



To: The Hinesburg Selectboard
Cc: Rocky Martin, Director of Buildings and Facilities
Erik Bailey, Water/Wastewater Superintendent
From: Trevor M. Lashua, Town Administrator
Date: October 2, 2015
Re: Water Use Ordinance – changes, as drafted and/or discussed to date

Changes are listed by section and page number.

2. Mandatory Connection to Municipal Water System; (page 6).

Proposed change: Re-write paragraph to read – “All units receiving construction approval (building permit, site plan approval, or final plat approval) within the water service area as defined in Appendix __ shall connect directly to the municipal water system in accordance with the provisions of this ordinance. Individual or community wells will not be allowed within the municipal water system service area and/or village growth center. A property owner may request that this requirement be waived due to undue hardship.”

3. Application for Service; (page 6)

Proposed change: Add a sentence that reads – “Water system connection and/or allocation applications may not be submitted or approved prior to preliminary plat approval from the Hinesburg Development Review Board.”

29. Water Main Extension, Plan Approval and Construction (page 13)

Proposed change: Add the following sentence at the beginning of the paragraph – “A request for a water main extension within the water service area as defined in Appendix __ may be made to the Selectboard.

29. Water Main Extension, Plan Approval and Construction (page 14)

Proposed change: Add the following sentence at the end of the paragraph – “A request for a water main extension that would effectively extend the water service area beyond the boundaries of the water service area shall not be approved, unless the Selectboard has first found that the extension is necessary for public health and safety...”

32. Capacity Allocation Reserve

Proposed change: “As a matter of policy, the Selectboard will attempt to retain 10 percent of the permitted capacity of the municipal water system in an allocation reserve. At no time will the capacity allocation reserve be less than 3.5 percent of the permitted capacity of the municipal water system. Allocation may be made from the reserve by the Selectboard for projects as listed in priority order below:

1. Municipal, educational, or institutional projects.
2. Redevelopment projects at the former Saputo Cheese Plant, or subsequently designated redevelopment priority site.

Projects whose circumstances are so unique that the allocation cannot be met without using capacity from the reserve, and are deemed by the Selectboard to be in the best long-term public health, safety, and welfare of the Town.”

33. Allocation Purchase, Maintenance, and Forfeiture

Proposed change: “All applicable allocation fees shall be paid in full prior to the issuance of a zoning permit. Allocation must be purchased in full within three years of the date of issuance, unless a two-year extension is granted by the Selectboard. The owner shall pay an annual allocation holding fee as specified in Appendix A. An extension may only be granted when the capacity reserve is at or exceeds 10 percent of the total permitted capacity of the municipal water system.

Upon issuance of an allocation letter, the owner must pay an allocation deposit equal to 10 percent of the total allocation fee.

If the allocation is not paid for in full prior to the expiration of the three- or five-year allocation window, the allocated capacity will be returned to either the general allocation pool or the capacity allocation reserve if the total available capacity of the municipal water system is 10 percent of the total permitted capacity of the system or less. Holding fees paid for allocation not purchased in full prior to the expiration of the allocation will not be refunded.

The allocation deposit and holding fees may be applied to the overall allocation/connection fees owed by the owner.”

34. Emergency-Only Utilization of Wells 1 and 3

Proposed change: “Wells 1 and 3, the ‘old wells,’ located west of Town Hall and Stella Road, will be left connected to the municipal water system but not utilized, except in an emergency situation. The capacity of the wells will not be counted in the Town’s calculation of permitted capacity, nor will the capacity be available for allocation and subsequent purchase. If other water sources are connected to the water system that capably serves the Town’s standard and emergency water capacity needs, wells 1 and 3 will be disconnected from the water system entirely and properly abandoned per Water Supply rules.”

Appendix A – The fee schedule – including the new allocation fee.

Appendix TBD – Set the boundaries of the water service area, similar to the wastewater service area.