

**MINUTES OF THE TOWN OF CHESHIRE WATER POLLUTION CONTROL  
AUTHORITY MEETING HELD ON THURSDAY, DECEMBER 17, 2020 AT  
6:00 P.M.**

**VIRTUAL MEETING VIA ZOOM**

***Public access made available through live streaming on YouTube at  
[https://www.youtube.com/channel/UC4\\_xey3QjJmwe57R\\_6K94Dw](https://www.youtube.com/channel/UC4_xey3QjJmwe57R_6K94Dw)***

***Public comments accepted at [Comments@cheshirect.org](mailto:Comments@cheshirect.org)  
and by voice message prior to the meeting at 203 271-6638.***

***Video will be available on Channel 14 and on demand at [www.cheshirect.org](http://www.cheshirect.org)  
as soon as possible.***

Present

John Perrotti, Chairman; Steve Carroll, Vice Chairman; Jason Beach, Tom Scannell,  
James Urbano, Zack Wellburn

Absent: Aboud Abdelghani

Others Present: Dennis Dievert Jr. P.E. Wright-Pierce Engineering; Mark Lovley,  
Lovley Development; Andrew Quirk, P.E. Kratzet-Jones.

Chairman Perrotti called the meeting to order at 6:00 p.m.

**1. PLEDGE OF ALLEGIANCE**

**2. ROLL CALL**

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

**3. PUBLIC COMMUNICATIONS**

**4. APPLICATIONS**

**a. Tuttle Avenue and Cook Hill Road – Lauren A and Earl J. Kurtz Jr.**

Attorney Anthony Fazzone represented the applicants who plan to build a house on Tuttle Avenue at the corner with Cook Hill Road. The proposed house faces Tuttle Avenue. The boundary between Cheshire and Wallingford is the western edge of Tuttle Avenue. The applicant is requesting feasibility approval for the applicant to hook into the sewer system in Wallingford. Attorney Fazzone informed the Authority that he has spoken with Eric Kruger in Wallingford. There is an email between Mr. Kruger and Mr. Nolte (Cheshire) saying that Wallingford will accept the sewer and the applicant would have to follow the Wallingford regulations for hooking up to the town's sewer system.

Mr. Fazzone has discussed the application with Mr. McEvoy from Milone & MacBroom, and he will look into the design work for hook up to the Wallingford sewer system. Once that is set, the applicant must do an Inter-Municipal Agreement. A single family home on Allison Avenue was allowed to connect to the Wallingford system, and this

agreement form will be used for the subject application. Attorney Fazzone will prepare the agreement; it will be reviewed and approved by the Town Attorney and the Wallingford Public Utility staff.

Sewer Connection – Mr. Fazzone explained the connection to the Wallingford system would be serviced with a grinder pump up to the manhole in front of the Kurtz property. Wallingford has no issues with a grinder pump.

Chairman Perrotti said these types of connections are rare and infrequent and there are no issues. If approved, the drafting of the legal document between the three parties should be made the responsibility of the applicant. Payment of any applicable Wallingford plan reviews, legal connection, sewer fee uses and costs would be borne by the applicant.

Mr. Perrotti addressed the fact that Cheshire has, in the past, assessed a cost for other municipal upgrades to a facility, specifically the City of Waterbury. WPCA and engineering staff must find out if there are any upgrade costs, and that they be levied to the applicant, not the Town of Cheshire.

The WPCA was told by Mr. Dievert that he has discussed everything with Mr. Nolte. There will be no costs to the Town of Cheshire. The town of Wallingford is upgrading its plant at this time. A letter is needed from Wallingford stating they have reviewed the engineering plan and it complies with the town's sewer installation requirements.

Attorney Fazzone said the applicant is okay with this, and he thinks there is an email and assessment of costs to the homeowner.

The Authority members had no other questions or comments on the application.

MOTION by Mr. Carroll; seconded by Mr. Scannell.

MOVED that the WPCA accepts the first phase in the steps of the process for hook-up to the Wallingford Sewer System, and approves feasibility approval of the Tuttle Avenue and Cook Hill application from Lauren A. Kurtz and Earl J. Kurtz Jr.

VOTE           The motion passed unanimously by those present.

**b.     687 South Main Street – 687 South Main LLC.**

John Milone, Milone and MacBroom represented the applicant for feasibility approval to connect the vacant parcel formerly known as the underground gas station at the corner of Higgins Road and South Main Street. This is a ¾ acre site; seven (7) housing units would be on the site in accordance with the Infill Housing Regulations.

