

TOWN OF FOXBOROUGH

RULES AND REGULATIONS

FOR THE

CONNECTION TO AND

EXTENSION OF PUBLIC

SEWERS

WITHIN FOXBOROUGH

BOARD OF WATER &

SEWER COMMISSIONERS

Foxborough Board of Water & Sewer Commission
Adopted

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DEFINITIONS

1. AFFECTED OR SUBJECT PROPERTY - Shall mean any property which currently is not connected to the public sewer, or does not have sufficient capacity for a proposed, new development, or does not have an existing public sewer on any side of the property and will now have accessibility to adequate sewer capacity as a result of the proposed sewer extension.
2. BOARD – Shall mean the Board of Water and Sewer Commissioners
2. COST - Shall mean all costs associated with the sewer installation, which may include design, construction, inspection and permits.
3. DIRECTOR - Shall mean the Director of Public Works for the Town of Foxborough, or his duly authorized agent or representative.
4. LIEN – A special assessment on the property benefited.
4. PROPERTY OWNER - Shall mean the individual, firm, corporation or other entity whose name is listed as the owner of record for the property in the Town of Foxborough.
5. PUBLIC SEWER - Any portion of the Foxborough Municipal Sewer System which is located in a public or private way, in a sewer easement area shown on a definitive plan approved under the subdivision control law, in a Town owned easement; or on Town owned land, or a sewer constructed by a private entity.
6. PUBLIC SEWER EXTENSION – Public sewer installed or planned by the Town.
7. PRIVATE SEWER EXTENSION – Public sewer installed by property owner or owners.
8. SEWAGE - Shall mean a combination of the water carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwater, surface water and storm water as may be present.
9. SEWER - A pipe for carrying sewage and to which storm water, surface water and groundwater are not intentionally admitted.
10. SEWER CONNECTION -
11. SEWER DISTRICT – Parcels within a geographic area of the Town that have been approved at Town Meeting and shown on a map entitled "Town of Foxborough Sewer District Map", attached as Exhibit C, as may be amended from time to time.
12. SEWER EXTENSION -
13. SEWER LATERAL - A pipe for carrying sewage from the plumbing system of a single building to a common sewer or point of immediate disposal and which has no other sewer discharging into it.

14. SEWER MAIN - A pipe that is usually 8" diameter or larger and receives the discharge from a number of sewer laterals.
15. SEWER SPECIAL ASSESSMENT – The Town may assess all or a portion of the costs of sewer system plant and facilities. This includes the cost of general benefit facilities, such as pumping stations, trunk and force mains, and special benefit facilities, such as mains serving adjacent properties.
16. SHALL is mandatory; MAY is permissive.
17. TOWN - The Town of Foxborough, Massachusetts.
18. TOWN ENGINEER - Shall mean the Town Engineer for the Town of Foxborough, or the Boards duly authorized agent or representative.
19. TOWN MEETING – Annual or special assembly of qualified voters of the Town.
20. WASTEWATER CAPACITY FEE – A fee assessed on a one time basis when a customer desires to connect to the Public Sewer. The fee is determined by Appendix A.

POLICY OVERVIEW

Any person or entity who is a property owner in the Town of Foxborough can formally apply to the Board of Water & Sewer Commissioners, for approval to connect to or extend the public sewer to serve their property. This policy is intended to provide procedural guidelines for owners of property interested in connecting to the Town's system.

APPLICATION PROCEDURES

The Board of Water & Sewer Commissioners for the Town of Foxborough, requires that all property owners who want to connect to or extend a public sewer line submit a formal request to the Town. **All requests must be in writing and copies must be on file with both the Board and the Director, before the project will be considered.** The letter of request for a sewer connection and/or an extension should be addressed to the Board and include the following information

1. Name, address, and telephone number of property owner.
2. Is the property within the Sewer District?
3. List of names, addresses and telephone numbers for owners of property abutting or in the vicinity of the subject property who are also interested in connecting to the public sewer.

CONNECTION TO THE EXISTING SEWER

If the property is in the Sewer District and has a public sewer main available for such connection, the board shall approve the connection upon receipt of an approved engineered connection plan, payment of the wastewater capacity fee, completed application and permit to perform work within limits of a public way(as required), and a completed trench permit.

If the property is not within the Sewer District, the Board may bring the request forward as an article at the next available town meeting, to alter the Sewer District. This process shall be used per the state legislation – Chapter 383 of 2012, an Act Relative to the Regional Wastewater District.

