be needed before completion of the 90% Design.

Tom asked if an update could be provided regarding where the properties and use in terms of gallons stands currently.

Chrissy said the north village has about 3,825 gallons of capacity used by those who have expressed an interest. She said the south village has about 8,000 gallons of capacity signed up for, although one property that has two systems may not want to connect all the structures. Tom asked when there might be a deadline for property owners to express their interest in connecting to the systems. Chrissy said they are gathering as much information about all properties as they can, but for connection, she wanted to get all the commitments across the next two weeks. Tom asked if a mailing needed to be sent out with a deadline for expressing interest. Chrissy said that would be a good idea since most of the properties she has not heard from are not fulltime residents. Shane also said it would be a good idea to keep a record of who was sent mailings, if certified, in case anyone claimed that they had not received notice of a chance to express their interest in connecting to the systems.

Chrissy said there were three people in the north village that she did not have contacts for and in the south village, 6 properties that she got a “maybe” from regarding an interest in connecting.

Matt began discussion of the draft ordinance saying he had added comments made to date from the prior VWC ordinance meeting. He said there were a few components of the draft ordinance that still need to be worked on that are unable to be completed immediately. He said he had spoken with Chrissy about some of the technical aspects of the systems and how the draft ordinance used was written for a gravity system, not the low pressure forced main type of design planned for Londonderry. He said he has started to make some redline edits to the technical portions of the ordinance, recognizing that Dufresne Group is currently focused on completing the 90% Design and that the ordinance is outside the purview of their contract. He will work with Chrissy on review of changes to the technical components sometime in October. He added that one of the other main components of the draft ordinance was the fee structure. He asked if Shane had heard anything from RCAP Solutions and Shane responded that he had contacted them, but had not yet heard back and that he would contact them again, understanding that some sort of contract would be needed with them. Matt explained that he had met with RCAP Solutions and what their services

entail at no cost to the town because they are federally funded. He said they could help the VWC with fee structure, reviewing the ordinance and next steps and things like finding a superintendent and more.

Tom asked about the assumption that all systems would come with O&M manuals for operating and maintaining the systems. Chrissy said that would be a requirement of the funding in addition to written O&M by the construction engineers.

Matt suggested that the fee structure be worked in in early October when there is a better sense of who will be connected and the flow numbers. He said RCAP could help the town structure the fees with or without the assumption that the construction costs would be born by the Grand list, how to set up various charges for commercial versus residential. Other questions for the VWC and the Selectboard would include whether the Selectboard also wants to act as the sewer commission.

Martha said she felt it would be ideal for RCAP Solutions to help guide the Selectboard through these decisions and she asked when the Selectboard needed to decide on the fee structure. Matt said he was unsure of a hard deadline for a fee structure and said because some costs are still being established, but that it would be good to provide residents with a close approximation of those costs ASAP to help them decide to make their final commitment to connecting to the system. Matt had asked RCAP if they may be able to come up with a fee structure by early December so the Selectboard could use this information to reach out to property owners with a sense in how much the system would cost.

Shane mentioned that the increase in the ARPA funding meant the Town covering 10% of that increased amount. Emily said the Town did not have to worry about increase to the 10% of the additional funds as it would not affect the 10% amount.

Tom asked Matt about Town reserve capacity and if the Town wishes to retain a reserve amount of capacity to allocate in the future or to use for itself in the future. He asked how Martha and Shane felt regarding this. Matt said the models used for Londonderry's ordinance showed some level of reserve capacity and brought up how the reserve capacity would be paid for. He said there were several items that needed to be decided on and would like to meet with the Selectboard to answer. Martha said she would like to have those items get a proper hearing and that she would be unavailable between roughly mid-October to the second week in November. Shane said there would be discussion of approval of the reallocation on the September 23, 2024 Selectboard meeting. Matt said he could be present at that meeting and run through some of the questions that would be forthcoming regarding the ordinance and other issues. Shane and Chrissy discussed the Town Hall and the Town garage possibly being dropped the list of Twon properties needing connections, until Phase II if capacity is needed for Phase I in the south village. Shane said the Town Offices.

should remain on the list as they will also serve as the Town Emergency command center.

