



## **WATER POLLUTION CONTROL AUTHORITY WPCA AGENDA**

**Thursday, March 25, 2021 – 6:00 PM  
Virtual Meeting Via Zoom**

*'The Bedding Plant Capital of Connecticut'*

**(PER EXECUTIVE ORDER OF THE GOVERNOR OF CONNECTICUT)  
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 mail message 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.**

### **REGULAR MEETING 6:00 PM (Via Zoom)**

#### **1. Pledge of Allegiance**

#### **2. Roll Call and Determination of Quorum**

#### **3. Public Communications**

- a. 2020 Chesprocott Septic System Failures**
  - i. Maps showing historic septic system repair locations**

#### **4. Applications**

- a. Counter Weight Brewery – 7 Diana Court**
  - i. Memo**
- b. Lot #4 on Tuttle Avenue – Earl J. Kurtz, Jr. and Lauren A. Kurtz**
  - i. Memo**
- c. Ball & Socket Arts, Inc. (Phase 1, Building Nos. 2 and 3) – 493 West Main Street**
  - i. Memo**
- d. Stone Bridge Crossing – 1953, 2037, 2061 Highland Avenue & MBL: 3-51**
  - i. Memo**
- e. Proposed Residential Infill Development – 687 South Main Street**
  - i. Memo**

#### **5. Projects**

#### **6. Superintendent's Report**

#### **7. Engineering Report**

#### **8. New Business**

#### **9. Old Business**

**10. Approval of Minutes/Meeting Notes**

**a. Meeting Minutes – February 25, 2021**

**i. Meeting Corrections**

**11. Adjournment**

### **3. PUBLIC COMMUNICATIONS**

#### **a. 2020 Chesprocott Septic System Failures**

- i. Maps showing historic septic system repair locations**



## CHESPROCOTT HEALTH DISTRICT

1247 HIGHLAND AVENUE • CHESHIRE, CONNECTICUT 06410

PHONE (203) 272-2761 • FAX (203) 250-9412 • [www.chesprocott.org](http://www.chesprocott.org)

Maura A. Esposito RS, MPH Director of Health

March 5, 2021

Mr. John Perrotti, Chairperson  
Cheshire WPCA  
Town Hall, 84 South Main Street  
Cheshire, CT 06410

### 2020 Septic System Failures - Cheshire, CT

	<u>Address:</u>	<u>Failure Corrected:</u>
1	59 Brook Lane	YES
2	382 Mt. Sanford	YES
3	817 Wallingford Rd	YES
4	35 Frances Ct	YES
5	30 Guinivere Ridge	YES
6	430 Mountain Rd	YES
7	1086 Sperry Rd	YES
8	2004 Plank Rd.	YES
9	298 Timber Lane	YES
10	697 Andrea Ct	YES
11	70 Charter Oak	YES
12	136 Mt. Sanford	YES
13	796 Devonwood	YES
14	15 Vanessa	YES
15	35 Watch Hill	YES
16	142 North Timber	YES
17	706 Jarvis St	YES
18	705 Rustic Lane	YES
19	20 Cranberry Lane	YES
20	1667 South Main St	YES
21	365 S. Meriden Rd	ACTIVE
22	62 Mountain Rd.	YES
23	323 Fenn Road	YES
24	628 Cortland Circle	YES
25	150 Birch Dr.	YES
26	1276 Cheshire Street	YES
27	100 Cranberry Lane	YES
28	90 Terrell Farms	YES
29	835 Ward Lane	YES

*Chesprocott Health District is an equal opportunity employer*

## Chesprocott Health District

30	55 Hidden Place	YES
31	440 Mt. Sanford	YES
32	305 Jinny Hill	YES
33	75 Carol Dr.	YES
34	176 Bradford	YES
35	213 Argyle	YES
36	80 Merwin Circle	YES
37	708 Andrea Ct	YES
38	140 Charter Oak	ACTIVE
39	180 Brook Lane	YES
40	616 Windsor Ct	YES
41	2 Mountaincrest	YES
42	5 Mountaincrest	YES
43	101 Far Horizon	YES
44	20 Wolf Hill Ct.	YES

Submitted by:



Susan Bencivenga Lonczak, MPH, RS  
Chief Sanitarian

# **Maps Showing** **2020 Septic** **System Failures**

included in hard copy mailed to  
your attention

## **4. APPLICATIONS**

### **a. Counter Weight Brewery – 7 Diana Court**

#### **i. Memo**

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<b>TO:</b>	Water Pollution Control Authority	<b>DATE:</b>	3/15/2021
<b>FROM:</b>	Dennis Dievert Jr.	<b>PROJECT NO.:</b>	20458
<b>SUBJECT:</b>	Final Design/Award of Capacity Approval 7 Diana Court Counter Weight Brewing Company		

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The application is for construction of a 20,000 SF brewery and the renovation of an existing office/industrial building currently located on site. The area is depicted on the Town's Map of "Unsewered Properties in C&D Conservation Areas and Sewer Recommendations" as being in a Sewered Area, and the existing building on site is served by sewers. Note that the projected discharge has been increased from 8,000 gpd to 10,000 gpd in this final design application.

The project proposes to abandon an existing 6" lateral sewer that connects to the town sewer in Diana Court, and to install a new 8" sewer that will serve both buildings and also connects to the town sewer in Diana Court upstream of the current connection point. This new 8" sewer will remain private up to the 12" gravity main in Diane Court.

We have the following comments and questions, some of which were previously noted in feasibility application approval:

1. Provide additional information on the filtering system to be installed for spent hops prior to discharge.
2. Provide additional information on the concentrations of constituents in the discharge.
3. Provide details on connection to gravity main on Diana Court.
4. Provide notes/details on the abandonment of the existing lateral serving the property.

The overall layout for the new sewer connections are acceptable. With the stipulations outlined above, this project is recommended for approval to the WPCA.

Due to the projected increase in flows, the project would need to pay a Capacity Fees for the expected new flows; the fee should provide credit for flows from the existing sewer connection. The method of annual sewer fees for this project will be based on the town's commercial rate structure, however as allowed under the WPCA Regulations, the Owner is allowed to install and maintain a subtraction meter to account for the water used to brew the beer and not being sent to the sewer.





March 12, 2021

Received  
Town of Cheshire Public Works Dept.

MAR 12 2021

BY: \_\_\_\_\_

Mr. Don Nolte  
Engineering Operations Manager  
Town of Cheshire  
84 South Main Street  
Cheshire, CT 06410

**Re: Counter Weight Brewery  
7 Diana Court  
Cheshire, Connecticut  
SLR #17073.00001.050**

Dear Mr. Nolte,

On behalf of the Counter Weight Brewing Company, we have prepared an Application for Final Design and Award of Capacity Approval for Extension of Public Sanitary Sewers in support of a proposed brewery that would include the construction of a 20,000-square-foot brewery and renovation of the existing office/industrial building located at 7 Diana Court in Cheshire, Connecticut. The project area is located on the west side of Diana Court and is currently being utilized as a ±3,000-square-foot finished office/industrial building that was built in 1974. The brewery intends to use the existing building for office use. As part of this application, it is proposed that the existing 6-inch gravity sewer for the existing building be abandoned, with the existing building and proposed brewery being routed to the north by gravity to eliminate sewer piping within the Algonquin Gas Transmission Easement.

Counter Weight Brewing Company currently conducts its operations in Hamden, which will be moved to Cheshire. Its present facility houses its brewing operation, offices, and tasting room. The amount of wastewater produced from a brewery is mainly dependent on production scale. During the feasibility analysis, it was estimated that a flow of 8,000 gallons per day (gpd) could be generated. Upon further discussion with the applicant, it is now estimated that up to 10,000 gpd could be generated by the expanded production.

At this time, we are requesting Final Design and Award of Capacity Approval. Should you have any further questions, please do not hesitate to contact me at (203) 271-1773.

