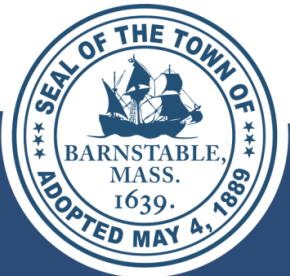


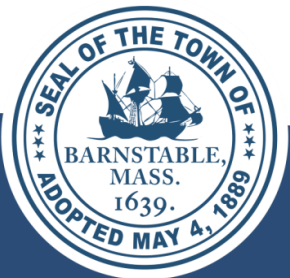
Town of Barnstable

A Flow Neutral Ordinance Presentation

July 17, 2025

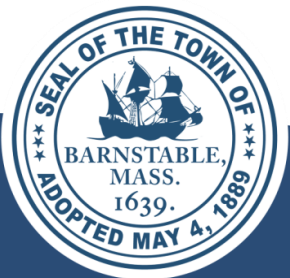


How Does the Town Achieve 0% Financing for Wastewater Projects?



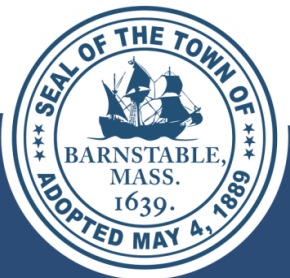
Clean Water State Revolving Fund

- Provides low-cost financing to assist communities to comply with the water-quality standards of the Clean Water Act.
- Eligible projects
 - Stormwater management
 - Wastewater infrastructure
- Interest rates are below market with terms of 20 to 30 years
 - 2% base rate
 - **1.5% for housing choice communities – current level for Barnstable**
 - **1.8% for 30-year borrowing**
 - 0% for nutrient and PFAS remediation in towns with certain Land Use Control policies
 - **0.3% for 30-year borrowing**



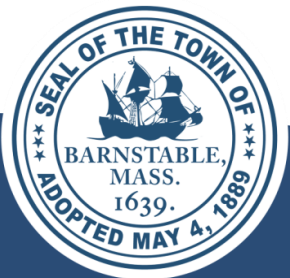
0% Loan Criteria

- ✓ The project is primarily intended to remediate or prevent nutrient enrichment of a surface water body or a source of water supply.
- ✓ Not currently in violation of an Enforcement Order or Administrative Consent Order due to a violation of a nutrient-related standard.
- ✓ The applicant has a MassDEP-approved Comprehensive Wastewater Management Plan (CWMP)
- ✓ The project has been deemed consistent with the regional water resources management plans, 208 plan
- ☐ **Land Use Control Policy to limit wastewater volume and sewer use areas to the amount consistent with the approved CWMP.**



Land Use Control Policy - What is it?

- Ensures that **wastewater flow with in the sewerred areas** does not exceed the amount authorized by the Town's CWMP
- Enables access to **0% interest loans** from the Clean Water State Revolving Fund for eligible projects



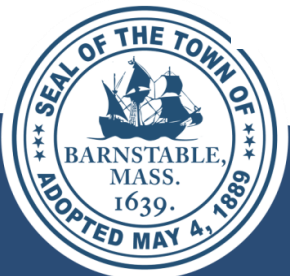
Wastewater Flow Example

The following table summarizes the anticipated flows within the planning horizon:

Table 5-3: Sewer Expansion Plan Summary

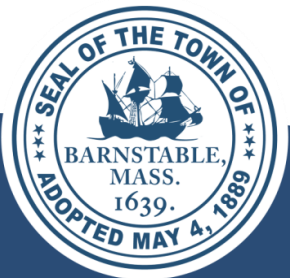
Source	Flow (gpd) ¹
Existing Flow to BWPCF	1,670,000
Phase 1-3	1,770,000
Stages 1-3	144,500
Residential Buildout	211,300
Commercial Buildout	565,250
Total	4,361,050

1. Flows are average daily flows



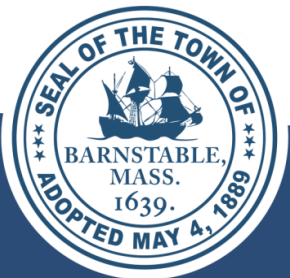
0% Loan Cost Savings Example

30 Year Loan		
Amount Borrowed	\$20,000,000	\$20,000,000
Interest Rate	0.30%	1.80%
Amortization Method	Level Debt Service	Level Debt Service
Annual Payment	\$709,424	\$879,766
Total Interest Paid	\$1,282,730	\$6,392,967



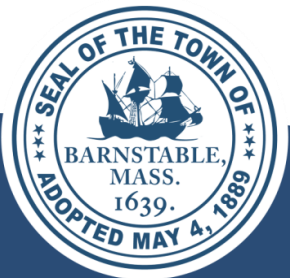
Land Use Control Policy Approval Authorities

- To be eligible for a 0% loan, the Town's Land Use Control Policy must be approved by the **Massachusetts Department of Environmental Protection (MassDEP)**