FINANCING FOR PUBLIC OR PRIVATE SEWER EXTENSION PROJECTS

Once the necessary letter of request or application is on file with the Board and the Director, the interested party/parties must decide on how they want to finance the project, provided the subject property is located in the Sewer District. The owner(s) choices include:

OPTION A: Individual property owner will pay 100% of cost of sewer extension.

OR

OPTION B: Property owners and neighbors will pay 100% of cost of sewer extension.

Under both of these options, a property owner, or group of property owners, who wants to extend a sewer will pay 100% of the cost without any Town participation. Should these options be chosen, the following procedures will be followed:

1. The property owner(s) must submit professionally prepared sewer drawings for review and approval by the Director.

***Please note that all sewer extensions must include sewer laterals to all properties along the sewer line.**

2. The property owner(s) will hire their own contractor to install the new sewer.

***Please note that the Contractor is required to apply for all Town construction permits for the Project**

3. The Town Engineer will inspect the installation of the sewer line to determine if it has been constructed in accordance with Town Standards.

OR

OPTION C: The property owner or group of property owners want to extend the sewer and are seeking the Town to fund the design and installation of the sewer extension and to issue the special sewer assessment to the property owners for their share of the cost.

*** Please note that the Town's participation is only applicable to areas of existing houses, Extensions for new development, such as a new subdivision roadway, must be filed under option A.**

Under this option, the Board may approve funding the design and installation of the sewer extension project. Any funds provided under this option will be charged to the property owners as a special sewer assessment. Should this option be chosen by the property owner(s) the following procedures will be followed:

1. The Director will review the application to determine the feasibility of the request and will provide a written response to the applicant.

***Please note that all sewer extensions must include sewer laterals to all properties along the sewer line.**

2. If the project is feasible and the property owners remain interested in the project the Town Engineer will prepare a preliminary cost estimate for the sewer extension.

3. A public hearing will be scheduled for the Board to review the matter and to answer any questions that the affected property owners or any other neighbors may have.
4. Following the public hearing property owners that want to continue with the project will be required to submit a written petition, committing to the special sewer assessment.
5. The Board, will prioritize requested sewer extension projects based on the following criteria:
 - a. Sewer extension projects, which are required because of failed septic systems and risks to public health, will be given first priority.
 - b. Priority will be given to the projects, which have the lowest estimated per household cost to provide the most benefit to residents with the available funds.

*Once a project is approved by the Board and is assigned funding it will no longer be affected by new project requests for funds.

TOWN CONSTRUCTION

Should the Board decide to approve and fund a sewer extension project, all of the following guidelines will apply:

1. The Town will have sewer drawings and specifications prepared for the approved sewer extension project.
2. The Town will publically solicit for competitive bids for the construction of the sewer extension. If the final bid cost of any sewer extension exceeds the original estimate by more than 25%, than the project will go back to public hearing to give the property owners another opportunity to review and vote on the project.
3. The Town will award the bid for the construction of the approved sewer extension projects.
4. The Town Engineer will supervise the contractor and inspect the installation of the new sewer lines.
5. The project shall be completed in accordance with a schedule approved by the Town.

SPECIAL SEWER ASSESSMENTS

The total assessment for each sewer extension is based on the total cost of the sewer extension project, including the cost for design. All properties benefiting from the installation of a new sewer approved as per Option C will be assessed equally, in accordance with state law. Existing structures will be assessed based on the number of dwelling units. Existing nonresidential buildings will be assessed on an equivalent residential unit basis *. Vacant land will be assessed based on the maximum number of units, which can be built on frontage lots. Vacant parcels, which are restricted in perpetuity from residential, commercial or industrial use and are not buildable, as determined by the Town, shall not be assessed.

* Flows are based on attachment A.

FOR MORE INFORMATION...

Please contact the Town Engineer 70 Elm Street, Foxborough, MA 02035, (508) 543-1228.



Appendix A

Board of Water and Sewer Commissioners
TOWN OF FOXBOROUGH
MASSACHUSETTS 02035

Check # _____
Date Paid _____
Permit # _____
Date Issued _____
Approved By _____

WASTERWATER CAPACITY APPLICATION

Directions: Please complete all spaces by neatly printing or typing in blue or black ink and attach all exhibits. Copies of this form are acceptable; however, they must bear original signatures and seals of the property owner(s). Incomplete applications will not be processed or approved. One application per project, please.