Sincerely,

SLR International Corporation

Ryan McEvoy, PE  
Principal Civil Engineer

Enclosure

17073.00001.050 mr1221.ltr.docx

**Town of Cheshire—Department of Public Works**

**Application for Final Design and Award of Capacity  
Approval**

**For Extension of Public Sanitary Sewers**

Received  
Town of Cheshire Public Works Dept

MAR 12 2021

Project Name: Counter Weight Brewery Project Address: 7 Diana Court  
Zoning District: I-2 Assessor's Map #: 11 Lot #: 29  
Applicant's Name: Counter Weight Brewing Co. Applicant's Telephone Number: 203-821-7333  
Applicant's Address: 23 Raccio Park Road, Hamden CT 06514  
Property Owner's Name: MPB Investments LLC Property Owner's Telephone Number: \_\_\_\_\_  
Property Owner's Address: 345 Chatey Road, Ashford, CT 06278  
Contractor's Name: T.B.D Contractor's Telephone Number: \_\_\_\_\_  
Contractor's Address: \_\_\_\_\_

**I. Project Details**

☐ New Discharge ☒ Substantial change in the volume or character of pollutants being discharged.  
Explain: Existing Building to be renovated and a 20,000 sf brewery to be constructed.

☐ Residential Number of Bedrooms \_\_\_\_\_ Sewer capacity requested in Gallons per Day \_\_\_\_\_  
☒ Commercial Square footage 23,000+/- Sewer capacity requested in Gallons per Day 10,000 gpd  
☐ Industrial Square Footage \_\_\_\_\_ Sewer capacity requested in Gallons per Day \_\_\_\_\_

Total, estimated capacity required: 10,000 (gallons per day)

Is food preparation occurring on the property or will it occur as part of this project? yes If yes, provide the Public Health Code Classification: tpd [Note: Class 3 and Class 4 must comply with DEEP Fats, Oil and Grease Regulations.]

Connecticut Conservation and Development Plan and Map Designation [check one]:

- ☐ Neighborhood Conservation Area (Map Color Code: Pink)—An extension of public sanitary sewers IS permitted in this area  
☐ Growth Area (Map Color Code: Beige)—An extension of public sanitary sewers IS permitted in this area  
☐ Existing Preserved Open Space (Map Color Code: Dark Green)—An extension of public sanitary sewers is NOT permitted in this area

## **Town of Cheshire—Department of Public Works**

- ☐ Preservation Areas (Map Color Code: Medium Green)—An extension of public sanitary sewers is NOT permitted in this area
- ☐ Conservation Areas (Map Color Code: Light Green)—An extension of public sanitary sewers is NOT permitted in this area
- ☐ Rural Lands (Map Color Code: White)—An extension of public sanitary sewers is NOT permitted in this area

Note: Property is sewerred parcel on Figure 5-2 in the Town Facilities Plan

### **II. Type of Project**

- ☐ [12.10.B DPW] The property is located on an existing, public sanitary sewer line; AND
  - ☐ The property has been assessed for public sanitary sewers; OR
  - ☐ The owner has paid or is required to pay a connection charge for connection to a privately installed public sanitary sewer line but has not yet connected to the sewer line.
- ☐ [12.10.C.1.a DPW] The property owner is seeking a ☐ building permit or ☐ Certificate of Occupancy for new construction on approved single residential lots which do not require public or private extension of the sanitary sewer.
- ☐ [12.10.C.1.b DPW] The property owner is seeking a building permit for an addition to an existing residential structure or residential use or a change in residential use, which structure or use is presently connected to a public sanitary sewer line.
- ☐ [12.10.C.1.b DPW] The property owner is seeking a building permit for an addition to an existing commercial or industrial structure or commercial or industrial use or a change in commercial or industrial use, which structure or use is presently connected to a public sanitary sewer line; AND
  - ☐ The additional, estimated flow for such addition or change in use DOES NOT exceed 227 gallons per day; OR
  - ☐ The additional, estimated flow for such addition or change in use DOES NOT exceed the actual flow for the use already permitted prior to the addition or change in use.
- ☒ [12.10.C.1.b WPCA] The property owner is seeking a building permit for an addition to an existing commercial or industrial structure or commercial or industrial use or a change in commercial or industrial use which structure or use is presently connected to a public sanitary sewer line; AND
  - ☒ The additional, estimated flow for such addition or change in use DOES exceed 227 gallons per day; OR
  - ☐ The additional, estimated flow for such addition or change in use DOES exceed the actual flow for the use already permitted prior to the addition or change in use.
- ☐ [12.10.C.1.c DPW] The property owner has been granted final design approval by the WPCA for extensions of the public sanitary sewer system for a project for which the sewers have not yet been extended AND the extension does not go into an area classified as Existing Preserved Open Space (Map Color Code: Dark Green), Preservation Areas (Map Color Code: Medium Green), Conservation Areas (Map Color Code: Light Green), or Rural Lands (Map Color Code: White) as shown on the June, 2005 Conservation and Development Plan and Map of the State of Connecticut (as may be amended).

## Town of Cheshire—Department of Public Works

### III. Assessment/Occupancy Information

1. Date of Feasibility Approval: 6/24/2020 Date of Final Design Approval: \_\_\_\_\_
2. Date of Sewer Assessment: \_\_\_\_\_ Amount: \$\_\_\_\_\_ Caveats? \_\_\_\_\_ If yes, please provide a copy of the caveat.
3. Estimated date of occupancy—include estimated occupancy dates for each structure for which a Certificate of Occupancy is required:  
\_\_\_\_\_  
To be determined
4. Will the property be developed in phases? No If yes, how many? \_\_\_\_\_ If yes, provide the information detailed in attachment #7 below.
5. Describe the project and include all pertinent information necessary for an informed decision to be made on the application.  
\_\_\_\_\_  
Construction of a 20,000 sf brewery and renovation of the existing office building.  
Further information regarding the nature of the sanitary sewer discharge will be submitted.

### IV. Detailed Project Information

Attach the following to this application:

1. A copy of the letter describing the project which was submitted with the application for feasibility approval, together with a statement of any changes in the proposed sanitary sewer system since feasibility approval was granted, and including such additional, pertinent information necessary for an informed decision to be made on the application.
2. A copy of the Feasibility Approval granted by the WPCA.
3. Separate drawings for each of the sanitary sewers proposed, drawn at the Town's standard scale of horizontal 1"=40', vertical 1"=4', showing the following:
  - a. Contours at two-foot vertical intervals and/or centerline elevations at fifty-foot intervals;
  - b. Location of buildings and building connections;
  - c. Sill elevations;
  - d. Existing and/or proposed utilities;
  - e. Other, major physical features; and
  - f. Easements to be acquired in connection with construction of the sanitary sewer system or in connection with future construction of extensions of the system.
4. Final flow calculations (average daily and peak flow rates) for the following:
  - a. Immediate service area.
  - b. Future service area.
5. A color copy of the June 2005 (or more recent) Conservation and Development Plan and Map of the State of Connecticut on which the location of the property has been clearly indicated.
6. A proposed developer's agreement (as set forth in Section 12.4.C of the Cheshire Sewer Regulations) which is acceptable to the WPCA and the Town Attorney and which details all the conditions required by the WPCA.
7. If the property will be developed in phases, attach plans detailing, phase by phase, the planned construction, the timetable of planned construction, the timetable of estimated occupancy for all uses in each phase, the sanitary sewage flow rate for each connection within the phase, and such other data or information as may be requested by the Director or the WPCA.
8. Ten duplicate sets of the application, including all attachments.

## Town of Cheshire—Department of Public Works

By signing below, I hereby agree and certify as follows:

1. The statements made, and the information provided, in this application and in all supporting documentation are true to the best of my knowledge and belief.
2. I have reviewed, understand, and will comply with The Town of Cheshire Sewer Regulations.
3. I will provide such other data or information as may be requested by the Director or the WPCA as he or it deems necessary to make a decision on the application.
4. Official representatives and agents of the Town of Cheshire, including the Building Official, the Director of Public Works, WPCD staff, or their designees, are authorized to enter the property, at reasonable times, for purposes of inspection, observation, measurement, sampling, and testing.

