

**MINUTES OF THE TOWN OF CHESHIRE WATER POLLUTION CONTROL
AUTHORITY SPECIAL MEETING HELD ON WEDNESDAY, DECEMBER 12, 2018 AT
7:30 P.M. IMMEDIATELY FOLLOWING THE 7:00 P.M. PUBLIC HEARING IN
COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT
06410**

Present

John Perrotti, Chairman; Aboud Abdelghani, Tom Scannell, James Sima, James Urbano, Zack Wellburn.

Absent: Steve Carroll

Staff: Town Engineer Walter Gancarz

Chairman Perrotti opened up the special meeting at 7:17 p.m.

1. PLEDGE OF ALLEGIANCE

The Group Pledged Allegiance to the Flag

2. ROLL CALL

The clerk called the roll and a quorum was determined to be present.

3. APPLICATION

a. 1953 and 2037 Highland Avenue – Tri Star Development

Attorney Anthony Fazzone and John Milone, P.E. represented the applicant.

Mr. Fazzone commented on follow-up from the November 28th hearing, and the applicant looking for feasibility approval for this application which will go before Planning and Zoning Commission for subdivision approval. The Authority requested more detailed information and the applicant has provided this information.

The subject property is located just on the north side of I-691 on Highland Avenue (west side); it is in the Interchange Zone; and it is the site of the former W/S Development proposal for a large shopping center. This project was ultimately approved, but based on the economy it did not go forward.

The applicant has filed a new conceptual plan (displayed) and Mr. Fazzone pointed out the exact location of the subject property. There is a revised graphical description of how the parcel can be sewered.

Mr. Fazzone referred to his letter of December 4th which describes the project in more detail and the application for feasibility.

Mr. Fazzone referred to the memo to the WPCA from Mr. Gancarz dated December 11th. The memo states that the design shown is consistent with a final design approval received by W/S Development in 2014 for a mixed use development.

Sewer System - The system provides for a pump station on the low point on the property; a forced main going up to Highland Avenue, turning south on Highland, over 691 and from a point south of the overpass it goes by gravity to East Johnson Avenue.

Internal Site – the proposed project will have six (6) building lots, internally within the site, they would be serviced by gravity to the pump station.

The applicant reviewed the proposed motion and concurs with all the conditions. In his letter Mr. Fazzone pointed out that feasibility approval is not an approval to connect to the town system. The applicant would have to return to WPCA for final design approval and award of capacity.

Based on the first use going into the site, Mr. Fazzone said it would require building of the pump station, which is a major final design and allocation. Each individual site would have to return to WPCA for feasibility and final design; and each individual use would be subject to award of capacity. The pump station final design would have to include the Developer's Agreement, similar to the one with W/S Development and WPCA.

The flow numbers in the application and Mr. Gancarz's memo are estimated at this time. It is realized each award of capacity will depend on final Authority approval. The numbers are the applicant's estimates; they will be done in stages as each lot is developed; and it is difficult to say when the different points would be.

Mr. Fazzone stated there is potential that this property could be served by a gravity system to the Town of Southington system. Preliminary discussions have been held; at this time there is no commitment from Southington; and everything would be subject to WPCA approval. Then, there would have to be an inter-municipal agreement between the Town of Cheshire and Town of Southington.

The last time Cheshire entered into an inter-municipal agreement was with the Town of Wallingford for a project developed in Cheshire and Wallingford...on Wallingford Road.

Chairman Perrotti stated the first step is feasibility. He has concerns about flow and area of expansion and rough outline of where the developer plans to carry the flows. He asked Town Engineer Gancarz if the updated application meets all the requirements.

In response, Mr. Gancarz said "yes". He stated this is a conservation development growth area with anticipation for sewers in the future as part of the Facilities Plan.

