



Town of Bridgewater

Rules and Procedure Committee

May 25, 2023

7:00 PM

The meeting will be held virtually via Zoom.

To attend via video, click on the link below:

<https://us06web.zoom.us/j/85115585867>

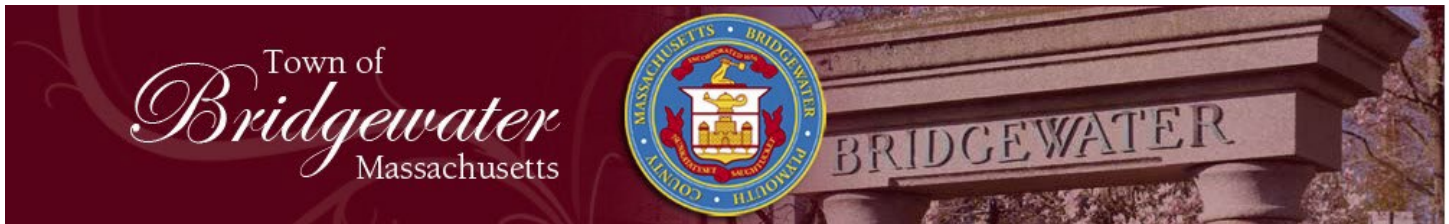
To attend via phone, dial: 1(646) 876-9923

Meeting ID: 851 1558 5867

MEETING AGENDA

Disclosure: Pursuant to Section 20 of Chapter 20 of the Acts of 2020, An Act Relative to Extending Certain Covid-19 Measures Adopted During the State of Emergency, and the March 31, 2025, extension granted by Chapter 22 of the Acts of 2022, this meeting for the Town of Bridgewater will be fully remote and accessible to the public through remote participation to the greatest extent possible. No in-person attendance is permitted. Citizens who wish to tune in to the meeting may do so via Zoom.

- A. Call to Order**
- B. Approval of Meeting Minutes**
 - a) May 3, 2023 Meeting Minutes
- C. Public Comment**
- D. New Business**
- E. Old Business**
- F. Additional Items for Discussion**
 - a) Order O-FY23-052: Municipal Electric Aggregation
 - b) Ordinance D-FY23-012: General Ordinance - Section 10-D-(5) Flow Neutral Regulation - Sewer Regulations
- G. Adjournment of Meeting**



Town of Bridgewater

Rules and Procedure Committee

May 3, 2023
7:00 PM

MEETING MINUTES

CALL TO ORDER

Councilor Chase, Chair of the Rules & Procedures Committee called the meeting to order at 7:00p.m. The meeting was conducted via Zoom.

Council Members Present

Councilor Chase, Councilor Robinson and Councilor Linde.

APPROVAL OF MEETING MINUTES

a) March 16, 2023 Meeting Minutes

Councilor Linde made a motion to approve the March 16, 2023 meeting minutes, which was duly seconded by Councilor Chase.

A roll-call vote was taken and the results were recorded as follows:

Chase – Yea; Linde – Yea; Robinson – Abstained. Motion passed 2-0-1

PUBLIC COMMENT – None

LEGISLATION REFERRED

a) Order O-FY23-049: Adoption of Town Council Social Media Policy

Councilor Chase noted that this Order was introduced by Councilor George and it was drafted for the Councilors who wish to use social media.

Councilor Linde noted that this committee could change after new President is elected and would like to wait until new members are up to date.

Councilor Linde made a motion to table which failed for a lack of a second.

Councilor Chase noted that he looked over the proposal and compared with 6 or 7 sources, policy intends to not restrict anyone but to guide so not to remove speech.

Councilor Linde noted that he would like to know how many towns have a social media policy, not trying to kill the order but would like more information.

Councilor Robinson noted that she appreciates the work but she opposes this order, should be guidance, not rules.

Councilor Chase noted that this would not be enforceable, councilors can do what they want to do but the Town will not bail out the council.

Councilor Linde made a motion to not recommend, which was duly seconded by Councilor Robinson.

A roll-call vote was taken and the results were recorded as follows:
Chase – No; Linde – Yea; Robinson – Abstained. Motion passed 2-1-0

ADJOURNMENT OF MEETING

Councilor Linde made a motion to adjourn, which was duly seconded by Councilor Robinson.

Meeting adjourned at 7:41p.m.

Meeting minutes being submitted in draft form by Town Council Clerk Debra Ward.