Applicant's Signature



Date:

3/9/21

Property Owner's (or authorized agent's) Signature



Date:

3/9/21

[Printed name of authorized agent]

Matthew Wespell

Contractor's Signature

Date:

\*\*\*\*\* FOR OFFICE USE ONLY\*\*\*\*\*

Dates:

Submitted to Public Works

Statutory "Date of Receipt"

Approved by Planning & Zoning Commission

Approved by Inland Wetlands & Watercourse Commission (write "N/A" if IWWC approval is not required)

Feasibility approval granted

Town Engineer final design review report received

Final Design approval: ☐ Granted ☐ Denied

Developer's agreement (as set forth in Section 12.4.C of the Cheshire Sewer Regulations, acceptable to the WPCA and the Town Attorney, and which details all the conditions required by the WPCA) filed.

Additional requirements per Director of Public Works:

☐ Approval of Award of Capacity of \_\_\_\_\_ gallons per day, or denied ☐



Connecticut Department of  
ENERGY &  
ENVIRONMENTAL  
PROTECTION

## DISCHARGE NOTIFICATION FORM TO POTW AUTHORITY for the

General Permit for Discharges from Miscellaneous  
Industrial Users (**MIU GP**) (refer to the instructions)

Reserved space for POTW/WPCA notes  
and/or "received" stamp

Received  
Town of Cheshire Public Works Dept

MAR 12 2021

By: \_\_\_\_\_

### 1. Facility Information:

- a. Facility Name: Counter Weight Brewing Company  
Address: 7 Diana Court  
City/Town: Cheshire State: CT
- b. Contact Person Name: Matthew Westfall  
Email Address: matt@counterweightbrewing.com Phone Number: 203.821.7333  
Mailing Address: 23 Raccio Park Road  
City/Town: Hamden State: CT
- c. Owner of parcel (as listed in Tax Assessor's office): Conn-State Properties, LLC (see additional info)  
Email Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Owner Mailing Address: 7 Diana Court  
City/Town: Cheshire State: CT

2. Name of Receiving POTW (NPDES Permit Holder): Cheshire Water Pollution Control Facility

### 3. This form is being submitted to (check all that apply):

- ☒ Provide notice of Group I Process Wastewater Discharges with cum. max flow  $\geq 1000$  gpd and  $< 25,000$  gpd  
☐ Provide notice of Group II Non-process Wastewater Discharges with cumulative max daily flow  $\geq 5,000$  gpd  
☐ Provide notice of any Vehicle Maintenance Wastewater discharges  
☐ Modify or correct previously provided information (for example, change in flow, chemistry, or ownership)  
☐ Provide notice that a wastewater will be transported by a vehicle to a POTW  
☐ Request a variance to meet applicable POTW Authority's limits or effluent limits of Section 5(a) of the MIU GP

### 4. a. Was the Discharge(s) previously authorized by a permit issued by CTDEEP:

- ☒ No ☐ Yes. Permit No. \_\_\_\_\_ (attach copy of authorization/registration certificate)  
If "yes", have any changes to the discharge type/chemistry/volume occurred (explain):

b. Date discharge began or will begin: Early Spring 2022

### 5. If any of the following conditions exist, (check all that apply), skip 6 & 7 below and complete 8 below and Attachment A:

- ☐ The discharge is Vehicle Maintenance Wastewater
- ☒ For Process Wastewater Only, the cumulative max daily flow  $\geq 1000$  gpd and  $< 25,000$  gpd **AND any of the following apply:**
- ☒ Discharge has or could have BOD or TSS in excess of 600 mg/L  
☐ Is transported by vehicle to the receiving POTW  
☐ Has an increase in flow or change in chemistry since the most recent registration/notification  
☐ Requires a variance under Section 7(a) of the MIU GP to meet the applicable POTW Authority's limits or effluent limits of Section 5(a) of the MIU GP - **Requires completion of Attachment D and prior written approval of POTW Authority.**  
☐ Requires treatment prior to discharge to meet the applicable POTW Authority's limits or effluent limits of Section 5(a) of the MIU GP.

6. This Discharge is for (check all that apply):

a. Up to 25,000 gallons per day (cumulative maximum daily flow) of Group I Process Wastewater from: (indicate maximum daily flow for each)

<input type="checkbox"/> Commercial laundry	gpd	<input type="checkbox"/> Non-destruct testing	gpd
<input type="checkbox"/> Cutting/grinding	gpd	<input type="checkbox"/> Printing/photo processing	gpd
<input type="checkbox"/> Food processing	gpd	<input type="checkbox"/> Reverse osmosis reject	gpd
<input type="checkbox"/> Brewing/distilling	gpd	<input type="checkbox"/> Tumbling/cleaning	gpd
<input type="checkbox"/> Other (describe):	gpd	<input type="checkbox"/> Water treatment	gpd

Total Flow from all Group I Process Wastewater Discharges: \_\_\_\_\_ gpd

b. Discharges of Group II Non-Process Wastewater from: (indicate max daily flow for each)

<input type="checkbox"/> Air compressor condensate/blowdown	gpd	<input type="checkbox"/> Hydrostatic pressure testing	gpd
<input type="checkbox"/> Boiler blowdown	gpd	<input type="checkbox"/> Non-contact cooling	gpd
<input type="checkbox"/> Building maintenance	gpd	<input type="checkbox"/> Potable water system maintenance sampling	gpd
<input type="checkbox"/> Fire suppression system testing	gpd	<input type="checkbox"/> Swimming pool	gpd
<input type="checkbox"/> Other, including wastewater transported by vehicle (describe): _____	gpd		

Total Flow from all Group II Non- Process Wastewater Discharges: \_\_\_\_\_ gpd

7. Discharge duration:

☒ Continuous (hrs/day) 15 ☐ Intermittent; Frequency of discharge: \_\_\_\_\_

More detail (e.g., day(s) of week, time(s) of day): operating hours will be generally 0500 - 2000

8. Each of the following POTW Authorities have been provided copies of this notification form in addition to the receiving POTW: Not applicable

Attachments

- ☒ Attachment A—Detailed Discharge Information—if required by question 5, above.  
☐ Attachment B—Qualified Professional Certification for Treatment—see Section 4(c)(3)(B) of the MIU GP  
☐ Attachment C—Discharge Analysis For existing discharges of Group I Process and Group II Other non-process wastewater only, one screening analysis from the testing of a sample taken within 90 days of notification for pollutants specified by Section 5(b)(1) of the MIU GP, shall be submitted with the notification form.  
☐ Attachment D—Request for Variance—Prior approval required by POTW Authority.  
☐ Attachment E—Additional Information—if required by POTW Authority.

9. Industrial User Certification—"I hereby certify that I am making this certification in connection with a notification under the General Permit for Discharges from Miscellaneous Industrial Users, submitted to each applicable POTW Authority for an activity eligible for authorization under such permit. I certify that the notification submitted pursuant to such general permit is on complete and accurate forms as prescribed by the Commissioner without alteration of their text. I certify that I have personally examined and am familiar with the information that provides the basis for this certification, including but not limited to all information described in Section 3(b)(14)(A) of such general permit, and I certify, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining such information, that the information upon which this certification is based is true, accurate and complete to the best of my knowledge and belief. I further certify that I have made the affirmative determination required in accordance with Section 3(b)(14)(B) of such general permit and that my signing this certification constitutes conclusive evidence of my having made such affirmative determination. I also understand that knowingly making any false statement in the submitted information and in this certification may be punishable as a criminal offense, including the possibility of fine and imprisonment, under section 53a-157b of the Connecticut General Statutes and any other applicable law. By entering my name below, I agree that I am providing my legal signature, and am legally bound by the certifications above."

Matthew Westfall  
Printed Name of Industrial User

Partner, Manager  
Title of Industrial User

3/2/2021  
Date

## **Attachment to MIU Notification Form**

### **Additional Ownership Information**

#### **Part 1.C: Owner Information**

The current owner of the parcel located at 7 Diana Court is Conn. State Properties, LLC. As of March 2021, the owner of the parcel will be Counter Weight Brewing Company.