In this application, the flow number being used is 600 per day per acre (104 acres) or 62,400gpd, plus 50,000gpd special flow...total of 112,000gpd. The full development shows 135,000gpd. There is capacity at the plant; there are other things in town (which

may or may not develop); and this must be looked at in the long term. The flow estimated from the subject development is 20,000gpd higher than the estimated flow from W/S Development. This is why there is a two-step process of feasibility and individual award of final design. If this project takes 10 years to complete, and the plant is pushing up against its limits, this would be looked at for capacity.

In his memo, Mr. Gancarz put in two other items. With W/S there was much discussion about being able to serve the areas in the northeast quadrant, across the street, tying into the gravity system. The town did not want a situation with another pump station in this area. The information submitted by the applicant shows this is a possible future sewer shed. There is need for a Developer's Agreement. For future expansion, the town would take over the pump station as a WPCA station.

Mr. Sima asked about the private pump station over multiple years of development, and how to make sure the WPCA knows it is being properly operated. He said mechanisms should be put in place for anything that happens in the future.

Mr. Perrotti pointed out that anything public has to meet the town's requirements and design specifications.

In that regard, Mr. Sima is talking about an HOA, and cited the dams in town which were in disrepair. He does not want the WPCA to have a pump station in disrepair without maintenance and proper operation, of bills not being paid. Mr. Sima wants to make sure, if this parcel is sold to someone else who operates the sewer pumping station, that the town does not end up an improperly operated sewer station.

Attorney Fazzino said this would be more appropriate to the final design and Developer's Agreement. The pump station was to be built to town specifications. The WPCA at that time would have to make a decision on whether or not the town takes over the pump station.

The following motion was proposed.

MOTION by Mr. Scannell; seconded by Mr. Urbano.

MOVED that the Cheshire WPCA has reviewed the application and submittals of ***the Miller, Napolitano and Wolff LLC and Tri Star Development LLC*** for Feasibility Approval for Extension of Public Sanitary Sewers. Based upon that review and based upon the recommendation of the Director of Public Works, the WPCA has determined that the application and submittals detail a sanitary sewer system which is generally capable of construction and which is capable of being connected to the Town of Cheshire public sanitary sewer system; therefore, the application is APPROVED, with the following conditions:

(12.2.B) This approval is preliminary and does not constitute conclusive nor final approval. The right to connect to the sewer system can only be gained by applying for, and obtaining approval of, Final Design Approval, and Award of Capacity, and a Sanitary Sewer Connection Permit.

1. All costs connected with the proposed sewer system shall be borne by the developer.
2. All transfers of property in the subject development shall be encumbered by written waiver by each grantee to any right to appeal any benefit assessment which the Town of Cheshire may levy on such property; however, each grantee may reserve the right of appeal regarding supplemental assessments that the Town may levy.
3. The application and submittals are incorporated and made a part of this Approval.
4. The proposed sanitary sewer system shall NOT become a part of the public sanitary sewer system, unless the Town decided to exercise that option at a future date.
5. The comments of the Town Engineer as outlined in his memo of December 11, 2018 are adhered to, especially with respect to the ability to accommodate flows from other off site areas north of I-691 so as to avoid multiple future pump stations, and the need for a Developer's Agreement.

VOTE The motion passed unanimously by those present.

**4. CONSIDER AND TAKE ACTION ON THE PROPOSED SEWER
 USER RATES FOR 2018-2019.**

This agenda item was the subject of an earlier public hearing held by the Water Pollution Control Authority.

MOTION by Mr. Scannell; seconded by Mr. Urbano.

MOVED that the Water Pollution Control Authority approves the sewer use rate for 2019 at \$415 for residential users and corresponding rates for commercial & industrial users.

VOTE The motion passed unanimously by those present.

5. ADJOURNMENT

MOTION by Mr. Scannell; seconded by Mr. Urbano

MOVED to adjourn the special meeting at 8:20 p.m.

VOTE The motion passed unanimously by those present.

Attest:

MARILYN W. MILTON, CLERK