Bridgewater Town Council

Introduced By: Mark Linde, Councilor
Fred Chase, Councilor
Dennis Gallagher, Councilor

Date Introduced: 4/4/2023

First Reading: 4/4/2023

Second Reading:

Amendments Adopted:

Third Reading:

Date Adopted:

Date Effective:

Order O-FY23-052: Municipal Electric Aggregation

ORDERED, that the Town Council assembled vote to,

WHEREAS, Municipal Electric Aggregation is the process by which a town or city purchases electricity in bulk from a competitive supplier on behalf of the residents and businesses within the community; and

WHEREAS, Municipal Electric Aggregation is possible in Massachusetts due to the passage of "*An Act Relative to Restructuring the Electric Utility Industry in the Commonwealth, Regulating the Provision of Electricity and other services, and Promoting Consumer Protections Therein*"; and

WHEREAS, the primary goals of a Municipal Energy Aggregation is to provide residents and businesses with more competitive electricity choices; longer term, stable electricity rates; potentially lower electricity rates; more renewable electricity in the standard and optional products generated by New England renewable energy facilities; and increased consumer protection against unscrupulous retail marketers of electricity; and

WHEREAS, the first step in creating a Municipal Electricity Aggregation is to vote to initiate a Municipal Aggregation Program;

THEREFORE, be it ORDERED, that the Town Council requests that the Town Manager prepare a Feasibility Study in consultation with the Department of Energy Resources and if needed, in partnership with a consultant.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
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NOT FOR ACTION - FIRST READING

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Attachments: None



Bridgewater Town Council

Introduced By: Kevin Perry, Councilor
Date Introduced: 4/18/2023
First Reading: 4/18/2023
Second Reading:
Amendments Adopted:
Third Reading:
Date Adopted:
Date Effective:

Ordinance D-FY23-012: General Ordinance - Section 10-D-(5) Flow Neutral Regulation - Sewer Regulations

ORDERED, that the Town Council assembled votes to amend the sewer regulations as noted on the attached:

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
•	•
•	•

Attachments: 1. 2023-4-11 Flow Neutral Reg DRAFT v.3

Section 10-D-(5) - Flow Neutral Regulation for Present and Future Wastewater Treatment Systems/ Sewer Service Areas.

§5-1 Purpose

In order to manage present and future wastewater flows for the purposes of compliance with present and future groundwater quality standards, preserving the environmental qualities of the Town, and supporting broader community wastewater treatment and disposal planning objectives, the Town adopts this Flow Neutral Regulation for Present and Future Wastewater Treatment Systems and Sewer Service Areas. This regulation shall be supplemental to any and all other applicable statutes, regulations, bylaws, rules, and regulations, including, without limitation, the requirements of 310 CMR 15.000: Septic Systems (Title 5), as such may be amended from time to time, or any orders or directives issued pursuant thereto, and nothing herein shall exempt the owner of any property in the Town therefrom.

§ 5-2 Applicability.

This Chapter shall apply to all property located in the Town which is, or shall in the future be, serviced by an on-site wastewater treatment system (OWTS) pursuant to Title 5 or connected to a private or public wastewater treatment system. The present and future wastewater flows to any such OWTS or sewer system shall, pursuant to this regulation, be limited to the flows permitted from such properties as of the effective date of the Bridgewater Comprehensive Wastewater Management Plan (CWMP) May 2020.

§5-3 Mandatory Sewer Connection; Elimination of Septic Systems in Sewer Service Areas.

- A. The requirements for mandatory connection of parcels of property located in Town designated sewer service areas to the public sewer system shall be defined in regulations adopted by the Bridgewater Town Council.
- B. Within thirty (30) days of a property's connection to the public sewer, any septic system or other waste disposal system located on the property shall be decommissioned in accordance with Health Department regulations.

§ 5-4 Determination of Wastewater Flow.

For purposes of this Chapter, wastewater flow to onsite sewage disposal systems and to private/public wastewater treatment systems shall be determined in accordance with either: 1) the provisions set forth in 310 CMR 15 (Title 5); or 2) water meter data provided by the Bridgewater, as adjusted for seasonal occupancy; or 3) any other method acceptable to the Department of Environmental Protection and the Town of Bridgewater. Any structure, legally in existence as of May 2020, regardless of its flow, may by right maintain that flow or number of bedrooms. "Bedroom" is defined in 310 CMR 15.002 (Title 5: Standard requirements specified in 310 CMR 15.000, and the number of bedrooms in the Assessor's records as of May 2020, are presumed to be accurate.

The flow allocations for present and future sewer service areas for treatment at the Morris Avenue Wastewater Treatment Plant are as listed in *Appendix S-Wastewater Flow Summary* in Bridgewater's Comprehensive Wastewater Management Plan date May 2020.

(1) Existing Permitted Flow: 1.000 MGD, which is the sum of:

- Areas sewered prior to the Town's 2020 Comprehensive Wastewater Management Plan: 0.851 MGD unspecified flow, and
- 0.150 MGD from Bridgewater State University

(2) Existing Sewer future flow from Infill 0.091MGD

(3) Future Flow from Needs Areas 0.074 MGD

(4) Future Flow from Development/Re-development 0.281 MGD

These flow allocations will be adjusted if additional flow or modifications to sewer service areas are made through (1) approved comprehensive wastewater management plans, (2) approved notice of project change to a comprehensive wastewater management plan, and (3) approval from MA Department of Environmental Protection.

