



TOWN of FALMOUTH

DEPARTMENT OF PUBLIC WORKS, WASTEWATER DIVISION
416 GIFFORD STREET, FALMOUTH, MASSACHUSETTS 02540
TELEPHONE (508) 457-2543

AMY LOWELL
WASTEWATER SUPERINTENDENT

Date: July 25, 2025

To: Select Board

cc: Town Manager, Health Agent, Town Planner, Zoning Administrator

Re: Flow Neutral Bylaw – Update Regarding Discharge Capacity

The Town's wastewater discharge context has changed since the last flow neutral bylaw variance request was reviewed and approved.

Because of significant regulatory and environmental challenges associated with permitting new groundwater discharge sites (and even with increasing the volume of wastewater discharge allowed under the Town's existing groundwater discharge permit), the Town has committed to:

- (1) Using much of the remaining discharge capacity under the Town's existing groundwater discharge permit to accommodate the flow from the next sewer service area: the Great Pond Phase 1 area, and
- (2) Working to permit an ocean outfall for discharge of all current and future treated wastewater.

For all previous flow-neutral bylaw referrals, I was using a baseline flow of 535,000 gpd (i.e., the starting flow prior to any flow neutral bylaw variances). This number was based on the historic flow average for the original service area and projected flow from the Little Pond Sewer Service Area. However, the highest average annual effluent flow from the Main WWTF in the past 7 years (since the Little Pond Sewer Service Area was connected) was 489,000 gpd. Therefore, moving forward, I will use 489,000 gpd as the baseline flow.

The projected average annual flow from projects which have already been granted flow neutral variances (but which were not occupied in 2024, like Lyberty Green and the Falmouth Housing project at 763 Main Street) is 25,000 gpd.

The projected average annual flow from the Great Pond Phase 1 project when all connections are completed (i.e., by the end of 2029) is 114,000 gpd.

Therefore, the total projected average annual flow to our Main WWTF and its discharge beds from existing commitments (existing connections, projects granted flow neutral variances and the Great

Pond Phase 1 project) is 628,000 gpd, which is 88% of the total permitted average annual discharge from the Main WWTF (710,000 gpd).

That leaves 82,000 gpd of (average annual) permitted discharge capacity available for flow increases from by-right development and from flow neutral bylaw variances, until additional discharge capacity is available. The outfall discharge is projected to be available by 2032.

I have stated in previous flow-neutral variance letters that when the *actual* average annual flow to the WWTF reaches 80% of permitted flow, the WWTF's discharge permit requires the Town to provide a plan to the Department of Environmental Protection (DEP) for how the Town will continue to meet its permit requirements. The Town has communicated to the DEP its plan to discharge the Great Pond Phase 1 flow to the existing discharge beds at the Main WWTF under the Town's existing groundwater discharge permit, and to permit and construct an outfall for all current and future discharge. We will continue to update the DEP on our wastewater planning via the outfall environmental review and permitting process, and through the watershed planning and watershed permitting processes.

It is suggested that the Select Board review future flow neutral bylaw variance requests with the limited remaining discharge capacity in mind. The flow neutral bylaw guidelines and priorities that the Select Board adopted in June of 2018 are attached.

FLOW NEUTRAL BYLAW
ADJUSTED GUIDELINES TO BOS FOR WAIVER/VARIANCE CONSIDERATION

Presented to BOS for Discussion Purposes 6-4-18

Suggested Process:

1. BOS receives confirmation from Board of Health that proposed development *can* be accommodated with an on-site Title 5 system as well as confirmation from wastewater superintendent that sufficient capacity exists in the treatment facility.
2. BOS holds Public Hearing on proposed development.
3. Priority areas for waiver/variance consideration:
 - Economic Development. Wastewater connections that will provide significant year-round economic benefit to the Falmouth community. This should be documented with supporting data on employment, revenue generated, taxes paid, etc.
 - Affordable Housing. Wastewater connections that address affordable housing goals as described in the Local Comprehensive Plan and Housing Production Plan. In the case of a project subject to the MGL Ch. 40B comprehensive permit process, the Zoning Board of Appeals assumes the power of the Board of Selectmen and grants or denies the waiver/variance request.
 - Mixed Use Development in Business Redevelopment Zone. Wastewater connections which include mixed commercial use on the lower level with residential units above. This is consistent with the zoning bylaw and the Local Comprehensive Plan envisioned by the Planning Board for the eastern portion of the Main Street corridor.
 - Municipal Use.

Note: Process above adopted by Falmouth Board of Selectmen on 6-4-18