A modified Notification form will be submitted with updated property ownership information subsequent to the sale of the property (anticipated March 2021) and prior to commencement of wastewater discharge (anticipated early Spring 2022).





## General Permit for Discharges from Miscellaneous Industrial Users (MIU GP)

### ATTACHMENT A to Notification Form Detailed Discharge Information)

Industrial Users who checked a box for question 5 in the Notification Form must complete this form.  
Please use the instructions while completing this form.

**Part I. 1. Facility Name (from page 1 of Notification Form):** Counter Weight Brewing  
Company

**2. Engineer(s) or other consultant(s) employed or retained to assist in preparing the  
notification or in designing or constructing the activity.**

Name: SLR Consulting

Mailing Address: 45 Glastonbury Boulevard

City/Town: Glastonbury

State: CT Zip Code: 06033

Business Phone: 860.400.5701

ext.:

Contact Person: Scott Bristol, LEP

Phone: 860.400.5701 ext.

E-mail: sbristol@slrconsulting.com

Service Provided: assist with preparation of MIU Notification

**Notes:**

Counter Weight Brewing intends to construct a new facility at 7 Diana Court for the  
brewing of beer. Construction is anticipated to start in June 2021 and brewing  
operations are expected to commence in early 2022.

## Part II. Individual Discharge Information

The below information must be provided for each category or categories of discharge that will discharge to the sanitary sewer. See instructions for further guidance.

1. Discharge ID Number: 001
2. Discharge Location: at connection to sanitary sewer
3. Monitoring Location: to be determined during final plumbing design
4. Miscellaneous Discharge Category(ies), Flow Info, Treatment and Duration (complete for all categories):

a. Group I (Process Wastewater) Discharges	b. Max Daily Flow (gpd)	c. Check box if treatment required	d. Is discharge continuous (hrs/day), intermittent (vol/batch) or transported (vol)
<input type="checkbox"/> Commercial laundry		<input type="checkbox"/>	
<input type="checkbox"/> Contact cooling/heating		<input type="checkbox"/>	
<input type="checkbox"/> Cutting/grinding		<input type="checkbox"/>	
<input checked="" type="checkbox"/> Food processing	10,000	<input type="checkbox"/>	continuous (+/-15 hrs/day)
<input checked="" type="checkbox"/> Brewing/distilling (This is a subgroup of Food processing.)		<input type="checkbox"/>	
<input type="checkbox"/> Non-destruct testing		<input type="checkbox"/>	
<input type="checkbox"/> Printing/photo processing		<input type="checkbox"/>	
<input type="checkbox"/> Reverse osmosis reject		<input type="checkbox"/>	
<input type="checkbox"/> Tumbling/cleaning		<input type="checkbox"/>	
<input type="checkbox"/> Water treatment		<input type="checkbox"/>	
<input type="checkbox"/> Other (specify in 8, below):		<input type="checkbox"/>	
<b>e. Cumulative Max Daily Flow of Process WW Discharges</b>	<b>10,000</b>		
<b>f. Group II (Non-process Wastewater) Discharges</b>			
<input type="checkbox"/> Air comp. condensate/blowdown		<input type="checkbox"/>	
<input type="checkbox"/> Boiler blowdown		<input type="checkbox"/>	
<input type="checkbox"/> Building maintenance		<input type="checkbox"/>	
<input type="checkbox"/> Fire suppression system testing		<input type="checkbox"/>	
<input type="checkbox"/> Hydrostatic pressure testing		<input type="checkbox"/>	
<input type="checkbox"/> Non-contact cooling		<input type="checkbox"/>	
<input type="checkbox"/> Potable water system maint/sampling		<input type="checkbox"/>	
<input type="checkbox"/> Swimming pool (public pool >5,000 gpd)		<input type="checkbox"/>	
<input type="checkbox"/> Vehicle maintenance		<input type="checkbox"/>	
<input type="checkbox"/> Other (specify in 7, below):		<input type="checkbox"/>	
<b>g. Cumulative Max Daily Flow of Non-process WW Discharges</b>	<b>0</b>		
<b>h Total Maximum Daily Flow (e. + g.)</b>	<b>10,000</b>		

5. For intermittent (batch) or seasonal discharges from the table above, indicate the duration, frequency and time of day of the discharge (both maximum and average flows) and any other characteristics of the discharge that will help describe its flow pattern.

N/A

6. Method of Flow Measurement: **estimated**

7. A detailed description of the processes or activities generating each of the discharge(s) from the table above. When different processes or activities produce different discharges, please be specific about each.

**The discharge will consist of wastewaters from rinsing and cleaning vessels for production as well as rinsing and cleaning packaging equipment.**

**Actual flows will be based upon the specific activities being conducted on any particular day. The total daily flows are expected to range from 6,000 gallons to a maximum of 10,000 gallons depending upon the production schedule.**

8. A description of any wastewater treatment processes, including, but not limited to, neutralization, oil/water separation, silver recovery and precipitation of solids or metals, etc. which the discharger utilizes or will utilize to achieve compliance with any of the local ordinances or effluent limits or conditions specified in Section 5(a) of the MIU general permit.

**No wastewater treatment will be performed prior to discharge.**

**Best management practices will be employed to minimize solids and yeasts from being discharged. BOD is expected to fluctuate and at times exceed 600 mg/L; however, as alternatively allowed by this permit, the discharge will not exceed 100 pounds per day of BOD.**

9. A list of the substances used or added to the wastewater shall be provided, including but not limited to those substances for which effluent limits are specified in Section 5(a) of the MIU general permit and those substances listed in Appendix B Table II, III and V or Appendix D of section 22a-430-4 of the Regulations of Connecticut State Agencies (attached as Appendix F to the MIU GP). Any such substances shall be identified by their generic chemical names and Chemical Abstract System (CAS) number. Safety Data Sheets must be provided for any such substances as requested by the POTW Authority.

**No chemicals will be added to the wastewater.**

**See attached for information concerning the anticipated wastewater chemistry.**

## Attachment A, #9 – Additional Information

9. A list of the substances used or added to the wastewater shall be provided, including but not limited to those substances for which effluent limits are specified in Section 5(a) of the MIU general permit and those substances listed in Appendix B Table II, III, and V or Appendix D of Section 22a-430-4 of the Regulations of Connecticut State Agencies (attached as Appendix F of the MIU GP). Any such substances shall be identified by their generic chemical names and Chemical Abstract System (CAS) number. Safety Data Sheets must be provided for any such substances as requested by the POTW Authority.

No chemicals will be added to the wastewater.

Counter Weight Brewing currently operates at a location in Hamden, Connecticut. Wastewater discharges from that facility are believed to represent a "worst-case" scenario as compared to the planned facility in Cheshire. The Cheshire facility will utilize more modern and more automated technology to increase production efficiency and at the same time reduce overall water usage and therefore decrease the volume of wastewater discharge.

The quality of wastewater will also be increased due to the implementation of improved technologies. The anticipated worst-case chemical and physical data is expected to be:

Temperature	50 – 100°F
pH	5.5 – 10 S.U., depending on process
BOD	less than 100 pounds per day
TSS	less than 600 mg/kg
Nitrogen	approximately 2.5 – 4.5 pounds per day

## **4. APPLICATIONS**

**b. Lot #4 on Tuttle Avenue – Lauren A. Kurtz and Earl J. Kurtz, Jr.**

**i. Memo**

---

<b>TO:</b>	WPCA	<b>DATE:</b>	3/19/2021
<b>FROM:</b>	Dennis Dievert Jr., PE	<b>PROJECT NO.:</b>	20458
<b>SUBJECT:</b>	Authorization to Enter into Intermunicipal Agreement with Wallingford Assessors Map 93, Lot 32 Tuttle Avenue		

---

We have reviewed the March 12, 2021 letter and draft agreement from Ryan McEvoy of SLR to Mr. John Perotti of the Cheshire WPCA for the subject property and have no further comment. The letter requests that the WPCA authorize the Town of Cheshire to enter into an intermunicipal agreement with Town of Wallingford at their March 2021 WPCA meeting to allow for connection to the Wallingford sewer system. The plans have been reviewed and approved by the Wallingford Water and Sewer department in December 2020.