Mr. Dievert summarized his letter. The application has been reviewed, and some things came up. Mr. Nolte also commented on issues with the application.

Environmental Land Use Restriction (ELUR) – Mr. Dievert said there must be a better understanding of the ELUR and why the project cannot go with gravity.

- ELUR limits the depth of excavation to no more than 4 feet below grade.
- If the connection is going with grinder pumps...how many...where will they be located...and how will they be powered...and will there be emergency power in the event of a power outage.
- Right now it shows the forced main discharging through the intersection of Higgins Road and South Main Street...which was recently paved.
- It is suggested there be consideration to run that forced main to the new manhole on the sanitary line, which is in the shoulder of the road.
- This would eliminate the need to excavate and deal with the DOT signaling wiring for the crosswalk, and mill and overlay this entire intersection.
- More information on the water meters is needed; will it be a single water meter or individual water meters.
- More details are requested on the abandoning of the sub-surface disposal system.

From the perspective of the WPCA, Mr. Perrotti said these will be addressed for the Authority.

Mr. Milone said they are good comments. The applicant wants to consider alternatives which are more efficient and effective...and each one of the comments will be looked at for consideration. The applicant is looking for feasibility and can meet with staff to discuss and form the most effective design possible.

With respect to the limit of depth of 4 feet, Mr. Milone advised this has been worked though with the State. The State says there is some diesel fuel contamination, and agreed to have no excavation 4 feet below the existing surface. This restriction applies to the entire site. Just enough fill...2 or 3 feet...will be brought in to even the footings, and not get below 3 or 4 feet of existing grade. Mr. Milone said it is difficult to get a gravity connection out to Route 10, and there are options to be explored.

Mr. Beach stated there would be a potential option for the property owner to reach out to DEEP and ask for a temporary release of the ELUR restrictions. DEEP would require information on the soil below the 4 feet to determine whether to use a grinder pump or get the temporary release.

In that regard, Mr. Perrotti pointed out that dealing with regulatory agencies is not the quickest response.

Mr. Milone noted the applicant has taken the path of least resistance, which is working within the ELUR restriction and associated criteria. More research will be done, and there will be review with Mr. Nolte and Mr. Dievert.

Chairman Perrotti stated the comments from Mr. Dievert and Mr. Nolte will be part of the record.

MOTION by Mr. Carroll; seconded by Mr. Scannell.

MOVED that the WPCA approves the feasibility for the extension of public sanitary sewers to the proposed residential Infill Development at 687 South Main Street, property owned by 687 South Main Street LLC.

VOTE           The motion passed unanimously by those present.

**c.     648 Wallingford Road and Talmadge Road – Earl J. Jr. & Lauren Kurtz**  
Attorney Anthony Fazzone represented the applicant, Lovley Development Inc. Plantsville CT, and Earl and Lauren Kurtz, are the property owners.

This piece of property was before the Authority a few years ago, and it was granted extending the sewers into this area. Feasibility was approved for a 24-houses in a cluster subdivision with sewer extension to Talmadge Road...by gravity.

The subject application is for 40 new age restricted homes, age 55+ with estimated flows as used by the Authority for a four(4) bedroom single family homes. The system is entirely by gravity out to Talmadge Road; there are two alternates proposed. Wright-Pierce favors one alternate and Mr. Nolte favors the other. This can all be resolved and IWW will comment on one of the alternates.

One alternate which does not involve crossing the road will need an easement from Talmadge Crossing HOA because it cuts through a corner of the open space.

Comments – Mr. Fazzone said there was nothing in the Wright-Pierce comments or in Mr. Nolte's comments which were objectionable, and all would be resolved in the final design stage.

Part of the approval to extend sewers in this area had a consideration for ability to connect through an easement to the adjacent street to the east...Charles Drive. Mr. Kurtz has an easement to get to Charles Drive. The final design shows how the sewer would be extended there and connected through the age 55+ property and out onto Talmadge Road. There would have to be discussions at that time on what would be public and remain private.

Mr. Quirk stated that Attorney Fazzino has covered everything for the feasibility approval. He stated the project would be served by public water. Two alternates were shown for connection on Talmadge Road; both have wetlands impact and impact to the pavement on Talmadge Road. There are benefits for each, and either way would be feasible in terms of the extension.

Chairman Perrotti recalls this parcel from a few years ago. This is the property on the original conservation map listed as "not sewer capable". In the last go around the conservation map was modified, sent to the State of Connecticut to be updated and insure everything was proper for sewerage this parcel.

Mr. Carroll agreed. He explained WPCA took this parcel which was sandwiched between two sewer areas, and modified the map to include this area as sewerable. This makes the subject application simple.

