

**MINUTES OF THE  
CAPE COD WATER PROTECTION COLLABORATIVE  
Governing Board Committee  
September 14, 2016**

A meeting of the Cape Cod Water Protection Collaborative was held on September 14, 2016 at 9:00 a.m. in the Strategic Information Office, Innovation Room, 3195 Main Street, Barnstable, MA.

**Members:**

Barnstable	Mark Ells	Absent
Bourne	Stephen Mealy	Present
Brewster	Ryan Bennett	Present
Chatham	Florence Seldin	Present
Dennis	Paul McCormick	Absent
Eastham	Jane Crowley	Present
Falmouth	Susan Moran	Absent
Harwich	Larry Ballantine	Present
Mashpee	Tom Fudala	Present
Orleans	Sims McGrath	Present
Provincetown	Vacant	Vacant
Sandwich	Frank Pannorfi	Present
Truro	Patricia Pajaron	Absent
Wellfleet	Curt Felix	Absent
Yarmouth	Jeffrey Colby	Present
County Appointee	Linell Grundman	Absent
County Appointee	Lindsey Counsell	Present
Ex-officio member	George Heufelder	Absent
Ex-officio member	Paul Niedzwiecki	Absent

**Staff Present:**

Andrew Gottlieb	Executive Director
Gail Hanley	Cape Cod Commission

Chair Sims McGrath introduced Ryan Bennett, Brewster Town Planner, who will be representing Brewster on the CCWPC Governing Board.

**1. Minutes of June 8, 2016**

Lindsey Counsell moved to approve the minutes of June 8, 2016. Florence Seldin seconded the motion. A vote called on the motion to approve the minutes passed with 7 votes in favor and 3 abstentions (Frank Pannorfi, Stephen Mealy and Ryan Bennett).

**2. Report on Section 208 Area-wide Water Quality Management Plan**

Executive Director Andrew Gottlieb said the Cape Cod Commission will be submitting the draft watershed reports to the Department of Environmental Protection (DEP) on Friday. He said following that there will be a 90-day period to finalize the

watershed reports and during the 90-day period the Commission is going to circulate the watershed reports for people to review. He said the watershed reports will be sent back to towns to give everyone an opportunity to review the reports.

### 3. Report on Town Activities regarding Water Resources

- **Town of Harwich** – Larry Ballantine: The Cape Cod Commission approved the Harwich CWMP in August, the project will be phased over a 40-year period, and it's now in the 30-day appeal period; he said they are still working on using Cold Brook for mitigation.
- **County Appointee** – Lindsey Counsell: There was a substantial algae bloom in Three Bays that appeared quickly, it compromised fish and they were unable to determine the cause due to the bad condition of the fish; the Water Resource Advisory Committee will be meeting next week.
- **Town of Eastham** – Jane Crowley: Eastham's water project is on track and they are looking for an October start up, they are calling the area of downgradient flow the mandatory hook up area; the landfill study is ongoing and they continue to expand the study area; their biggest effort right now is putting in more permanent monitoring wells and they are looking at doing a permeable reactive barrier (PRB); there has been some resistance by homeowners with private wells hooking up to the system.
- **Town of Yarmouth** – Jeff Colby: Regarding wastewater planning they continue to evaluate effluent sites; they received a Coastal Zone Management (CZM) grant for a storm water system addressing nitrogen, Yarmouth's amount is \$65,000 and they are thinking of putting it in a road right-of-way; the grant they received is to evaluate sites.
- **Town of Brewster** – Ryan Bennett: The Board of Health is putting forward a *Pond Nutrient Regulation* that deals with buffering around ponds and they will begin discussions on storm water.
- **Town of Mashpee** – Tom Fudala: The Mashpee CWMP Development of Regional Impact (DRI) is still at the Cape Cod Commission and has been extended to November 18; they continue to work on a watershed-based permit for Popponeset Bay and have been working on a second draft; they continue to work on the project GHD is doing for Mashpee; funding has not been allowed on the Town Meeting warrant for October, they are finishing what was started last October, and it has been frustrating trying to get funding at Town Meeting.

Andrew Gottlieb said it has been a very frustrating process but they have come to realize that they need to have discussions on implementation. He said if the conversation takes place hopefully something will happen for May Town Meeting.

- **Town of Sandwich** – Frank Pannorfi: Sandwich had an excellent meeting with Mashpee and Barnstable on the inter-municipal agreement, they have a general agreement on how to move forward working towards a permit for Popponeset Bay, and they are still working on allocations; in terms of education towns constantly need to be made aware it's out there, there is a cost and we need to keep the discussion alive; Sandwich received an update on their CWMP and the date went from July 2017 to August 2017.
- **Town of Bourne** – Stephen Mealy: The components for the proposed wastewater treatment plan for Buzzards Bay consists of: a packaged treatment facility in a small building on Queen Sewell Park with associated underground storage tanks, subsurface leaching fields and connection to existing sewer pipes on Main Street and installation of new sewer collection pipes along Lincoln Avenue, portions of Rip Van Winkle Way and sections of several crossing streets; the total estimated cost of the wastewater project is about \$4.5 million; since 2012 Bourne has appropriated \$171,000 for

preliminary studies, the hydrogeological analysis and project coordination, and the Cape Cod Commission has provided \$110,000 for engineering and field work related to applying for a wastewater disposal permit; two sources of funding have been applied for the project—a MassWorks grant and a federal EDA grant—and there are also two state bond programs—MassDevelopment Infrastructure Loan and State Revolving Loan Fund—that could finance the work if the town does not receive one or both grants; either of these programs could be paid back over a 25-year period by the developers who benefit from the expanded wastewater capacity under a District Improvement Financing contract which the town would initiate.

