
From: Victoria Marquis Petracca <
Sent: Friday, May 24, 2019 11:02 AM
To: Michael Antonellis
Subject: Sewer decision could leave 40B residents with nowhere to 'go' - The Item - telegram.com - Worcester, MA

Hi Mike,

This is the press coverage of the Lancaster Sewer District Commission's vote on the sewer permit.

I'm not sure if you are able to submit to ZBA Members due to the two week deadline, but it would seem important for them to see this.

Best,
Victoria

Sent from my iPhone - please excuse typos.

Begin forwarded message:

From: Victoria Marquis Petracca ·
Date: May 24, 2019 at 10:58:32 EDT
To: ·
Subject: Sewer decision could leave 40B residents with nowhere to 'go' - The Item - [telegram.com](https://www.telegram.com/item/20190524/sewer-decision-could-leave-40b-residents-with-nowhere-to-go) - Worcester, MA

Press coverage of LSDC's sewer permit vote:

<https://www.telegram.com/item/20190524/sewer-decision-could-leave-40b-residents-with-nowhere-to-go>

Sewer decision could leave 40B residents with nowhere to 'go'

LANCASTER -- The Lancaster Sewer District Commission Wednesday, May 22, voted to deny a permit to Crescent Builders that would allow the Goodridge Brook Estates developer to connect to Lancaster's sewer system.

Commissioners Jonathan Gulliver and Bob Lidstone voted to deny the permit based on several considerations.

"The application is inadequate," Gulliver said, lacking required technical details.

It also does not have an engineer's waste water report required by the permit process.

Gulliver said the developer, Crescent Builders, also had no plan for infiltration and inflow, a key component under the Department of Environmental Protection consent order that governs the Lancaster system. It requires a plan for eliminating water that leaks into the system and has to be processed by the Clinton plant; DEP regulations require four times the added flow to be removed.

In addition, commissioners cited the financial harm the connection could cause to the district's ratepayers.

They voted to return any balance of the account established as part of the permitting and plan review process and address a letter to the Lancaster Zoning Board of Appeals informing that board of the vote.

Iqbal Ali, owner of Crescent Builders, had informed the commission he would not be at the meeting, although the board had informed him it would be making a decision; he also did not attend the previous meeting at which he was informed the board would be discussing his application.

The district's engineer from Weston & Sampson, John Potts, said the applicant's submission had numerous issues.

He said the district's capacity it could send to the Clinton plant is limited by the MWRA. And of the 78,000 daily gallons available, amounts reserved for potential users who have paid betterments and other reserved use reduce available capacity to about 25,000 gallons.

With an estimated 21,000 gallons needed by the project, there would be 4,000 gallons left, he said, but that is before some other users are considered, such as Atlantic Union College, which is a major user that could easily require its previous higher use level.

That would leave no room for additional connections, Potts said.

It was Potts' recommendation the project not be allowed to connect unless it is able to reduce the flow from the project or come to an agreement with the MWRA to increase allowable flow to the plant.

He cited 12 different issues including “sewer plans that don’t meet (district) standards.”

He added he had had no response to questions he asked of the developer.

“The only flow of information I’ve seen are what’s in the newspaper,” Potts said, citing previous articles in The Item and the lack of communication from Crescent Builders.

Other technical concerns ranged from who would maintain a pump station to the design of the project’s sewer system, including one aspect that he said is “a no-no” and a design that “we haven’t used for years.”

Gulliver said the district’s website details requirements for developers.

“We have tried to work with the developer since the beginning,” Gulliver said, but added, “he (Ali) continues to be very difficult,” including not providing documentation and technical details needed.

“We’ve done our best to work with him. I think the time is up.”

Gulliver said legal counsel to the ZBA raised an issue of whether the ZBA may issue a permit on behalf of the district, but Gulliver said the ZBA “cannot negotiate on our behalf for I&I,” a process that would involve an agreement between the Lancaster district, Clinton and the DEP and treatment plant.

He said the legal uncertainty meant “we need to make our opinion known before the ZBA votes,” which is expected at that board’s May 30 meeting.

The commissioners noted the financial impact to the ratepayers, which would result by reducing I&I in Clinton and shifting the ratio of flow, requiring existing Lancaster ratepayers to pick up more of the tab for running the treatment plant while Clinton’s share drops.

The commissioners received a letter from Clinton stating the town could not consider an agreement in which Clinton would cover any added costs to Lancaster ratepayers. Clinton DPW Superintendent Christopher McGown wrote, “the Town of Clinton is not agreeable to paying the added \$40,000 that Lancaster may incur.”

And there was no indication the developer would cover added costs that could result, leaving any added costs to be picked up by existing ratepayers.

Gulliver summed up the issue with regard to the ZBA: It is the opinion of the commission, he said, that “it was not an issue of (ZBA) jurisdiction,” but added, “If it gets to that point, we’re more than willing to work with any board.”

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