

**THE WILSON T. BALLARD COMPANY
17 GWYNNS MILL COURT
OWINGS MILLS, MARYLAND 21117**

OFFICE MEMORANDUM

DATE TYPED: October 16, 2018

PROJECT: BR/CR/LR5355D12 Takoma Park Water and Sewer Main Replacement Phase 2

FILE: 800-097.17

SUBJECT: Community Meeting held October 15, 2018 at the Takoma Park Community Center

PRESENT:

Bhusan Basnet	WSSC
Claudia Koenig	WSSC
Karyn Riley	WSSC
Doug Sievers	WSSC
Paul Gray	WSSC
Brandon Stewart	WSSC
Kate Stewart	City of Takoma Park
Kacy Kostiuk	City of Takoma Park
Daryl Braithwaite	City of Takoma Park
Ian Chamberlin	City of Takoma Park
Nasser Kamazani	Montgomery County
Stan Edwards	Montgomery County
Jon Martin	The Wilson T. Ballard Company
Jeff Ziegenfuss	The Wilson T. Ballard Company
Matt Dewese	The Wilson T. Ballard Company
David Kerr	GHD

Approximately 6 Residents
(See attached sign-in sheet)

The meeting was held at the Takoma Park Community Center to discuss solutions to the failing water and sewer infrastructure in the project area and to provide an update to property owners adjacent to the project.

After introductory remarks from Karyn Riley with WSSC, Stan Edwards from Montgomery County Department of Environmental Protection (DEP) advised that Dave Lake, the previous representative from DEP, had retired. He stated Montgomery County DEP has no regulatory role in this matter; however, they have walked the project site at the request of the community and believe that the backyard sewer alignment installed via horizontal directional drilling (HDD) is the best option for the sewer rehabilitation.

Bhusan Basnet, Jon Martin and David Kerr explained the project history and presented two construction solutions for the sewer installation. Solution 1 is a gravity backyard sewer main installed via Horizontal Directional Drilling (HDD). Solution 2 is a pressure sewer main in Little Eastern Avenue with a sewer grinder pump for each house.

Claudia Koenig explained the voting schedule and process for the project.

The following questions (Q) were conveyed regarding the project. Answers (A) were given by WSSC unless otherwise indicated. An asterisk (*) indicates an answer that was updated after the public meeting.

Q: Why are we voting for a second time?

A: In the first vote, abstaining was counted toward solution 1. For this vote, abstaining will not count toward either option. WSSC's General Counsel's Office is now involved to better clarify what each vote means. A vote for solution 1 obviates solution 2. Everyone needs to vote for solution 2 for solution 2 to go forward.

Q: There were 5 trees listed for removal in the report to DEP, but now there are 12, why the discrepancy? Are the additional 7 trees posted online?

A: The 5 trees in the DEP report were being removed for the sewer main installation, 7 additional trees will be removed for lateral installation. WSSC is in the process of posting the additional 7 trees online. When WSSC further develops the design, an exact number of affected trees will be provided.

Q: Were the 3 homes that selected grinder pumps in Phase 1 given the option for HDD?

A: * The homeowners were previously provided with an opportunity to select an option from either front yard (grinder pump) or backyard (gravity sewer) alignment.

Q: From Phase 1 to 1st Avenue, will the backyard sewer be installed via HDD or open cut?

A: The backyard sewer, solution 1, will be installed via HDD.

Q: Do you have tree protection plans?

A: Yes, as discussed in the presentations, there are a variety of tree protection methods available. As the design progresses, tree experts will recommend appropriate applications of the tree protection measures.

- Q:** What is the criteria for Critical Root Zone (CRZ)?
- A:** WSSC will follow the City of Takoma Park guideline which is one foot of CRZ radius per inch of tree diameter. This is for trees under 30" diameter. For trees 30" diameter or larger, the City's formula is 1.5 feet of CRZ radius per inch of tree diameter.
- Q:** What law limits WSSC from owning and maintaining grinder pumps?
- A:** It is not a law, it is the absence of a law. WSSC is governed by the Public Utilities Article of the Maryland Annotated Code and that contains no law that allows WSSC to pay for private maintenance or private systems. Once the facility leaves the public right of way or WSSC's easement, any maintenance of that system is the responsibility of the homeowner.
- Q:** Can/does WSSC pay for any city or municipality's grinder pumps, say for example the City of Takoma Parks grinder pump?
- A:** Not that I [Ms. Koenig] am aware of.
- Q:** It seems that WSSC may be being pennywise and pound foolish. It seems that maintaining grinder pumps is less expensive than the backyard solution.
- A:** Maybe, but the legislature draws a very bright line regarding use of public funds. WSSC has to follow its governing statutes.
- Q:** So WSSC can only do what it is explicitly given in the law. So a change in the law would grant WSSC the ability to own these grinder pumps?
- A:** Yes.
- Q:** Which legislating body has the power to change the law?
- A:** The State of Maryland.
- Q:** Will WSSC pay for the heavy up (code requirement of new electrical panel box with more power) that may be required for installation of a grinder pump? Will WSSC pay for all of the install costs?
- A:** * Installation of electrical cabling and the additional circuit needed for the grinder pump will be supplied by WSSC. WSSC is not able to pay for a heavy up (additional amperage, ground fault circuit interrupters and wiring), if needed. WSSC would need to complete an inspection of each house to determine if there is an available space in the panel board.
- Q:** Why didn't WSSC provide reports regarding plumbing changes to the house for gravity out the front after the home inspections in 2016?
- A:** If an inspection was requested by a homeowner, the inspectors provided their findings to the homeowner at the time of the inspection. A written report for each house was not intended. A general report was provided at the previous public meeting (September 17, 2017) and is available on the WSSC website page for this project:
<https://www.wsscwater.com/files/live/sites/wssc/files/takomaparkproject/Takoma%20Park%20September%202017%20Meeting%20Handout.pdf> (see pages 12 through 17).

