

# Town of Orleans

## Sewer System FAQs

### Why is the Town being sewerred?

The Massachusetts Department of Environmental Protection (MassDEP) has set specific water quality goals for marine waters in the Commonwealth. Nitrogen from septic systems is the primary contributor to degraded water quality in our bays and estuaries. When wastewater from a property's leaching field enters the groundwater, it flows slowly toward receiving coastal waters, regardless of where you live in Orleans. Studies have shown that an average of sixty (60) percent of the septic nitrogen must be removed from groundwater to achieve state-mandated requirements. If Orleans does not act on its own to clean up its waters, the Town could be put under an administrative order from MassDEP and could also face a lawsuit from the Conservation Law Foundation.

Orleans has also made a commitment to preserve and protect its freshwater ponds from excess phosphorous, which is primarily caused by septic system loads into our lakes and ponds. So, in addition to Orleans' commitment to cleaning up marine waters, we also expect to sewer for phosphorus removal in future sewer phases to clean up freshwater resources.

### What is a Sewer Betterment Assessment?

A Sewer Betterment Assessment is a method used by municipalities to recover project costs by equitably distributing applicable costs to property owners who receive the specific benefit from the project.

### Who is required to pay the Sewer Betterment Assessment?

The Sewer Betterment Assessment is charged to owners of properties located along the route of the sewer collection system (except for properties owned by government entities which are exempt from this requirement).

### What is a Sewer Unit and how is assigned to my property?

A sewer unit is a measure of wastewater flow that is used for assessment by the Board of Water and Sewer Commissioners to spread applicable project costs across all users based on their water use. One (1) sewer unit is equivalent to the average daily water use over multiple years of the lowest residential use category within the sewer service area being assessed.

Properties that use more water than one (1) sewer unit will be assigned proportionally more sewer units. The number of sewer units for any residential or non-residential property shall not be less than one (1) sewer unit.

### How is the Sewer Betterment Assessment calculated?

The cost attributable to one (1) sewer unit is calculated by dividing the total cost of the wastewater system to be paid by Sewer Betterment Assessments by the total number of sewer units in that sewer service area. The Sewer Betterment Assessment for each property is then calculated by multiplying the cost of one (1) sewer unit by the number of sewer units assigned to the property.

For example: If the project cost to be paid through betterments is \$10,000,000 and there are 10,000 sewer units then the value for a single sewer unit is \$1,000. A property that has been assigned 2 sewer units would therefore be assessed a \$2,000 betterment fee.

### Are undeveloped properties included in the Sewer Assessment Betterment calculation?

Yes. Undeveloped properties that have the potential to benefit from the project will be assessed a sewer betterment based on the same methodology.

## What costs does the Sewer Betterment Assessment include?

The Sewer Betterment Assessment represents the allocated cost of the public wastewater system as defined by the Sewer Assessment Bylaw. The Sewer Betterment Assessment does not include the private cost of connecting a property to the public sewer service located at the property line. It also does not include the cost of decommissioning the property's current on-site wastewater treatment system.

## Are there other costs property owners connecting to sewers will have to pay?

In addition to the Sewer Betterment Assessment, a property owner is responsible for the cost to connect their property to the public sewer system located at the property line. Connection costs will vary based on property characteristics. Once sewer service is connected, property owners will be charged a sewer user fee on a quarterly basis, based on their water usage.

Certain parcels may also require the property owner to pay for and maintain a Low-Pressure Sewage Pump System (often called grinder pumps) to move the flow from the property and into the Town's wastewater infrastructure (gravity sewer or low-pressure sewer). The Board of Water and Sewer Commissioners has pre-selected and standardized the pumping system to be purchased by the property owners and conducted a procurement process with pricing established as part of the Sewer Use Rules and Regulations. These pumping systems are described in the Property Owner's Guidebook, available on the Town's website at <https://www.town.orleans.ma.us/217/Property-Owners-Guidebook>.

If the property has irrigation, a property owner can install a deduct meter which will enable the property owner to realize a savings for water that does not enter the sanitary sewage system. Sewer user fees are reviewed annually by the Board of Water and Sewer Commissioners. The user fees support the annual cost of running the wastewater system.

## What do the property owners need to design?

The property owner is responsible for all work from the public sewer connection point located at the property line to their structure and any internal work that may be required (<https://www.town.orleans.ma.us/1213/Sewer-Service-Connections>).

## When will the Sewer Betterment Assessment be issued?

For properties to be connected in the Downtown sewer service area (often referred to as Phase 1), it is estimated that a bill will be mailed in the month of December of calendar year 2024.