Upon review of the letter and supporting documentation, it is recommended that the WPCA authorize this request and ensure that the execution of the agreement is overseen by Town Counsel.



March 12, 2021

Mr. John Perrotti, Chairman  
Cheshire Water Pollution Control Authority  
Town of Cheshire  
84 South Main Street  
Cheshire, CT 06410

**Re: Connection to Wallingford Sanitary Sewer  
Assessor's Map 93, Lot 32  
Tuttle Avenue  
Cheshire, Connecticut  
SLR #11773.00004**

Dear Mr. Perrotti,

On behalf of Lauren and Earl Kurtz, we hereby request that the Cheshire Water Pollution Control Authority (WPCA) consider authorizing the Town of Cheshire to enter into an intermunicipal agreement with the Town of Wallingford at the March 2021 meeting. Subsequent to the meeting with the Cheshire WPCA in December 2020, we received approval from Mr. Erik Kruger of the Wallingford Water and Sewer Department for the site plan for the above-referenced project, which now provides gravity sewer service to the proposed house (email attached hereto). Should the WPCA give its consent, the applicant will coordinate the execution of the intermunicipal agreement with appropriate town officials from Cheshire and Wallingford.

Very truly yours,

SLR International Corporation

Ryan McEvoy, PE  
Principal Civil Engineer

Enclosure

11773.p0004.mr1221.ltr.docx

Received  
Town of Cheshire Public Works Dept.

MAR 12 2021

BY: \_\_\_\_\_



Ryan McEvoy, PE

Principal Civil Engineer

D 475-244-2302

O 203-271-1773

C 203-606-2314

E [rmcevoy@slrconsulting.com](mailto:rmcevoy@slrconsulting.com)

SLR International Corporation  
99 Realty Drive, Cheshire, CT 06410



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Winners, RoSPA  
President's Award 2020

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**From:** Erik Krueger <[erik.krueger@wallingfordct.gov](mailto:erik.krueger@wallingfordct.gov)>

**Sent:** March 09, 2021 11:35 AM

**To:** Ryan McEvoy <[rmcevoy@slrconsulting.com](mailto:rmcevoy@slrconsulting.com)>

**Subject:** Re: Tuttle Avenue / Cook Hill Road

Ryan,

See attached markup of the sanitary sewer lateral plan as we discussed. Please make necessary revisions and resubmit.

Once these item have been addressed we will be able to indicate the plan meets our requirements.

I also attached a copy of the letter we previously sent to the Town of Cheshire.

Regards,

**Erik Krueger, P.E.**

Senior Engineer

Wallingford Water & Sewer Divisions

377 South Cherry Street

Wallingford, CT 06492

Phone: 203-949-2672

Fax: 203-949-2678

On 3/2/2021 4:26 PM, Ryan McEvoy wrote:

Erik,

For reference, please see the current plot plan for the development of the parcel at the southeast corner of the Cook Hill Road / Tuttle Avenue intersection. As you're aware, the house is in Cheshire with the sewer in Wallingford. While I understand that formal agreements may still be pending, we've prepared this plan to shown how we can connect the proposed house by gravity to the sewer in Wallingford. If you could, please take a look and let me know if this meets your requirements. If so, we can report back to Cheshire that you've found the plan to be compliant with your standards. I think that will help Cheshire and the applicant's attorney if that is indeed the case.



Ryan McEvoy, PE

Principal Civil Engineer

D 475-244-2302

O 203-271-1773

C 203-606-2314

E [rmcevoy@slrconsulting.com](mailto:rmcevoy@slrconsulting.com)

SLR International Corporation



**From:** [Ryan McEvoy](#)  
**To:** [Nolte, R Donald](#)  
**Subject:** FW: Tuttle Avenue / Cook Hill Road  
**Date:** Monday, March 15, 2021 9:14:51 AM  
**Attachments:** [ATT00001.png](#)  
[ATT00005.png](#)  
[ATT00006.png](#)  
[ATT00007.png](#)  
[ATT00008.png](#)  
[image003.png](#)  
[image004.png](#)  
[image185082.png](#)  
[image388980.png](#)  
[image330762.png](#)  
[image337104.png](#)  
[Tuttle Avenue 2021-03-09 Kurtz Plot Plan.pdf](#)

---



Ryan McEvoy, PE  
Principal Civil Engineer

• 2017-2018  
• 2017-2018  
• 2017-2018  
• 2017-2018

• 2017-2018  
• 2017-2018

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**From:** Erik Krueger <[erik.krueger@wallingfordct.gov](mailto:erik.krueger@wallingfordct.gov)>  
**Sent:** March 09, 2021 4:02 PM  
**To:** Ryan McEvoy <[rmcevoy@slrconsulting.com](mailto:rmcevoy@slrconsulting.com)>  
**Subject:** Re: FW: Tuttle Avenue / Cook Hill Road

Ryan,

The plan as revised on March 9, 2021 generally meets the requirements of the Technical Standards of the Wallingford Sewer Division for a residential gravity sanitary sewer lateral.

Please note the graphical scale shown on the drawing is incorrect.

Also, in order to connect this house in Cheshire to the Wallingford municipal sanitary sewer system all necessary inter-municipal agreements would need to be executed and all required connections charges, assessments, and fees would need to be paid.

Regards,

Erik Krueger, P.E.  
Senior Engineer  
Wallingford Water & Sewer Divisions  
377 South Cherry Street  
Wallingford, CT 06492  
Phone: 203-949-2672  
Fax: 203-949-2678  
On 3/9/2021 12:58 PM, Ryan McEvoy wrote:

Erik,  
Please see the revised plan for the parcel on the corner of Cook Hill and Tuttle. If you could, please confirm if this meets your requirements.

## AGREEMENT

**THIS AGREEMENT** made the \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between the **TOWN OF CHESHIRE**, a municipal corporation having its territorial limits within the County of New Haven, and State of Connecticut, acting herein by and through its Town Manager and its Water Pollution Control Authority (hereinafter "**CHESHIRE**"), and the **TOWN OF WALLINGFORD**, a municipal corporation having its territorial limits within the County of New Haven, and State of Connecticut, acting herein by its Public Utilities Commission, acting as its Water Pollution Control Authority, and by William W. Dickinson, Jr., its Mayor, (hereinafter "**WALLINGFORD**")

## WITNESSETH:

**WHEREAS, WALLINGFORD** owns and operates a sewer treatment plant and sanitary sewer collection system which is situated in various parts of said Town and which extends to a point in Tuttle Avenue in the Town of Wallingford fronting property on Tuttle Avenue, which property is located in the Town of Cheshire, and shown as Lot 4 on a map entitled "Proposed Subdivision Land of Alexander N. & Dolores L. McInnis Applicant: Alexander N. McInnis Cook Hill Rd. & Tuttle Ave. New Haven County, Cheshire, Connecticut Date 10/18/95 Scale 1"=50' Sheet 4 of 5", which map was prepared by Conklin & Soroka, Inc., Consulting Engineers, Land Surveyors and Land Planners and is on file in the Cheshire Town Clerk's office as Map #3265; and

**WHEREAS, Lauren A. Kurtz and Earl J. Kurtz, Jr. (hereinafter "Owner")**, have requested that they be permitted to construct a sanitary sewer lateral connection and appurtenances to serve certain property owned by them and known as Lot 4 on Tuttle Avenue, Cheshire Connecticut which Lot 4 on Tuttle Avenue is more particularly described on **EXHIBIT A** attached hereto and made a part hereof and is hereinafter referred to as "the Premises" and which sewer lateral and appurtenances will be located partially within the Town of Wallingford and partially within the Town of Cheshire and be connected to Wallingford's public sanitary sewer system as shown on a plan entitled "KURTZ PLAN TUTTLE AVENUE CHESHIRE CONNECTICUT", Scale: 1"=30', Date: March 02, 2021, Revised: March 9, 2021 by SLR 99 Realty Drive, Cheshire, CT, which is attached hereto as Exhibit B and made a part hereof and hereinafter referred to as the "PLAN"; and

**WHEREAS, CHESHIRE** desires that **WALLINGFORD** allow the disposal of sewage from the Premises, as shown on the **PLAN**, through Wallingford's collection and sewer treatment facilities; and

**WHEREAS, WALLINGFORD** is willing to permit **OWNER** to dispose of sewage generated at the Premises, as shown on said **PLAN**, through **WALLINGFORD'S** facilities in consideration for **CHESHIRE'S** permitting and cooperating with **WALLINGFORD**, where appropriate, to impose connection charges; use charges, and other appropriate fees, charges, and assessments (including lien fees), as hereinafter set forth, and agreeing to pay any such connection charges; use charges; and other appropriate fees, charges, and assessments (including lien fees)

which the owners fail or refuse to pay, and permitting **WALLINGFORD'S** applicable sewer regulations to be enforced.