- **Town of Chatham** – Florence Seldin: The Board of Health has a mandatory connection order for areas that haven't been sewerred and 53 connection orders were issued; neighborhoods have gotten together to do it as a neighborhood as opposed to individually and doing it as a neighborhood provides a savings to homeowners; there is no construction going on in Chatham at this time and it may resume in the spring.

Robert Duncanson said Chatham is looking at a regulation to ban the use of water to fill swimming pools during a drought and right now they have a draft that is very basic.

- **Town of Orleans** – Sims McGrath: Orleans is getting ready for October Town Meeting, they previously had a line item for \$2.4 million at Town Meeting but only \$691,000 passed and they are thinking of going back to Town Meeting for \$3.5 million; they have been working on PRBs, they are looking at non-traditional approaches for runoff, and private property owners are interested in assisting in that effort; work has started on Route 6 for resurfacing.

#### **4. Executive Director's Report**

Andrew Gottlieb provided a report on the following:

- Mr. Gottlieb said he is asking for assistance from the Board to fill the member vacancy in Provincetown and noted that the Dennis member, Paul McCormick, will be stepping down due to a conflict with his teaching schedule at the Community College; through the Chair Mr. Gottlieb said he will reach out to Provincetown and Dennis to fill those vacancies; he said he will also reach out to Wellfleet regarding their member appointment;
- Mr. Gottlieb referred to the Wellfleet funding issue and said he has turned to Hillary Greenberg to take on and look into whether items that have been charged fall outside the scope, the CCWPC will be paying less if determined that the charges do fall outside of the scope, and if the charges are within the scope, an encumbrance has been rolled over to cover that;
- For those communities who participated in the SNEP evaluation process, Mashpee was not selected;
- He said the redesign of the CCWPC website has started by stripping down some of the information, he said it will focus more on town-related reports, and it will be an on-going process.

#### **5. Discussion of Utilization of Funds for Septic System Alternative Technology**

Andrew Gottlieb said he and Jack Yunits, County Administrator, met with George Heufelder, Director of Barnstable County Department of Health and Environment, on Monday at the Alternative Septic System Test Center and toured the project area at the Center. He said Mr. Heufelder has a number of tests going on with permeable reactive barriers (PRBs) with funding provided by Barnstable County and from a SNEP grant for three years' worth of sampling. He said it's an interesting approach, it's very promising and they are getting very good results. He said they discussed with Mr. Heufelder the idea of coming up with criteria for distribution sites across the Cape. He said through the SNEP grant they can do evaluations, install and monitor off Cape areas and the \$300,000 being funded by the County is exclusive to the Cape because it came from the County. He said Mr. Heufelder will be coming back to the CCWPC in October to provide more detailed information and discuss distribution sites on the Cape. Mr. Gottlieb asked Board Members to think about pilot sites in their towns, he asked Members to send information to him directly and he will provide Mr. Heufelder with their feedback. He said Mr.

Heufelder wants to do residential pilot test sites exclusively at this point to assess the results and he anticipates doing 12 test sites within the \$300,000 funding.

Members discussed and inquired about what the process would be for towns to participate and said it's important to include seasonal residential areas as well. Chair Sims McGrath said this will give the Test Center a lot of exposure. Mr. Gottlieb said Mr. Heufelder also has a system for phosphorus removal.

#### **6. Discussion of Fiscal Year 17 Municipal Support Projects**

- Mr. Gottlieb said he extended Bob Ciolek's contract for consulting services and he is available to towns should they need his service. He said he did not extend Mike Domenica's service contract at this point but he can resolicit should towns need his service.
- He said CCWPC funding is available for municipal projects and he would like to have funds allocated before the start of the budget cycle so if towns could get their requests in before that it better supports the CCWPC.

Ed DeWitt, Executive Director of the Association to Preserve Cape Cod, asked if he could suggest a future CCWPC agenda item. He asked that MassDOT be invited to a CCWPC meeting to talk about storm water management on Cape Cod. Mr. Gottlieb said he would be happy to approach the Secretary about attending and asked Mr. DeWitt to provide him with examples that he could include in his letter to the Secretary. Scott Horsley, Horsley Witten Group, suggested talking to Patty Daley, Cape Cod Commission Deputy Director, as well since this came up during the 208 process.

#### **7. Adjourn**

The meeting adjourned at 10:30 a.m.

#### **MATERIALS USED/PRESENTED AT THE SEPTEMBER 14 2016 CCWPC MEETING:**

- September 14, 2016 CCWPC Meeting Agenda.
- Draft Minutes of the June 8, 2016 CCWPC meeting.