Mr. Perrotti stated the engineering comments will be addressed in the design process.

With regard to this proposal for 40 new age restricted housing units, Mr. Urbano said this is lot of units crammed into a small piece of property. WPCA must make sure it will not affect anything else in the area. He said it is a large project in a residential neighborhood.

It was noted by Mr. Perrotti that this subdivision proposal comes under the PZC.

MOTION by Mr. Scannell; seconded by Mr. Beach.

MOVED that the WPCA approve the application for feasibility for property at 648 Wallingford Road for Lovley Development Inc.

VOTE The motion passed 5-0-1; Mr. Urbano abstained.

**d. East Mitchell Avenue – Strathmore Holdings, LLC**

Ryan McEvoy, P.E. Milone and MacBroom, LLC represented the applicant for a 56 multi-family affordable housing project. Dean Fiske, one of the applicants, was present.

Mr. McEvoy explained the application is for 56 residential apartments; 48 will be two-bedroom units and 8 will be one-bedroom units. The property is five (5) parcels at the east end of Mitchell Avenue (across from Stop & Shop) and it is a 5.5 acre site. The project is eligible for affordable housing under Section 44.A.8 of the zoning regulations.

There will be 56 units spread out over five (5) buildings, with 10 to 12 units per building. The proposal is to direct sewer flow from all these buildings to an existing sewer interceptor on the west side of the site, adjacent to Cheshire Hillside Village.

The sewer is a 12 inch clay pipe from Highland Avenue and brings it down to the interceptor to the east. All proposed units will be served by gravity with 8 inch pcb pipe.

Staff comments were received from Mr. Nolte and Mr. Dievert. The applicant has no exception to these comments, and will work with Mr. Nolte on another manhole and its location. There are no design issues. Because of the size of the pipe and age of the existing clay (which could be original) there will be inspection of the sanitary sewer prior to final approval.

Mr. McEvoy explained the proposal to extend East Mitchell Avenue to a cul de sac in the road. If there is an additional manhole in the cul de sac portion of the sewer could be controlled by the town to allow for potential future connection to other properties.

Sewer Feasibility Flow – The applicant provided two flow estimates. Every unit in the development is allotted 206gpd; this totals 11,546gpd. Mr. McEvoy commented on the WPCA approval of Hazel Drive development under the same regulation, and has provided a more reasonable or likely flow estimate from the units...this brings the flow down to 8163gpd. The estimate is based on 50 units being two-bedrooms and 6 being one-bedroom units.

Discussion have been held with the application and his architect, and they might get all 56 units as two-bedroom. Under that scenario and population estimates the flow would be 8645gpd. This would be consistent with the WPCA review of the Hazel Drive application. If preferable the applicant would seek approval for 206gpd per unit.

Mr. Dievert said there are no exceptions taken to the comments. He cited the following:

- The sewer main must be 8 inches
- Televising of the sewer
- Working out the details of whether the sewer main will be private, or public and maintained by the town; this was unclear
- If there would be a homeowner's association

It was clarified by Mr. McEvoy that the units will be privately owned. There could be an additional manhole in the cul de sac that could allow for other East Mitchell properties to connect. That portion could be taken over by the town.

With Mr. Nolte's suggestion, a manhole would be placed in the right-of-way to connection into the town's sewer...about half of the system would be a town sewer. This will be worked out in the final design.

Mr. Dievert talked about the two single-family homes on two of the five parcels that were demolished. When the television inspection is done we must make sure those laterals were properly abandoned or capped.

According to Mr. McEvoy those houses were not connected to the sewer system. There were five properties with sewers on two of them. The houses demolished were not on the sewer system...they were on septic.

Mr. Dievert was unaware of the previous application with approval of Metcalf & Eddy method for estimating close...that will be up to the WPCA.

The Hazel Drive application has mostly studio and one-bedroom units, with a few two-bedroom units. Mr. Gancarz noted 206gpd for a studio unit was a stretch, and the flow from this project was less than half of the 206gpd allowed for.

Mr. Carroll talked about sewers going partially down East Mitchell at the moment.

Mr. Dievert said there are no sewers; Hillside Village connects to the 12 inch line; two houses at the corner of East Mitchell and Highland Avenue could be connected, and if so it would be to Highland Avenue. That leaves one house on the north side of East Mitchell connected to the sewers, and one house connected to the 12 inch line being sought for connection. One or two properties on East Mitchell could benefit from public sewers.

Mr. Carroll clarified that these are newly developed units on East Mitchell Avenue...no existing structures will be replaced.