- Q:** People understood that they will be responsible for the cost of the plumbing for the sewer out the front option.
- A:** That is correct, they will be.
- Q:** That is not what was said by the WSSC General Manager.
- A:** The General Manager said that the community could explore grants that may be available to cover the plumbing costs, WSSC cannot do this, the community will need to do this.
- Q:** I'm Jean Capps [gives address] and I formally request a cost estimate for plumbing of my house to be gravity out the front. How can we apply for grants if we don't know how much it will cost? What we really want is gravity sewer in the street.
- Q:** I'm confused, I thought that at the previous meeting WSSC presented that gravity sewer in the front would expose foundations of many homes and that it is not being considered as an option.
- A:** That is correct. The engineers will not design such a system as it can pose a substantial risk to the house structure.
- Q:** Why is a trench for the water and pressure sewer an option, but a trench for a gravity sewer no?
- A:** A gravity sewer trench will be much deeper, below the zone of influence of the footers, it will also be very wide due to requiring trench boxes. A trench for pressurized systems will only be about 3.5' deep, and much narrower.
- Q:** Why does WSSC require a 20' wide easement? Is it still needed for HDD?
- A:** The easement is for the purpose of maintaining the line, to enable equipment to fit should access become necessary. However, sewer pipes do not need as much maintenance as water pipes and so access will be infrequent. Plants can be planted on the easement. You will not be able to construct anything on the easement.
- Q:** Can you put a pipe inside the new sewer pipe so the inside pipe can be pulled out and repaired without digging it up?
- A:** WSSC does line older pipes, however the existing pipe in your neighborhood cannot be lined due to its degraded condition. WSSC uses new pipe that lasts longer. The liners WSSC uses cannot be pulled out and replaced. The new pipe WSSC uses does not collect buildup like the old terracotta.
- Q:** What legislation gives WSSC the authority to force a vote?
- A:** There is no legislation that says WSSC can force a vote. WSSC is giving the community opportunity to think about what is wanted and to give you a chance to vote.
- Q:** Is the language of the easement agreement on the website and is it still the same as what

you have been offering? Is the grinder pump agreement still the same? Same pump, warranty, etc.? Can we have as much online as possible?

A: The easement document is currently on the website. The easement agreement will be unique to each property. The agreement depends on the property and what is on the easement. For a permanent easement, WSSC will pay 50% of the assessed property value, which was assessed at \$48.41 per square foot in April of 2016. For a temporary easement, WSSC will pay 10% of the assessed property value. The property assessments were completed a few years ago and may need to be reviewed.

Q: Can we have a report of which other trees will be removed?

A: We are only at 30% design and can't present that information with certainty yet.

Q: So we need to vote without knowing which trees will be removed. Why do we need to vote in two weeks? You're asking us to vote without full information.

A: We believe we've answered all of the concerns. We cannot develop 100% designs for both options in parallel. We need to make a decision based on 30% design to see which way we will move forward.

Q: What is the expected lifespan of a PVC pipe?

A: Approximately 100 years.

Q: Will WSSC post the bond that Takoma Park requires for tree protection?

A: No, WSSC will not be posting a bond. WSSC is exempt from Takoma Park permitting requirements.

Q: There is a retaining wall at the back edge of my property, is there a plan for repairing that wall?

A: Should the wall be impacted during construction, WSSC will replace it in kind. Everything will be thoroughly documented beforehand.

Q: If WSSC replaces the wall and it fails shortly after, who will be liable?

A: If the wall fails due to negligence on the part of WSSC or WSSC's contractor, WSSC will be liable. If the wall fails in an "act of god" or due to something the homeowner did, the homeowner will be responsible.

Q: If the construction causes excess erosion and a neighbor sues us, who will be responsible?

A: WSSC will be restoring the area in kind. The homeowner will not be liable for erosion caused by construction unless they have done something to exacerbate the problem.

This meeting was recorded by Takoma Park City TV who indicated that the recording will be available from their archives (<https://www.youtube.com/watch?v=uc9RGBa->

[5BM&feature=youtu.be](#)). The information above is not a transcript of this recording; it is a compilation of notes taken during the meeting and while watching the recording.

BY: 

mld

cc: Bhusan Basnet (via email)
File



Sign-In Sheet

Purpose: Community Meeting

Project: BRCRLR5355D12 Takoma Park Water and Sewer Rehabilitation Phase 2

Meeting Date and Time: 10/15/2018, 6:00PM

Meeting Location: Takoma Park Community Center, 7500 Maple Avenue, Takoma Park, MD 20912

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