1. Property Owner's Name: _____
2. Address: _____
No. Street Suite/Apt. Town
3. Title Reference: _____
(recording information for deed to property owner)
3. Contact Person: _____ (tel): _____
4. Project or Development Name: _____
4a. Building Permit Numer: _____
5. Address of Project: _____
6. Project Description: _____
Commerical/Residential/Retail/Restaurant, Etc.
7. Equivalent Residential Units(ERUs) Requested: _____
8. Expected Date of Initial Flow to Water Treatment Facility: _____
9. Parcels to be Permitted:

Map	Lot	Acreage
_____	_____	_____
_____	_____	_____
_____	_____	_____

The Property Owner hereby requests wastewater capacity in the amount of the ERUs shown in Item 7 for the properties described in Item 12, and agrees to be bound fully by the Town of Foxborough Sewer Use Regulations, as it may be amended from time to time, and the terms and conditions of any wastewater permit issued pursuant to this application. To withdraw this application, the Property Owner must send written notice, executed in the same manner as this application, addressed to: Board of Foxborough Water and Sewer Commissioners, 40 South Street, Foxborough, Massachusetts 02035.

This application for and any subsequent wastewater reservation or permit issuance by the Town shall not create vested rights for the applicant and shall not be construed as a guarantee of wastewater service to the application or the real property herein described. The Town may allow connections to the wastewater system only if, at the time such connection is to be made, it remains lawful to make sure connections and would not thereby violate any permit, license, restriction, injunction, moratorium or denial of permission to connection, construct facilities or operate facilities imposed or issued by any court of competent jurisdiction or by any application Agency of the United States, or the Commonwealth of Massachusetts.

As the current Property Owner and applicant, and on behalf of its successors and assigns, I/we agree to indemnify and hold the Town harmless from any and all liability, loss, or damage, including reasonable costs and up to and including attorney's fees, which arise from or are in any way related to this application for wastewater capacity.

Property Owner's Signature: _____

Property Owner's Name: _____
(Typed or Printed)

Of: _____ (Company of Business)

As Its: _____ (Relationship to Company or Business)

Approved By: _____
Chairman of the Board of Water and Sewer Commissioners

Date: _____

APPENDIX B



Board of Water and Sewer Commissioners
TOWN OF FOXBOROUGH
MASSACHUSETTS 02035

FOXBOROUGH SEWER EXTENSION APPLICATION

Applicant: _____

Address: _____

Telephone No: _____

Is sewer extension being requested to serve an existing house? yes ___ no ___

If the above was answered yes please explain status of the existing sewage disposal system.

Will this sewer extension also serve any other properties? Yes ___ No ___

Is the Applicant aware of any other property owners interested in connecting to the sewer, if extended as proposed? Yes ___ No ___

If the above was answered yes please attach a list of names, addresses and telephone numbers of all affected neighboring property owners and whether they are interested in connecting to the sewer at this time.

What type of financing method is requested for the proposed sewer extension?

___ Option A: Applicant will pay 100% of cost of sewer extension.

___ Option B: Applicant and affected neighboring property owners will pay 100% of cost of sewer extension.

___ Option C: Applicant is seeking to have the Town fund the sewer installation and to assess property owners for all costs for such extension, as outlined in the Rules and Regulations for the Extension of Public Sewers.

List all attachments included with application:

Please refer to Town of Foxborough Rules and Regulations for the Extension of Public Sewers for complete details about the application process.