For properties to be connected in the Meetinghouse Pond sewer service area (often referred to as Phase 2), where construction funding was approved at the May 2022 Annual Town Meeting, it is estimated that a bill will be mailed to those properties in the month of April of calendar year 2028.

## How is the Sewer Betterment Assessment paid?

A property owner can opt to pay the Sewer Betterment Assessment all at once when due or may opt to finance the Sewer Betterment Assessment and pay quarterly installments on their property tax bill for up to thirty (30) years at an interest rate of two (2) percent above the rate paid by the Town to finance the project. If financing is selected, a lien will be recorded on the property at the Registry of Deeds. A property owner can pay off a Sewer Betterment Assessment early without penalty. If you have additional questions, please contact the Town of Orleans Treasurer's Office at 508-240-3700 ext. 2420 for more information.

## What happens to the Sewer Betterment Assessment Lien on the property upon transfer of ownership?

The lien for the Sewer Betterment Assessment may either be transferred to the new owner of the property or paid off at the time of transfer.

## Do I have a choice whether or not to connect to new sewer service?

No. Properties in the sewer service areas are required to connect.

## **If I have recently installed a new Title 5 septic system, or will be doing so in the near term, will I still have to connect to sewer service and pay the Sewer Betterment Assessment?**

Under the Board of Health Sewer Connection Regulations, the Board of Health has the authority to defer the deadline for connection for properties with a compliant septic system, subject to other requirements

(<https://www.town.orleans.ma.us/DocumentCenter/View/4025/Orleans-MA-BOH-Sewer-Connection-Regs-FINAL-2022-08-10>)

A deferral to connect to the sewer does not de-obligate the property owner from paying the Sewer Betterment Assessment. If you have a question about your property, the type of system serving your property, or the date of installation for that system, please call the Town of Orleans Health Department at 508-240-3700 ext. 2450 for more information.

## **What happens to my septic system when I connect to sewer service?**

The de-commissioning and removal or filling of septic systems will be determined on a property-by-property basis. Any component that is not essential to the connection to the public sewer will have to be properly abandoned, in accordance with Massachusetts Title 5 and Orleans Board of Health Sewer Connection Regulations, the methods for which are based on the type of septic component. This determination is made by the property's engineer prior to the property being connected to the sewer system.

## **When do I connect to the sewer system?**

The sewer system in the Downtown sewer service area was substantially complete in February 2023. On March 9, 2023, each property owner was issued a "Notice to Connect" from the Board of Health indicating that the sewer adjacent to their property is ready to receive wastewater flow. Property owners have one (1) year from the date of the "Notice to Connect" to make the connection into the sewer in the street. The Town strongly encourages property owners to hire an engineer to develop their connection plan and submit a Connection Permit Application, as well as speak with some Town-approved, licensed contractors (drain-layers) about installing the connection as soon as possible.

A list of local engineers can be found on the Town website at

<https://www.town.orleans.ma.us/DocumentCenter/View/2781/Engineering-Design-Firms-PDF>.

A list of Town-approved licensed contractors can be found on the Town website at

<https://www.town.orleans.ma.us/DocumentCenter/View/2782/Sewer-Installation-Contractors-PDF>

## **How much will it cost a property owner to connect to the sewer?**

The property owner's cost to connect to the sewer will vary significantly as it will depend on numerous factors. Some of those include the distance between the house waste line and the sewer service stub at the property line, depth of the sewer service, relative elevation of the house waste line compared to the Town sewer, groundwater elevation, presence of ledge/boulders, offsets from underground utilities, landscaping impacts, and other restoration costs. The property owner is responsible for all connection costs. Contracts between the property owner and the engineer and contractor are private. The property owner should consider budgeting for the following services and fees associated with connection in addition to annual user charges and sewer assessment betterments:

- Connection Permit (currently set at \$0.50/gal of average daily water use or \$250, whichever is greater);
- Board of Health Septic System Abandonment Permit (\$75);
- Engineering including plans, specifications, and permit application (on the order of \$2,000 - \$10,000); and
- Construction including all costs to connect the house waste line to the sewer service stub (including low-pressure pump systems if necessary), decommissioning the existing sewage disposal system, and restoration of property (on the order of \$5,000 - \$30,000).

The Town recommends that homeowners obtain several proposals for their connection from professional engineers and Town-approved drain-layers. Property owners may also choose to join with their neighbors to solicit proposals from design engineers and Town-approved drain layers to perform multiple connection designs and installations which may result in more favorable pricing.