NOW, THEREFORE, in consideration of the mutual promises of the parties hereinafter contained and pursuant to the authority granted to **CHESHIRE** and **WALLINGFORD** by Sections 7-247 and 7-723 of the Connecticut General Statutes, **WALLINGFORD** and **CHESHIRE** do hereby agree as follows:

1. **WALLINGFORD** agrees to permit **CHESHIRE**, its agents and contractors employed by **CHESHIRE**, or the agents and contractors of **OWNER**, to enter upon and excavate in, under, and through that portion of Tuttle Avenue in **WALLINGFORD** for the purposes of making a connection to **WALLINGFORD'S** sanitary sewer main for said sanitary sewer lateral to service #\_\_ Tuttle Avenue and for constructing, operating, servicing, testing, maintaining, and repairing said sanitary sewer lateral and other appurtenances, all in accordance with the ordinances and pertinent rules and regulations of **WALLINGFORD**, subject, however, to any property rights of others in and to the property crossed by said sewer lateral or sewer line.
2. **CHESHIRE** agrees that the sanitary sewer lateral and appurtenances installed by **OWNER** shall be the property of, and shall be owned and maintained by, **OWNER**, its successors and assigns, and shall be subject to the same ordinances; rules and regulations; controls and conditions of use; connection charges; use charges; and other appropriate fees, charges, and assessments (including lien fees) as are applicable to other sanitary sewer facilities located in Wallingford and connected to Wallingford's sanitary sewer collection system, except that such service shall not include service to basement fixtures without the prior review and approval by **WALLINGFORD**.
3. **WALLINGFORD** agrees to waive any and all rights, if any to regulate or to assess **CHESHIRE** for tax assessments or connection charges; use charges; and other appropriate fees, charges, and assessments (including lien fees) on the sanitary sewer lateral and appurtenances installed pursuant to this Agreement. **WALLINGFORD** agrees to permit **OWNER** - and no others - to connect into said sewer, provided that written application is first made to Wallingford's Water and Sewer Divisions for such right to connect and provided that **OWNER** shall pay **WALLINGFORD** a connection charge, use charges; and other appropriate fees, charges, and assessments, equal to an amount to be then determined in accordance with the connection charge; use charges; and other appropriate fees, charges, and assessments in effect at the time of the connection or as such may be amended from time to time by **WALLINGFORD**.
4. **CHESHIRE** agrees that the use of the sanitary sewer system shall be in conformance with the rules and regulations established by **WALLINGFORD**, as they may be hereafter amended. **WALLINGFORD** reserves the right, and **CHESHIRE** acknowledges **WALLINGFORD'S** rights, to remove any violators

of **WALLINGFORD'S** regulations from the system located in **WALLINGFORD** and to seek or impose such fines, liens (including lien fees), other remedies as may be authorized by law and/or agreement of the parties.

5. **WALLINGFORD** shall notify **CHESHIRE** when any person owning the Premises applies for permission to connect to the aforementioned sewer system. The connecting property owner shall then obtain a Sewer Connection Permit from **WALLINGFORD** and shall pay all necessary permit and inspection fees, connection charges; use charges; and other appropriate fees, charges, and assessments to **WALLINGFORD**. The complete cost of the hookup shall be borne by **OWNER**, including the cost of constructing and connecting the lateral and appurtenances to sewer main line (road excavation, repair, pipe, etc.) to serve the Premises, as shown on the Plan. All work shall be inspected and approved by **WALLINGFORD'S** Water and Sewer Divisions.
6. **CHESHIRE** agrees that **WALLINGFORD** may perfect any liens for connection charges; use charges; and other appropriate fees, charges, and assessment that are levied by **WALLINGFORD** upon the Property for utilizing the sewer facilities as permitted in this Agreement in the manner set forth in Section 7-254 and 7-258 of the Connecticut General Statutes, as **CHESHIRE** would be permitted to perfect if the Property were connected to **CHESHIRE** sewer facilities and hereby assigns its rights granted by said statute to do so to **WALLINGFORD**.
7. Should **OWNER** fail to pay any connection charges; use charges; or other appropriate fees, charges, and assessments, or should any liens filed by **WALLINGFORD** pursuant to this Agreement become unenforceable or be foreclosed, discharged, or divested in any judicial or non-judicial procedure affecting the Premises, **CHESHIRE** hereby agrees to pay to **WALLINGFORD** within sixty (60) days of demand by **WALLINGFORD** such connection charges; use charges; and other appropriate fees, charges, and assessments which may be imposed by **WALLINGFORD** for services to the Premises as permitted by this Agreement, including all lien fees, interest, costs of collection, and reasonable attorneys' fees in the enforcement of the liens or other collection procedures, providing **WALLINGFORD** assigns the amounts owed to **WALLINGFORD** and all security therefor, if any, to **CHESHIRE**. **WALLINGFORD** shall have the sole option of determining whether to seek payment from **CHESHIRE** or from the property owner and the sole option of determining at what time after default by the property owner **WALLINGFORD** makes demand upon **CHESHIRE** for payment. In no event, however, shall **WALLINGFORD** make such demand of **CHESHIRE** later than one year from the date that **WALLINGFORD** determines that the **OWNER** is in default.
8. **WALLINGFORD** shall promptly notify **CHESHIRE** of any connection charges; use charges; and other appropriate charges and assessments which are past due, in the same manner as it notifies a property owner in default. Any demands of **WALLINGFORD** for payment by **CHESHIRE** pursuant to Paragraph 7 of this

9. agreement shall be in writing and made pursuant to paragraph 10 of this Agreement. In all matters relating to this Agreement, **CHESHIRE** and **WALLINGFORD** shall cooperate fully to accomplish the purposes of this Agreement.

10. Unless otherwise provided in this Agreement, any notices permitted or required by the parties under this Agreement shall be made by certified mail, return receipt requested to the following addresses:

**WALLINGFORD:**  
Director of Public Works  
Town of Wallingford  
100 John Street  
Wallingford, Connecticut 06492

**CHESHIRE:**  
Town Manager  
Town of Cheshire  
84 South Main Street  
Cheshire, Connecticut 06410

11. This Agreement is to remain in full force and effect until such time as **WALLINGFORD** and **CHESHIRE** may mutually agree, in writing, to modify, amend, to terminate this Agreement.

**IN WITNESS WHEREOF**, the parties here hereunto set their hands and seals the dates below written.

**SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:**

**WALLINGFORD PUBLIC UTILITIES  
COMMISSION**

\_\_\_\_\_  
\_\_\_\_\_

By:

\_\_\_\_\_  
Robert N. Beaumont  
Its Chairman, Duly Authorized

**TOWN OF WALLINGFORD**

\_\_\_\_\_  
\_\_\_\_\_

By:

\_\_\_\_\_  
William W. Dickinson, Jr.  
Its Mayor, Duly Authorized

CHESHIRE WATER POLLUTION  
CONTROL AUTHORITY

\_\_\_\_\_  
\_\_\_\_\_

By:

\_\_\_\_\_  
John Perrotti, III  
Its Chairman, Duly Authorized

TOWN OF CHESHIRE

\_\_\_\_\_  
\_\_\_\_\_

By:

\_\_\_\_\_  
Sean Kimball  
Its Town Manager, Duly Authorized

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_

WALLINGFORD TOWN ATTORNEY

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_

CHESHIRE TOWN ATTORNEY

STATE OF CONNECTICUT                    )  
  )SS. TOWN OF WALLINGFORD  
COUNTY OF NEW HAVEN                    )

On this the \_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned officer, personally appeared ROBERT N. BEAUMONT, who acknowledged himself to be the Chairman of the WALLINGFORD PUBLIC UTILITIES COMMISSION, municipal agency, and that he is, as such officer, being authorized to do so, executed the foregoing instrument for the purposed therein contained by signing on behalf of the agency.

