

Town of Hillsborough Water & Sewer Commission
October 25, 2016
Public Hearing Minutes

Present were Commissioners Peter Mellen, Herm Wiegelman and Chris Sieg; and, Penny Griffin, Administrator.

In Attendance: Selectman Jim Bailey, Selectman Dave Fullerton, Laura Buono – Town Administrator, Robyn Payson – Community Planning Director, Leigh Bosse, John Segedy, Jack Wells, Kim Wells, Debbie Gray and Stewart Gray.

Commissioner Mellen opened the public hearing at 6:00 p.m.

Commissioner Mellen stated that prior to opening the hearing for public comment; Commissioner Sieg would be doing a brief presentation of the proposed change.

Commissioner Sieg explained the reason the Commissioners looked at this ordinance was due to public feedback at the last Town Meeting. He discussed the information the Commissioners collected and used in their review. He stated that admittedly there was an inequity in the current way of billing restaurants. Commissioner Sieg explained the proposed change to ordinance 181-51 A (4) from:

§181-51 A. (4) Restaurants, taverns, bars, grills, lodges, stores, fraternal, charitable and religious organizations which maintain facilities for the preparation of food and/or beverages and/or the serving of food and/or beverages shall be charged at the rate of three units plus, in the event that said food and beverage facilities are in use five days per week or more, a charge of one unit for each 50 seating spaces, or major fraction thereof, which is in excess of 75 seating spaces.

To:

§181-51 A. (4) Restaurants, taverns, bars, grills, lodges, stores, fraternal, charitable and religious organizations which maintain facilities for the preparation of food and/or beverages and/or the serving of food and/or beverages, in the event that said food and beverage facilities are in use five days per week or more, shall be charged one unit for each 15 seating spaces, or fraction thereof. Seats used seasonally, seasonally being defined as in use for no more than 7 months a year, shall be billed at one half the normal seat rate. (amended 10-25-2016)

A table outlining each restaurant was reviewed.

Laura Buono commented that High Tide and Tooky Mills being billed the same number of units does not seem equitable to her as High Tide is a seasonal business that uses paper plates and Tooky Mills is a busy, year-round full service restaurant and nothing takes that into consideration. Commissioner Sieg stated that this information has been taken into consideration in their proposal and referred to Table 1008 which states that a

full service restaurant uses 40 gpd/seat and a paper service establishment uses 20 gpd/seat; he stated that in an effort to keep things simple the Commissioners chose to take 30gpd/seat to use in there formula and seasonal restaurants are also proposed to be billed at half the normal seat rate.

Commissioner Sieg stated that if anyone has other ideas as to how to adjust this ordinance, the Commissioners are willing to review the idea.

Mrs. Kim Wells stated that they own a building with 2 restaurant spaces and like the Commissioners proposal very much as it is very equitable.

Laura Buono stated that McDonald's has a higher turnover rate than other restaurants; and suggested that it makes sense to put the restaurants into different categories. John Segedy echoed her sentiments. Commissioner Sieg stated that the Commissioners are attempting to make the ordinance more simplified and stressed that using the Table 1008 is the only legally proven tool to use to estimate discharge. Commissioner Sieg stated that the Commission is trying to get away from special exceptions as it needs to be defensible.

A discussion was held regarding going by water usage. Commissioner Sieg noted that there are a lot of variables such as leaks and irrigation systems that do not enter the sewer system.

Robyn Payson asked if the Commissioners looked at how other communities bill seasonal restaurants. Commissioner Sieg stated that they had not as they concentrated on reorganizing the ordinance to be more equitable.

Leigh Bosse asked if the letters were sent to the individual restaurants. Penny Griffin confirmed that they were. Mr. Bosse commented that as there were no restaurant owners present to challenge it is a testament for the proposal.

Selectman Fullerton asked if the Commissioners have thought toward the future; if they get a large store that has a restaurant in it, how will that be billed? Commissioner Sieg stated that scenario has been thought of and discussed and the current ordinance allows for it already. He explained that if such a building were on the system each area of the building would be assessed by its use. For example, if a Walmart with a restaurant in it was on the system the portion of the building used for the restaurant would be billed according to the restaurant ordinance and the remainder of the building would be billed as a retail store.

Mr. Gray asked if a restaurant property owner wants to spend its money to have a sanitation engineering review done and their results come up with a different estimate that the Commissioners would they consider making an adjustment. Commissioner Sieg stated that he will "never-say-never"; however, he reiterated that Table 1008 is a standard and the Commissioners prefer to not make exceptions.

John Segedy stated that this was a good effort on the part of the Commissioners.

Selectman Fullerton thanked the Commissioners for their work and stated that they have done a good job and would encourage them to consult more with the Selectmen as they have resources that may be beneficial to them.

Commissioner Mellen closed the public hearing at 6:40 p.m.

Respectfully submitted,

Penny Griffin, Administrator

Water and Sewer Commissioners Meeting Minutes
Approved by: Date:

Peter Mellen, Chairman

Herm Wiegelman

Chris Sieg
Water and Sewer Commissioners
Town of Hillsborough