There were just two houses at the end of East Mitchell that were demolished, and Mr. McEvoy said we are starting fresh.

Mr. Perrotti noted there is a map of the existing area and overlay of the sewer system for review...there is a sewer going all the way through down along the rear wetlands.

MOTION by Mr. Carroll; seconded by Mr. Beach.

MOVED that the WPCA approves the application for feasibility for extension of public sanitary sewers to the Strathmore Holdings, LLC, project-East Mitchell Avenue.

VOTE           The motion passed unanimously by those present.

**5.     PROJECTS**  
**None.**

**6.     SUPERINTENDENT'S REPORT**

Flow report for the month was submitted by Supt. Hallier, and shows a decrease over the last few months.

**7. ENGINEERING REPORT**

Mr. Dievert is keeping track of what is being done for an understanding of the billing; there is a spreadsheet for all the work performed in the last month for Cheshire. Questions were answered and feasibility for Fieldstone Court, and discussions with Mr. Nolte. The WPCA was told by Mr. Dievert that Mr. Nolte is doing a good job working with an steering Mr. Dievert. There will be assistance from Mr. Gancarz on the CCI flows in the spring.

Mr. Carroll stated that Mr. Dievert's comments on applications are perfect along with the spreadsheet on the hours of services to Cheshire.

**8. NEW BUSINESS**

None

**9. OLD BUSINESS**

Chairman Perrotti commented on looking at the sewer regulations and finding a specific prohibition for "spent hops". This is something to be watched with Authority members becoming more knowledgeable about this issue. For the last brewery application there was a screening practice which satisfied the WPCA.

Mr. Perrotti read this section of the regulations into the record.

It was suggested by Mr. Perrotti that Mr. Dievert be knowledgeable about some of the specifications, small nuances within the Cheshire regulations, specifically the sewer regulations.

Mr. Dievert agreed, and will be spending time reviewed the regulations.

**10. APPROVAL OF MINUTES – Pubic Hearing November 18, 2020 and Regular Meeting November 18, 2020.**

MOTION by Mr. Scannell; seconded by Mr. Carroll.

MOVED that the WPCA approves the minutes of the Public Hearing, November 18, 2020 and Regular Meeting November 18, 2020, subject to corrections, additions, deletions.

Correction – page 2, item F, #1 – line #3...change word bid to "big".

VOTE The motion passed unanimously by those present.

Ms. McBain informed the Authority members that all meetings would be "virtual meetings" until the town hall is no longer under closure and restrictions.



Mr. Dievert complimented the WPCA on the way it handles applications. He asked if WPCA requires applicants to conduct flow monitoring due to concerns about capacity of the line. This is something he looks at with applications from other towns.

In the past, Mr. Perrotti said the WPCA looks at maximum flows, what they could be in the area. There has been flow monitoring in the past for a variety of different portions in the system. The last time this was done was for I&I investigation...looking for sump pumps and other types of non-compliant sources of clean water. This information still exists, and Mr. Gancarz was putting it into the GIS. Mr. Perrotti was uncertain if the flow monitoring was otherwise done.

Mr. Carroll has no recollection of this being done. There are funds available for research and resolution of I&I issues. This could be something the Authority should have on its radar in the future for a handle on all flows throughout town.

Chairman Perrotti will invite Supt. Hallier to the January 2021 meeting to report on the plant operation.

Regarding grinder pumps, Mr. Wellburn asked whether Cheshire has a regulation for backup power for pumps.

This would be in the sewer regulations, and Mr. Perrotti said the WPCA tries to discourage any type of forced main private pump that has to raise the flow where it is taken over for gravity. WPCA tries to push for a gravity connection. Mr. Perrotti does not believe there is a requirement, but it has been pushed to be included in the application. If there is a backup, the house loses power, the first thing a homeowner does is call the town...and the town must state it is not the town's problem.

Mr. Dievert said he would validate whether there is a requirement and inform WPCA.

It was confirmed by Mr. Perrotti that there is no "generator" word in the WPCA regulations.

Mr. Wellburn said Middletown CT changed to fully automatic pump system.

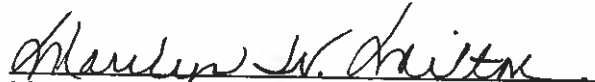
## **11. ADJOURNMENT**

MOTION by Mr. Scannell; seconded by Mr. Perrotti

MOVED to adjourn the meeting at 7:05 p.m.

VOTE           The motion passed unanimously by those present.

Attest:

  
Marilyn W. Milton, Clerk