IN WITNESS WHEREOF, I hereunto set my hand.

\_\_\_\_\_  
Commissioner of the Superior Court  
Notary Public  
My Commission Expires:\_\_\_\_\_

STATE OF CONNECTICUT                    )  
  )SS. TOWN OF WALLINGFORD  
COUNTY OF NEW HAVEN                    )

On this the \_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned officer, personally appeared WILLIAM M. DICKINSON, JR., who acknowledged himself to be the Mayor of the TOWN OF WALLINGFORD, municipal corporation agency, and that he is, as such officer, being authorized to do so, executed the foregoing instrument for the purposed therein contained by signing on behalf of the Town.

IN WITNESS WHEREOF, I hereunto set my hand.

\_\_\_\_\_  
Commissioner of the Superior Court  
Notary Public  
My Commission Expires:\_\_\_\_\_

STATE OF CONNECTICUT            )  
  )SS. TOWN OF CHESHIRE  
COUNTY OF NEW HAVEN         )

On this the \_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned officer, personally appeared JOHN PERROTTI, III, who acknowledged himself to be the Chairman of the CHESHIRE WATER POLLUTION CONTROL AUTHORITY, municipal agency, and that he is, as such officer, being authorized to do so, executed the foregoing instrument for the purposed therein contained by signing on behalf of the agency.

IN WITNESS WHEREOF, I hereunto set my hand.

\_\_\_\_\_  
Commissioner of the Superior Court  
Notary Public  
My Commission Expires:\_\_\_\_\_

STATE OF CONNECTICUT            )  
  )SS. TOWN OF CHESHIRE  
COUNTY OF NEW HAVEN         )

On this the \_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned officer, personally appeared SEAN KIMBALL, who acknowledged himself to be the Town Manager of the TOWN OF CHESHIRE, municipal corporation agency, and that he is, as such officer, being authorized to do so, executed the foregoing instrument for the purposed therein contained by signing on behalf of the Town.

IN WITNESS WHEREOF, I hereunto set my hand.

\_\_\_\_\_  
Commissioner of the Superior Court  
Notary Public  
My Commission Expires:\_\_\_\_\_



## EXHIBIT A

Lot 4 on Tuttle Avenue, Cheshire  
Property of Lauren A. Kurtz and Earl J. Kurtz, Jr.

All that certain piece or parcel of land with all the improvements thereon, situated in the Town of Cheshire, County of New Haven and State of Connecticut, being Lot #4, as shown on a map on file in the office of the Town Clerk, Cheshire, entitled "Proposed Subdivision Land of Alexander N. & Dolores L. McInnis Applicant: Alexander N. McInnis Cook Hill Rd. & Tuttle Ave. New Haven County, Cheshire, Connecticut Date 10/18/95 Scale 1"=50' Sheet 4 of 5", which map was prepared by Conklin & Soroka, Inc., Consulting Engineers, Land Surveyors and Land Planners and is on file in the Cheshire Town Clerk's office as Map #3265

1. THIS SURVEY AND MAPS HAVE BEEN PREPARED IN ACCORDANCE WITH THE "RECOMMENDED STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ADOPTED FOR USE BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC., ON SEPTEMBER 24, 1992.
2. WITH RESPECT TO PERIMETER, THE TYPE OF SURVEY PERFORMED IS A PROPERTY SURVEY AND IS INTENDED TO DEPICT OR NOTE THE PROPERTY LINES OF LAND OWNED BY ALEXANDER M. & DOLORES L. LONNINIS ON THE WEST SIDE OF TUTTLE AVENUE AND SOUTH SIDE OF COOK HILL ROAD WITH RESPECT TO ALL MONUMENTATION FOUND OR SET, SUCH AS IRON PIPES OR CONCRETE MONUMENTS; LINES OF OCCUPATIONS, SUCH AS STONE WALLS, HEDGE ROWS, TREE LINES; APPARENT IMPROVEMENTS, SUCH AS ROADWAYS AND UTILITY POLES; RECORD EASEMENTS AND APPARENT BOUNDARY ENCROACHMENTS, IF ANY. WITH RESPECT TO THE SUBDIVISION, THE TYPE OF SURVEY PERFORMED IS AN ORIGINAL SURVEY AND IS INTENDED TO DEPICT OR NOTE THE PROPOSED PROPERTY LINES.
3. BOUNDARY DETERMINATION/OPINION IS BASED UPON AN INDEPENDENT RESURVEY OF MAPS A & B REFERENCED IN NOTE 6.
4. THIS SURVEY CONFORMS TO A CLASS A-2.
5. BEARINGS AS SHOWN ARE BASED UPON THE BEARING BASE OF MAP REFERENCE IN NOTE 6C.
6. REFERENCE IS MADE TO THE FOLLOWING MAPS:
  - A. "MAP OF PROPERTY OF LESTER HARRIS, JR., TUTTLE ROAD & COOK HILL ROAD, CHESHIRE, CONN.", SCALE 1"=100', DATED MAY 1947, PREPARED BY H. E. DAGGETT, MAP ON FILE IN THE CHESHIRE TOWN CLERK'S OFFICE AS MAP #539.
  - B. "MAP OF LAND TO BE CONVEYED TO ANTHONY AMICI, TUTTLE ROAD, CHESHIRE, CONN.", SCALE 1"=50', DATED SEPTEMBER, 1947, PREPARED BY H. E. DAGGETT, MAP ON FILE IN THE CHESHIRE TOWN CLERK'S OFFICE.
  - C. "PROPERTY SURVEY LAND OF HELEN S. MERTENS, 721 COOK HILL ROAD, NEW HAVEN COUNTY, CHESHIRE, CONNECTICUT", SCALE 1" = 60', DATED MAY 25, 1993, PREPARED BY CONKLIN & SOROKA, INC.
  - D. "WALLINGFORD-CHESHIRE TOWN LINE", SCALE 1" = 1,000', PREPARED BY TOWN ENGINEERING DEPARTMENT, WALLINGFORD, CONNECTICUT, MAP ON FILE IN THE CHESHIRE TOWN CLERK'S OFFICE AS MAP #1013.
7. THE PROPERTY LINE BETWEEN POINTS A AND B IS A LINE 815 FEET SOUTH AND PARALLEL TO THE STONE WALL ALONG COOK HILL ROAD AS DESCRIBED IN WARRANTY DEED, VOLUME 71, PAGE 135, DATED SEPTEMBER 8, 1947.
8. PARCEL IS SHOWN AS LOT 22 ON ASSESSOR'S MAP #93.
9. TOTAL PARCEL AREA= 371,216 Sq. Ft./ 8.522 ACRES. DEED REFERENCE VOLUME 186 PAGE 131 AND VOLUME 149 PAGE 493.
10. PARCEL IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN) AS SHOWN ON FIRM FLOOD INSURANCE RATE MAP, TOWN OF CHESHIRE, CONNECTICUT, NEW HAVEN COUNTY, PANEL 11 OF 12, COMMUNITY PANEL NUMBER 090074 0011 C, MAP REVISED NOVEMBER 3, 1989.
11. PARCEL IS LOCATED IN THE R-80 ZONE, WITH THE FOLLOWING ZONING RESTRICTIONS:

MINIMUM LOT AREA	80,000 Sq. Ft.
MINIMUM LOT WIDTH	200'
MINIMUM LOT FRONTAGE	50'
MINIMUM SETBACK AT STREETLINE	40'
MINIMUM SETBACK AT SIDELINE	40'
MINIMUM SETBACK AT REARLINE	40'
MAXIMUM HEIGHT	10'
MAXIMUM LOT COVERAGE	10%
12. CONSTRUCTION OF PAVED DRIVEWAYS CURB CUTS AND APRONS SHALL BE THE RESPONSIBILITY OF THE LOT OWNER AND SHALL BE CONSTRUCTED AND APPROVED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THAT LOT.
13. ELECTRIC AND TELEPHONE SERVICE DISTRIBUTION LINES AND OTHER PUBLIC SERVICE FACILITIES SHALL BE INSTALLED UNDERGROUND.