Signature _____ Date _____

Town of Foxborough

Sewer District Map

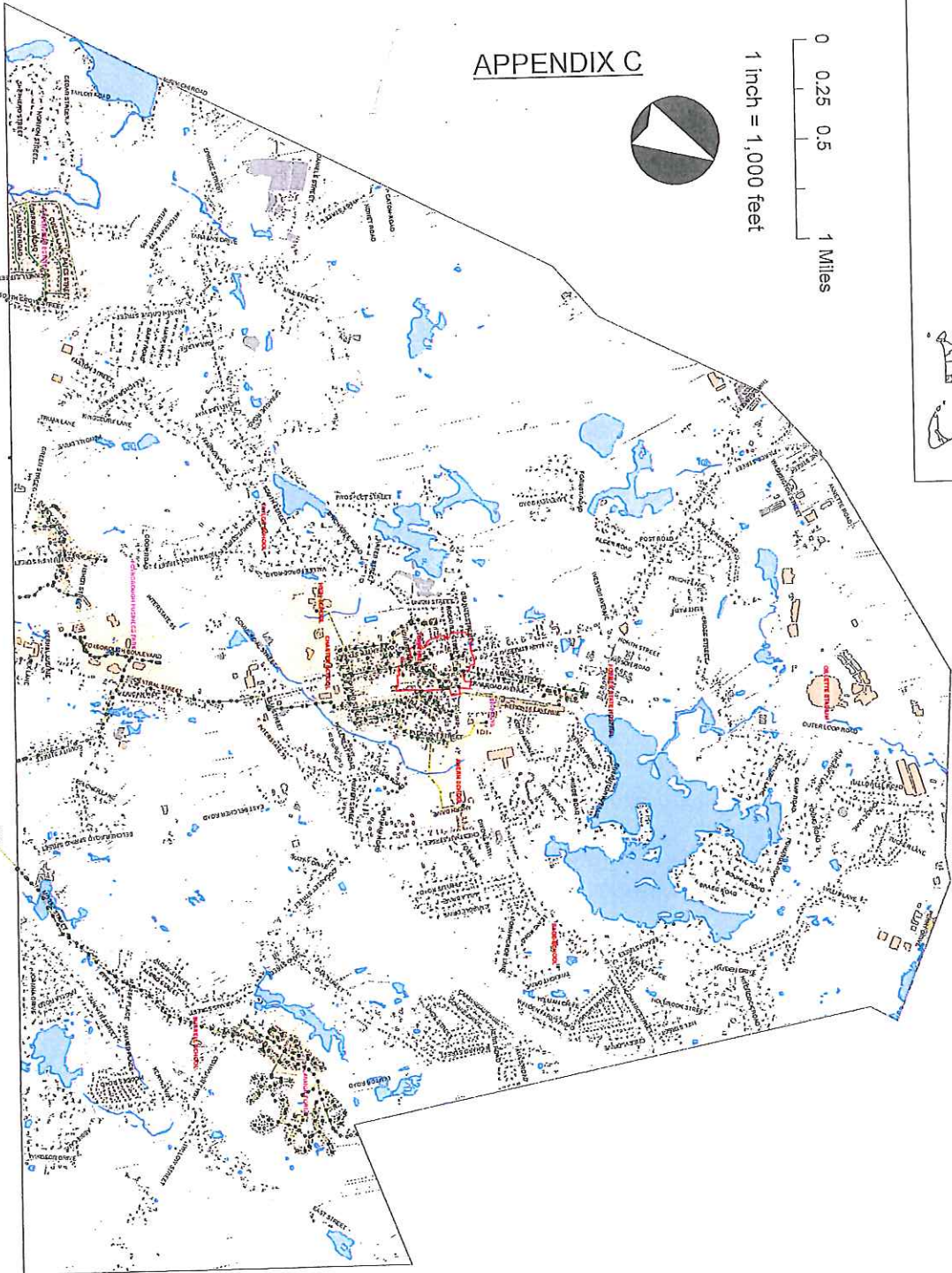
Sewer and Water Commission



0 0.25 0.5 1 Miles
1 inch = 1,000 feet



APPENDIX C



Dates-Approved by Town Meetings:
STM 11/4/13



Formation of a Sewer District and Authority to Connect to Sewer

As per certification of the Town of Foxborough's Annual Town Meeting held on May 10, 2010 as contained in Article 15, Home Rule Petition Amending and Updating the Foxborough Sewer Act of 1986, the Massachusetts Senate and House of Representatives in General Court in the year 2010, passed Chapter 90, H4690 AN ACT FOR A SEWERAGE SYSTEM IN THE TOWN OF FOXBOROUGH, AN EXCEPT of such Act as follows defines the authorities for including or adding additional land parcels to said SEWER DISTRICT:

Section 3. Notwithstanding any general or special provision of law to the contrary, owners of land not within the sewer districts defined and established pursuant to section 1 shall not be permitted to connect to the town's sewerage system except as authorized in this act. The territory covered by the sewer districts may be amended from time to time by the town through its board of water and sewer commissioners after a public hearing conducted to consider such amendments, upon enactment by town meeting or by-laws defining or establishing any new or expanded sewer districts. If the board votes not to amend the territory of a sewer district, the amendment may nevertheless be enacted in a form of a by-law upon a two-thirds vote of town meeting. Any by-law adopted pursuant to this act may include authorization for the board of water and sewer commissioners to add to the sewer districts without the necessity of a town meeting vote, properties located within "needs areas" as defined by Foxborough's Comprehensive Wastewater Management Plan, April 2001 (CWSRF#554), or any equivalent successor revision or amendment thereof as may be approved by said board and the department of environmental protection.