## Is there any payment assistance or abatement of either the Sewer Betterment Assessment or connection costs?

1. Betterment Deferrals - Homeowners over 65 years of age with gross receipts from the prior year of \$40,000 or less and who occupy the bettered property as their domicile may defer payment of their betterment at two (2) percent interest until the sale of their property or settlement of their estate. Other criteria may also apply. This only applies to residential properties. Applications must be made to the Select Board within six (6) months of issuance of your betterment notice. Contact the Town of Orleans Assessor's Office at 508-240-3700 ext. 2430 for further information.
2. Senior Circuit Breaker Tax Credit - For persons over 65 who qualify to file for the Senior Circuit Breaker Tax Credit (Schedule CB) with their MA income tax return can include their annual betterment and interest, along with fifty (50) percent of their usage fees (up to certain limits) as expenses. Talk to a tax advisor or contact the Massachusetts Department of Revenue Tax Department at 617-887-6367 for details and information.
3. State Income Tax Credit - A tax credit of up to \$15,000 of your sewer hook-up costs may be claimed on your MA income tax return. You must file Schedule SC and Schedule CMS with your annual return. Talk to your tax advisor or contact the Massachusetts Department of Revenue Tax Department at 617-887-6367 for details and information.
4. Barnstable County Community Septic Management Loan Program also known as the Cape Cod Aquifund. This program provides zero-to-low-interest betterment loans (based on household income) to Cape Cod homeowners for septic system replacement, installation of advanced onsite wastewater treatment units and sewer connection costs repayable over twenty (20) years. Eligible homeowners with a household income of less than 120% of Barnstable County's median household income can qualify for a 0% interest loan. Please contact the Program's office at 508-375-6877 or visit <http://www.barnstablecountysepticloan.org> for details and information.
5. Financial assistance opportunities can also be found on the State's website at <https://www.mass.gov/guides/title-5septic-systems-financial-assistance-opportunities-for-system-owners#-homeowner-septic-loan-program>.

## Will I be charged the Sewer Betterment Assessment even if I haven't been connected yet?

Yes. The Sewer Betterment Assessment for each sewer phase is charged to the properties after completion of each phase.

## What will I be charged for a Sewer Betterment Assessment?

The value of the individual sewer betterments assessments will be determined approximately eighteen (18) months after completion of the construction phase, either the Downtown Area or the Meetinghouse Pond Area. That betterment will reflect the Select Board's decision to pay twenty (20) percent of the project cost through betterment and be based on the final project costs, updated water use information, and the property's use at the time of assessment in accordance with the Sewer Assessment Bylaw. Any vacant lots will be evaluated by the Town for their highest use as a basis for betterment. Betterment values will be made available by the Town as they are finalized. Property owners in the Downtown sewer service area can get an early indication of the estimated betterment amount by looking up their property address on the table available at <https://www.town.orleans.ma.us/1363/Estimated-Betterments-Downtown-Project>

## What type of information will I need from the Town to provide to my engineer and contractor?

Your engineer will need to request from the Town information for the existing on-site wastewater treatment system and information for the Town's sewer system at your property line. Your contractor will use the approved permit application and construction plans and specifications developed by the engineer.

## Will my tax assessment increase when the property is connected to sewer?

No. Property assessments are based on current market value derived from actual comparable sales.

## Can I add on to my home once it is connected to sewer?

Yes. A property connected to sewer can apply to the Board of Water and Sewer Commissioners for increased sewage flow, subject to . wastewater Infrastructure capacity. The property will still need to comply with all local zoning bylaws including yard setbacks, height, and lot coverage.

### **What is a Privilege Fee and a Compensatory Privilege Fee?**

A Privilege Fee is the fee charged to properties not currently located within the sewer service area that may wish to connect to the system at a later date. It ensures that new connections pay their fair share of the cost of the system in order to have access to it. These connections are subject to approval by the Board of Water and Sewer Commissioners.

A Compensatory Privilege Fee is a fee charged to property owners located within the sewer service area who wish to increase the flow allocated to their property to expand or develop it.

### **What happens to the Privilege Fee paid by users who want to expand their home or business?**

The Privilege Fees are placed in a segregated fund to be used to help pay the costs to repair and upgrade the wastewater infrastructure.

### **If I have additional questions about this program, who do I contact?**

You can find information in the “Property Owner’s Guidebook” and other information located on the Town’s website at <https://www.town.orleans.ma.us/217/Property-Owners-Guidebook>. However, if you have a specific question, please contact the Department of Public Works and Natural Resources at 508-240-3790 or the AECOM Project Ombudsman at 508-237-7161.