§ 5-5 Modifications to Existing Parcels or Changes in Use in Sewer Service Areas.

A. Single-family residences.

1. Existing development. Modifications of an existing single-family dwelling on a parcel of 40,000 square feet or less may increase the total number of bedrooms to four (4) by right. Modifications of existing single-family residences on parcels over 40,000 square feet may increase the number of bedrooms to one (1) bedroom per 10,000 square feet of lot area by right.
2. New development. A single-family residence may have four (4) bedrooms by right on parcels of 40,000 square feet or less. On parcels greater than 40,000 square feet, a single-family residence may have one (1) bedroom per 10,000 square feet of lot area by right.
3. Addition of bedrooms beyond those permitted in Subsection A.1. and 2. above shall require a variance from the Health Department (for on-site disposal systems) or Water Pollution Control Department (for sewer systems) in accordance with §5-6.

B. Multifamily residences.

1. Existing development. Modifications of an existing multifamily residence may increase the number of bedrooms to one (1) bedroom per 10,000 square feet of lot area by right.
2. New development. A new multifamily dwelling is allowed one bedroom per 10,000 square feet of lot area by right.
3. Addition of bedrooms in multifamily dwellings, beyond which is allowed by right, shall require a variance from the Health Department (for on-site disposal systems) or Water Pollution Control Department (for sewer systems) in accordance with §5-6.

C. Nonresidential development.

1. Existing development.
 - (a) Modifications or changes of use, including residential to nonresidential, that increase flow to a level that is no more than ten (10) percent above that permitted as of July 1, 2015, by 310 CMR 15 (Title 5) are allowed by right.
 - (b) Modifications or changes of use that increase flow more than that allowed by right in Subsection C.1.(a) require a variance from the Health Department (for on-site disposal systems) or Water Pollution Control Department (for sewer systems) in accordance with §5-6.
2. New development.
 - (a) New nonresidential development on a vacant parcel with a wastewater flow up to 110 gallons per day per 10,000 square feet of lot area is allowed by right.
 - (b) New nonresidential development on a vacant parcel with a proposed wastewater flow greater than 110 gallons per day per 10,000 square feet shall require a variance from the Health Department (for on-site disposal systems) or Water Pollution Control Department (for sewer systems) in accordance with §5-6.

§ 5-6 Variances.

A. The Health Department (for on-site disposal systems) or Sewer Department (for sewer systems), after a public hearing of which notice has been given by publication 1) in a newspaper of general circulation and 2) posting with the Town Clerk and on the Town website for a period of no less than fourteen (14) days prior to the date of hearing, may grant a variance from the requirements of this regulation, provided both Subsection A.1 and 2. below are satisfied.

1. Sufficient capacity exists in the treatment facility, as determined by the Health Agent or Water Pollution Control Department, its agent/ designee, as appropriate. If sufficient capacity does not exist, then no variance shall issue.

2. With respect to an on-site Title 5 disposal system, should the Health Department determine sufficient capacity exists the applicant must then demonstrate that a septic system for the total number of bedrooms or nonresidential flow requested meeting the provisions of 310 CMR 15.000 (Title 5), without significant variances, can be sited on the parcel.

B. The Health Department may, at its sole and absolute discretion, issue a variance that, in its judgement, could be granted without substantially derogating from the intent or purpose of this regulation should the applicant fail to satisfy criteria in § 5-6A.2 above.

§ 5-7 Rebuilding a Structure Due to Casualty Loss.

A property owner may rebuild a structure destroyed by fire, flood, storm or other acts of nature as a matter of right, provided that the new structure does not exceed the permitted wastewater flow and number of bedrooms of the structure being replaced.

§ 5-8 Transferability of Flow Capacity.

The number of bedrooms or permitted flow on any particular parcel of land cannot be sold, exchanged, transferred, or otherwise used to benefit the determination of number of bedrooms or flow on another parcel or another's right to a sewer connection, unless any such sale, transfer or exchange is authorized by a Health Department or Water Pollution Control Department regulation.

§ 5-9 Severability.

If any provision of this regulation is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

§ 5-10 Violations and Penalties; Enforcement.

- A. Any person found to be violating any provision of this Chapter shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof.
- B. Any person who shall continue any violation beyond the period permitted in Subsection A. shall be subject to a fine in an amount not exceeding fifty dollars (\$50) for each violation. Each day in which such a violation shall continue shall be deemed a separate offense.

The Health Department and Water Pollution Control Department, and their duly authorized agents, shall have the power and authority to enforce the provisions hereof. This section shall in no way limit the Town's power and authority to invoke other remedies at law to enforce and compel compliance with the provisions of this Chapter. Any person violating any of the provisions set forth herein shall be liable to the Town for any expense, loss, or damage incurred by the Town as a result of such violation.

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