Section 4. Notwithstanding any general or special law to the contrary, the town through its board of water and sewer commissioners may at any time permit extensions, new connections or increases in flow to the sewerage system, subject to capacity, to serve municipal buildings or public restrooms or other public service uses as defined by the town, provided, however, that such uses may include, but shall not be limited to, affordable housing constructed pursuant to chapters 40B and 40F of the General Laws, without thereby creating any entitlement on the part of any person to connect to such sewer system, and subject to capacity, in order of application, new connections or if in the public interest, may require, extensions, new connections or new flow to the sewer system within the sewer districts.

Above provided as an excerpt from the Act. The Act, in its entirety, shall be used as the sole authority for revisions or additions to the SEWER DISTRICT.

Legend

- Sewer Manhole
- Force Main
- Gravity
- Town Line
- ▬ Downtown Sewer Planning District Roads
- ▬ Buildings
- ▬ Driveways
- ▬ Water
- ▬ Non-Sewered Parcel
- ▬ Sewered Parcel

APPENDIX D

APPENDIX D

ERU DESIGN FACTORS

Table D-1. ERU Factors

	Establishment	Unit	ERU Factor
Residential			
	Single-family home, detached or townhome. Up to 3 bedrooms	Home	1.000
	Single-family home, additional bedrooms	Bedroom	0.333
	Duplex, 1 or 2 bedrooms	Each half of duplex	0.833
	Duplex , 3 or more bedrooms	Each half of duplex	1.000
	Multifamily, efficiency or 1 bedroom	Apartment	0.500
	Multifamily, 2 or more bedrooms	Apartment	0.833
	Mobile home, 1 or 2 bedrooms	Home	0.667
	Mobile home, 3 or more bedrooms	Home	0.833
Non-residential			
	Animal care facility/veterinary clinic	Kennel, cage, or stall	0.091
	Bowling Alley (add for restaurant and bar seats)	Bowling lane	0.333
	Church (add for residences, weekday schools and daycare facilities)	Seat	0.017
	Hair Salon	Operator Station	0.300
	Hotel room or one-bedroom hotel suite (add for food service, meeting and banquet rooms, self service laundries, and major facilities attracting non-guests)	Room or Suite	0.833
	Industrial/Production facility, without showers (add for food service and industrial/production process demands)	Employee	0.050
	Laundry, self-service	Washing Machine	1.333
	Office Building (add for food service)	1,000 sq. ft. gross floor area	0.334
	Retail Space	By Fixture units	N/A
	Shell Buildings (unfinished space) with fixtures present (Exception: if building is multi-unit with fixtures located in common areas, apply "office building" factor instead of fixtures)	By fixture units	N/A

APPENDIX D

ERU DESIGN FACTORS

Table D-1. ERU Factors

	Trailer park (overnight)	Each Space	0.333
	Warehouse/office, 3,000 sq. ft or less	By Fixture units	N/A
	Waterhouse/office, larger than 3000 sq. ft.	By "office building" factor for office area. Warehouse area by bathroom fixtures as required by Plumbing Code, plus any non-bathroom fixtures located in the warehouse area.	
	Extended care facility, two or more bedrooms (no additional charge staff-operated facilities supporting residents' daily living activities)	Housing unit	0.833
Theaters, Meeting and Banquet Rooms			
	Meeting and/or banquet rooms (seats=total sq. ft./15 sq. ft.)	Seat	0.017
	Theater	Seat	0.010
	Theater (dinner)	Seat	0.067
Schools			
	Daycare or Preschool	Child, per permitted occupancy	0.025
	Elementary school or kindergarten	Student seat	0.025
	Middle or High school	Student seat	0.067
	College or technical school	Student seat	0.067
	College or technical school outside of a typical campus	Student seat	0.025
	Student housing, one bed (add for food service)	Housing unit	0.500
	Student housing, two bed (add for food service)	Housing unit	0.583
	Student housing, three beds (add for food service)	Housing unit	0.833
	Student housing, four or more beds (add for food service)	Housing unit	1.000
Vehicle Fueling and Maintenance			
	Vehicle fueling station/convenience store (add for vehicle wash and repair bays)	By Fixture units	N/A
	Vehicle repair/maintenance facility (add for additional users)	Repair bay	0.250
	Vehicle wash facility (or by engineer's estimate if wash water recycle system is proposed)	Washing Bay	3.200