Chrissy added questions for Matt to the Selectboard. She said any properties that high-strength waste with any sort of food service, a butcher shop, a coffee shop will require individual pretreatment installed at the properties. She said the low end costs for pretreatment are in the \$50,000 to \$60,000 range. She wanted the Selectboard to consider who pays for these pretreatment systems. She said there were 3 potential properties in the north village and 1 in the south village. She said there is also one property in the South Village that already has pretreatment, which is not that old of a system. Is the construction paid for by the Town or by the owners. Tom asked how grandfathering applied to pretreatment where properties do not currently have pretreatment. Larry asked if this was all concerning the capital or initial costs of construction Chrissy said, yes. She added that if the owners paid for construction of the systems, they would also be responsible for the cost of maintenance. If the Town constructed the systems, the Town would pay for maintenance, but the costs could be recovered for O&M in the fee structure. Tom asked if any pretreatment was included in the planning. Chrissy said she believed there was some. Tom asked Chrissy what would change the grandfathered aspect of any system. Chrissy said any change of use and any change to the system or its components would require a permit. Gary asked about a change of ownership. Chrissy said a change of ownership would not affect it. Tom asked if the Town would want to take on the expense for the benefit of only a few businesses. There is a potential of 5 properties in the north village that may need pretreatment, but commitments and final count is still uncertain.

Chrissy also asked if the Town would pay a user fee to the wastewater enterprise fund. She said some towns do not pay for their own water and sewer. Shane believed that if the enterprise fund was a utility the Town would have an account to pay the user fee as a budgetary item. He mentioned that RCAP Solutions may be able to provide some options for how to handle these items.

Tom asked about the process of approval and how the process of approvals is undertaken. How does the ordinance tell people how to follow it? Can a flow chart be put together to show how the ordinance is to be used.

Matt said he can work on providing this, but would not have something by September 23, 2024. Chrissy noted that the draft application for wastewater connection should also request an e-mail address for the applicant.

Matt added that assuming the VWC and Town would like to pursue working with RCAP Solutions, that RCAP would like to attend a VWC meeting.

Pamela had a question about monitoring for COVID in wastewater. Chrissy responded that it was not a regulatory requirement to monitor for COVID in wastewater.

She also asked about the potential of reintroducing sidewalks. She asked if they piping would be affected by that work. Chrissy said the sidewalks could be constructed over the piping with valve boxes at the service connections that would come up to grade level. She added that the piping for the wastewater systems would be 5 ½ feet below grade and sidewalks may go down 18 inches for their subbase.

Shane asked if effluent testing was planned to be ongoing. Chrissy said no, but there would be a sample port to allow testing.

Pamela asked about understanding the differences between a floodway and a floodplain. Chrissy said the floodway was the area that would be inundated with flooding during significant flooding events and the floodplain are areas that would be inundated by a specific rainfall in a period of time and described as a 100 year flood or a 500 year flood. Generally, nothing can be built in the floodway, but some things can be constructed in the floodplain, based in compliance with regulations. For the purposes of wastewater, no systems can be built in either the floodway or the floodplain, but piping can run through a floodplain.

Tom mentioned that the conditions are changing and Emily added that the “executive order” means the 500 year floodplain plus 2 feet for the first floor level of buildings. She also added consideration of the flood corridor which is where rivers are likely to change the landscape from their natural erosions during regular flow and during flooding events.

Gary asked if the properties that need pretreatment could be clustered together or does each property need to have their own point of entry? Chrissy said that based on where these properties are located they would be individual point of entry.

6. Next VWC Meeting

Discussion of the next meeting set a tentative special meeting on **September 24, 2024, 10:00 AM** pending availability of the use of the meeting space at Neighborhood Connections. It was suggested the meeting be held in the morning.

Tom also asked if Matt had any additional ideas for agenda items. Matt agreed to work with Tom on that as well as a marked up version of the ordinance.

The next regular meetings of the VWC will be **the first Friday of every month at 9:00 AM** and the third **Tuesday of every month at 6:00 PM**

The VWC agreed the next regular meeting of the VWC will be on Tuesday, September 24, 2024 at 10:00 AM

7. Adjourn

Tom made a motion to adjourn.
Larry seconded.
Motion passed.
Meeting was adjourned at 11:52 AM

Respectfully Submitted,
Larry Gubb
Secretary, Village Wastewater Committee

Approved _____.
Village Wastewater Committee
Sharon Crossman, Interim Chair

Link to AV recording of September 13, 2024 meeting below.
Topic: Village Waste Water Study (Gail Mann- 802-856-7669)
Date: Sep 13, 2024 09:51 AM Eastern Time (US and Canada)
You can copy the recording information below and share with others
https://us06web.zoom.us/rec/share/M6LkKjtUONjm6eGj9XM453IxxwQCIUgFISl-llxqn0MVPGojm9CoJiwuQ_Ecq_1fw.X0IMtdewG51Rz5TL

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