

Appendix E
TOWN OF BELLINGHAM
CRPCD SEWER CAPACITY ALLOCATION PROCEDURE

APPROVED

Revisions accepted on the **19** day of **Nov**, 2018, by a majority of the Board of Selectmen.

Regular meeting of the Selectmen 11/19/2018

This section does not apply to properties that have a gravity sewer stub from a sewer extension project completed before date this revision is accepted. For Five years from the date of acceptance, the Board of Selectmen will hold in reserve a quantity of capacity for these properties.

- I. All property owners that do not have a gravity sewer stub from a completed extension and seek obtain rights to CRPCD Sewer Capacity must complete the "CRPCD Sewer Capacity Allocation Application" form.
- II. CRPCD Sewer Capacity Allocation Application Review and Approval:
 - A. Existing Residential Single Family Home applications will be reviewed by the Department of Public Works ("DPW") Director or designee. If there is adequate remaining capacity and if said connection is technically feasible, the DPW Director will review and act on the application without vote of the Board of Selectmen.
 - B. Proposed (New Construction) Residential Properties will be initially reviewed by the DPW Director or designee.
 1. Individual Single Family Homes or Duplex Homes in areas where Town sewers are installed within the roads on which said homes are to be built, if there is adequate remaining capacity and if said connection is technically feasible, the DPW Director will review and act on the application without vote of the Board of Selectmen
 2. All Others (Subdivisions, Apartments, Multi-family, Condominium, and Single Family Homes) in areas that are not presently served by a gravity sewer and Existing & Proposed Non-Residential Properties, applications will be reviewed by the DPW Director and the request forwarded to the Board of Selectmen for a vote with a recommendation from the DPW. The criteria used to evaluate such requests shall include but not be limited to: (i) impact to available capacity (ii) protection of water resources; (iii) low impact development and smart growth standards; (iv) consistency with targeted areas under the Comprehensive Water Resource Management Plan and Final Environmental Impact Report EOEI #11602 issued under the Mass Environmental Project Act (here in after CWRMP/FEIR); and (v) consistency with Town master plan, housing plan and other delineated planning goals.
 - a) The application should be submitted in coordination with initial development plan submittals to the Planning Board or Zoning Board.
 - b) The applicant must file a Notice of Project Change (NPC) to the

Town's CWRMP/FEIR. If the NPC is denied or any subsequent FEIR change related to the application for capacity is denied under the Mass Environmental Project Act, the application for capacity will be denied.

c) All Non-Residential Properties that apply must also obtain a CRPCD Industrial Discharge Permit or written documentation from CRPCD that an Industrial Discharge Permit is not required.

- III. Allocated Capacity shall be for the parcel or parcels comprising the proposed development and noted in the application form. Approval for capacity is not transferrable to another parcel(s). No application for capacity allocation will be accepted in speculation for a parcel(s) or entity not planned for immediate development or connection.
- IV. In exercising their discretion hereunder, the Selectmen may approve, reject or partially approve any request for allocation. The Selectmen may also impose reasonable conditions upon any allocation of capacity.
- V. All properties granted CRPCD capacity by the DPW Director or Selectmen under the provisions of Paragraph II hereof must connect to the sewer within six months of the date of the DPW Director's approval or Selectmen's vote. Up to two six month extensions can be granted by the DPW Director if request for extensions are received in writing prior to the end of the connection period.
- VI. The Privilege Fee for sewer CRPCD capacity allocated shall be \$1.00 per gallon per day for capacity allocated. One half of the building(s)'s Title 5 septic design daily flow shall be considered as the allocated capacity for calculation of the Privilege Fee.
 - A. The Privilege Fee must be paid to the Town within 30 calendar days of the applicants receipt of an approve application. Approval shall be rescinded should the applicant fail to submit the Privilege Fee payment within 30 calendar days of the applicants receipt of an approve application.
 - B. No Privilege Fee is required for any property that was assessed a sewer betterment or sewer connection fee related to a Town sewer project.
- VII. Any property owner that has paid a Privilege Fee and fails to put forth a good faith effort to connect to the Town sewer within 18 months of the allocation of capacity (*initial 6 months with two extensions*) shall risk forfeiture of the Privilege Fee and rights to allocated capacity. The Board of Selectmen, in their sole discretion shall determine whether an applicant's efforts qualify as good faith efforts.
- VIII. Applicants that are allocated CRPCD capacity are in no way released of any other Federal, State, and/or local regulation or requirement applicable to connecting to the public sewer. Nor shall anything herein be construed as governing the process for obtaining a sewer extension permit.