Table D-1. ERU Factors

Food Service			
	Restaurant, any type, less than 20 seats	By Fixture units	N/A
	Restaurant/cafeteria, per seat, first 100 seat	Seat	0.075
	Restaurant/cafeteria, per seat, seats other than first 100	Seat	0.100
	Restaurant, twenty-four hour, per seat, first 100 seats	Seat	0.125
	Restaurant, twenty-four hour, per seat, seats other than first 100	Seat	0.167
	Restaurant, fast food, per seat	Seat	0.050
	Bar/cocktail lounge, per seat, first 100 seats	Seat	0.050
	Bar/cocktail lounge, per seat, seats other than first 100	Seat	0.067
Healthcare			
	Dentist office	Wet Chair	0.650
	Medical office	By Fixture units	N/A
	Hospital	Per Bed	0.833
	Nursing home	Per Bed	0.417
	Extended care facility, efficiency or one bedroom (no additional charge staff-operated facilities supporting residents' daily living activities)	Housing unit	0.500
1	For design purposes, a wastewater ERU = 200 gallons per day.		
2	Applicants with establishments that have uses with undefined factors or additional uses, such as, but not limited to, water features in amusement parks, cooling water used for refrigerated storage or climate controlled storage, water used and/or wastewater generated in the manufacture of a product or other industrial use, shall submit an estimate of flows prepared by a professional engineer.		
3	See fixture unit calculations in Table D-2 "ERU Design Factors Based on Fixture Units"		
4	Multifamily project flows are based on apartment units only. No additional design flows for management offices, laundry facilities, pools, or other amenities for the exclusive use of residents.		

Table D-2. ERU Design Factors Based on Fixture Units

Non Residential			
Type of Fixture		Fixture Units	ERUs
	Dish waser, by drain aize, see below	N/A	N/A
	Drains, condensate	1.0	0.083
	Drains, floor & fixture not listed: 1 1/4" drainage outlet	1.0	0.083
	Drains, floor & fixture not listed: 1 1/2" drainage outlet	2.0	0.167
	Drains, floor & fixture not listed: 2" drainage outlet	3.0	0.250
	Drains, floor & fixture not listed: 2 1/2" drainage outlet	4.0	0.333
	Drains, floor & fixture not listed: 3" drainage outlet	5.0	0.417
	Drains, floor & fixture not listed: 4" drainage outlet	6.0	0.500
	Drinking fountain, single or high/low combination	0.5	0.042
	Lavatory (bathroom sink)	1.0	0.083
	Showers, per head	3.0	0.250
	Sink, service, hand	2.0	0.167
	Sink, service, mop/janitor	3.0	0.250
	Sink, pot/scullery	4.0	0.333
	Sink, two-compartment	3.0	0.250
	Sink, three-compartment	4.0	0.333
	Urinal	4.0	0.333
	Washing Machine, non-coin operated, by drain size above	N/A	N/A
	Water closet (toilet)	6.0	0.500
Residential			
Type of Fixture			
	Bathroom group (lavatory, water closet, bidet and bathtub/shower)	6.0	0.500
	Half Bath (lavatory and water closet)	4.0	0.330
	Bathtub, with out without overhead shower)	2.0	0.167
	Clothes washer	2.0	0.167
	Dishwasher	2.0	0.167
	Hose Bibb	0.5	0.042
	Lavatory (bathroom sink)	1.0	0.083
	Shower Stall	2.0	0.167
	Sink, kitchen , with or without garbarge grinder	2.0	0.167
	Sink, laundry	2.0	0.167

Table D-2. ERU Design Factors Based on Fixture Units

1	For design purposes, a wastewater ERU = 200 gallons per day
2	In cases for which the ERU factors are determined by fixture units, use the following formulas:
	$\text{Total ERUs} = \text{Number of Fixture Units} \times 1 \text{ ERU}/12 \text{ Fixture Units}$
	Applicants with establishments that have uses with undefined factors or additional uses, such as, but not limited to, water features in amusement parks, cooling water used for refrigerated storage or climate controlled storage, wastewater generation in the manufacture of a product or other industrial use, shall submit an estimate of flows prepared by a professional ENGINEER.