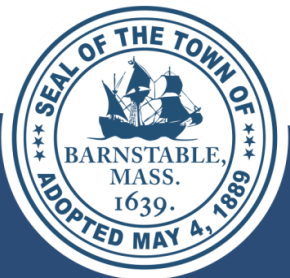
Cape Cod Towns with Land Use Control Policies

- Chatham
- Falmouth
- Harwich
- Mashpee
- Sandwich
- Yarmouth



Proposed Land Use Control Ordinance

- The Town could opt to pursue a simple ordinance that states that the Town's wastewater flow will not exceed capacity of the sewer infrastructure
 - In this scenario, underlying zoning serves as the primary mechanism for land-use control
 - Wastewater flow is assigned on a first-come, first serve basis within sewered areas
 - Town of Harwich follows this model



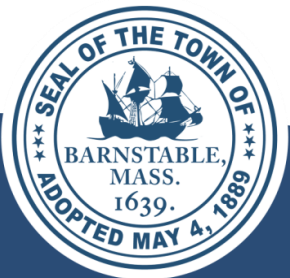
Proposed Ordinance

§ 184-15 Purpose.

The purpose of this Article V is to establish a Flow Neutral Land Use Control, as provided in 310 CMR 44.07(3), and to ensure that the overall wastewater flow in the Sewer Service Area (SSA), as defined herein, will be “flow neutral” for purposes of M.G.L. c. 29C, § 6, and 310 CMR 44.07. The Town plans to implement sewer expansion within the SSA over three phases spanning a 30-year period, and wastewater flow projections for those areas have been defined within a comprehensive and deliberate study of the existing and projected wastewater needs of the Town, as reflected in the Comprehensive Wastewater Management Plan (CWMP), as defined herein. The Town intends under this Article V that growth based on the availability of sewer service and wastewater flows in the SSA shall be managed to the levels projected in the CWMP.

§ 184-16 Applicability.

Article V shall apply to all property located within the SSA which is, or shall in the future be, connected to a public sewer system.



Proposed Ordinance

§ 184-17 Definitions.

For purposes of this Article V, the following words shall be considered to have the following meanings:

COMPREHENSIVE WASTEWATER MANAGEMENT PLAN (CWMP)

The Town's November 2020 final Comprehensive Wastewater Management Plan (EEA File No. 16148), which was found to adequately and properly comply with MEPA by the Secretary of Energy and Environmental Affairs in a Certificate dated December 30, 2020, as it may be amended from time to time in accordance with MEPA and any other applicable law, and approved by the state Department of Environmental Protection.

MASSACHUSETTS ENVIRONMENTAL POLICY ACT (MEPA)

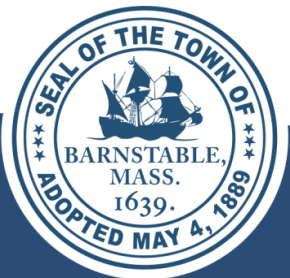
The Massachusetts Environmental Policy Act, G.L. c. 30, §§ 61- 62L, and the regulations promulgated thereunder at 301 CMR 11.00, as amended.

PERSON

An individual, group of individuals, partnership, association whether incorporated or unincorporated, firm, company, trust, estate, corporation, business organization, agency, authority, department, or political subdivision of the Commonwealth of Massachusetts, public or quasi-public corporation or body, or any other legal entity or its legal representative, or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

SEWER SERVICE AREA (SSA)

The Sewer Service Area, which shall be comprised of the geographic areas in the Town that are presently sewered or proposed for sewer expansion, as identified within the CWMP.



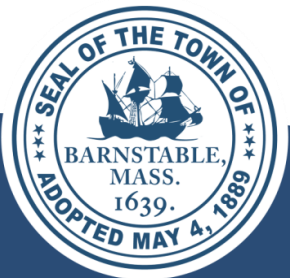
Proposed Ordinance

§ 184-18 Wastewater Flow Management; Regulations.

A. The CWMP addresses the multiple wastewater needs of the Town within a single SSA. No property outside of the SSA may be connected to public sewer until authorized under the CWMP. **The total average daily wastewater flows within the SSA connected or to be connected to public sewer systems shall not exceed the figure of 4,573,550 gallons per day or such other figure as identified in the CWMP.** This figure will be adjusted if additional flow is authorized or a modification to the SSA is made through (1) the approved CWMP, (2) an approved Notice of Project Change to the CWMP, or (3) approval from the state Department of Environmental Protection. No person shall be issued a permit or other approval for a sewer connection under Article I of this Chapter 184 if the anticipated wastewater flow to be generated under that permit or approval shall cause an exceedance in the total wastewater figure identified in this Section 184-18.

B. The Town, through its Department of Public Works and any other departments as the Town Manager may require, shall periodically review new or projected growth in the SSA to confirm projections and compliance with the CWMP and determine whether any amendments to the CWMP are appropriate.

C. The Town Manager may promulgate rules and regulations to effectuate the purposes of this Article V after conducting at least one public hearing to receive comments on any such proposed rules and regulations or revisions thereto. Failure to promulgate such rules and regulations shall not have the effect of suspending or invalidating this Article V.”



Questions?