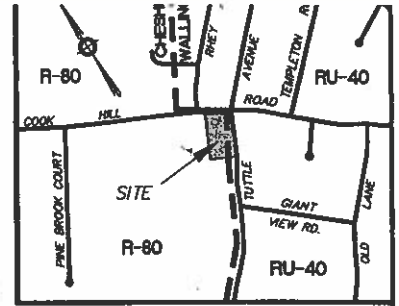
JOHN F. WAGENBLATT

LS #17791

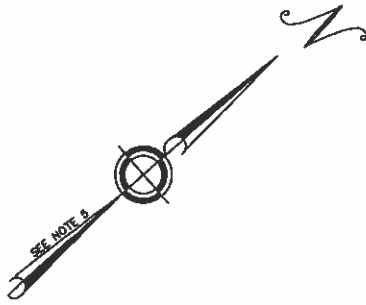
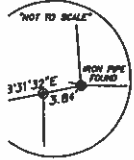


( IN FEET )  
1 inch = 50 ft.


3265

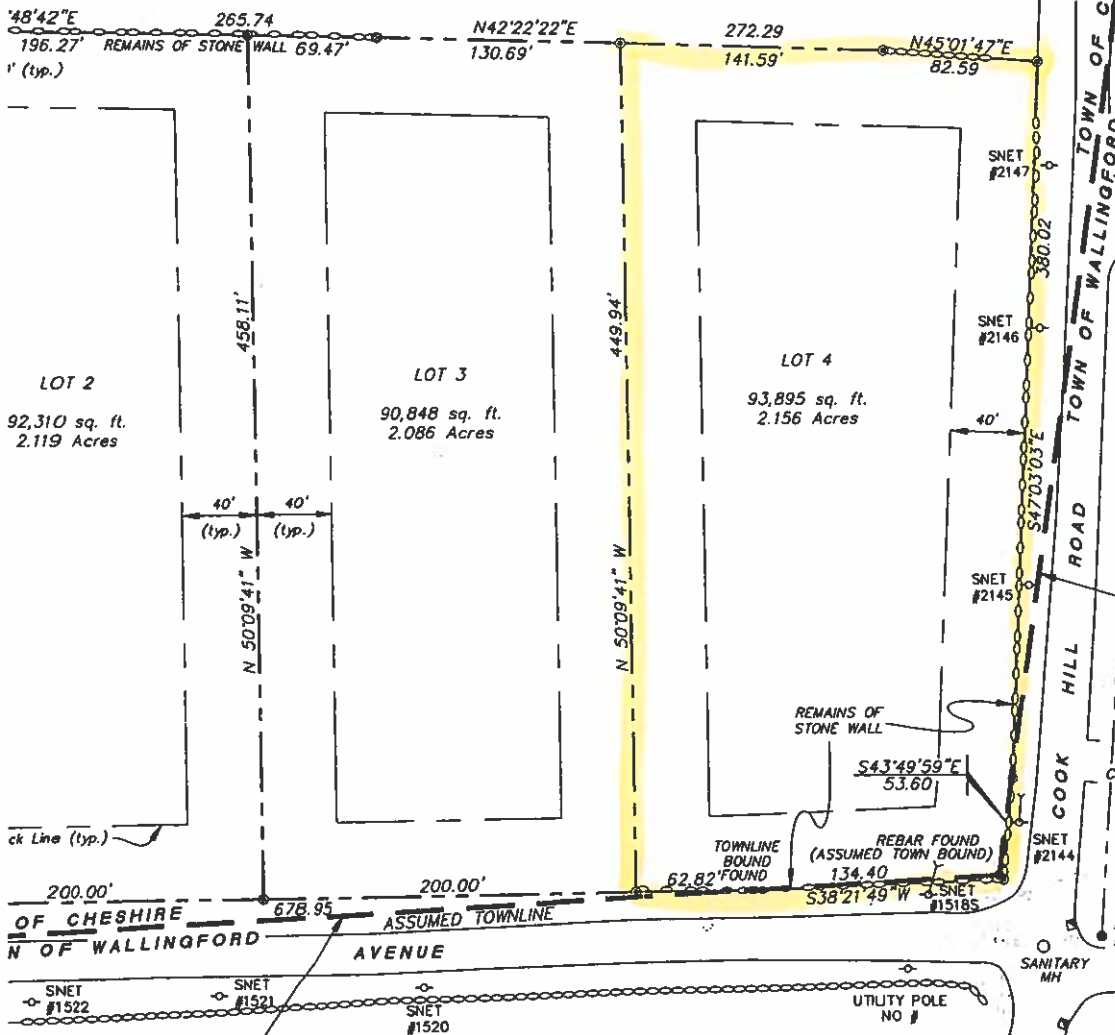


LOCATION MAP  
SCALE: 1"=1000'



N/F  
BRIAN D. MCKEE  
V371 P029

HOUSE  
#803



RHEY AVENUE

CONCRETE MONUMENT FOUND

CONCRETE MONUMENT FOUND

APPROXIMATE TOWNLINE

BITUMINOUS CONCRETE DRIVE


- APPROVED -  
PLANNING & ZONING COMMISSION  
CHESHIRE, CONNECTICUT

By: *[Signature]*  
Date: February 22, 1996  
BOND IS NOT REQUIRED.  
THIS MAP IS SUBJECT TO THE FOLLOWING  
LOCAL ORDINANCES

THIS MAP PRODUCED BY  
ORIGINAL INK DRAWING ON  
POLY FILM OR LINEN  
CONKLIN & SOROKA, INC.  
1484 HIGHLAND AVE., UNIT 40  
CHESHIRE, CT 06410-1215

FILED TOWN CLERK'S Office.  
Cheshire, Connecticut  
**FEBRUARY 20, 1996**  
CAROLYN Z. SOLTIS  
Town Clerk

LEGEND		
--- Property/Deed/Street Line	□ Wood Fence	Watercourse
--- Easement/Right of Way Line	Retaining Wall	Swampy/Wet Area
■ Concrete Monument (Found)	○ Utility Pole	W.E.D. Wallingford Elec. Division
● Iron Pipe (Found)	⊕ Gas Gate	SNET Southern New England Telephone
□ Concrete Monument (To Be Set)	⊕ Water Gate	U.I. United Illuminating Company
○ Angle Point in Property Line	⊕ Catch Basin	★ Light Pole
N/F Now or Formerly	○ Manhole	● Fence Post
--- Stone Wall	⊕ Fire Hydrant	--- Wetland Boundary
--- Wire Fence	⊕ Well	● Iron Pin (to be set)



**CONKLIN & SOROKA, INC.**

1484 HIGHLAND AVE.  
CHESHIRE, CT 06410  
(203) 272-1135

166 MORTONTOWN ROAD  
MADISON, CT 06443  
(203) 245-9330

CONSULTING ENGINEERS    LAND SURVEYORS    LAND PLANNERS

**PROPOSED SUBDIVISION**  
LAND OF  
**ALEXANDER N. & DOLORES L. McINNIS**  
APPLICANT: **ALEXANDER N. McINNIS**

**COOK HILL RD. & TATTLE AVE. NEW HAVEN COUNTY CHESHIRE, CONNECTICUT**

DATE 10/18/95 FILED MR. DRN. CO. DISK NO. 1102 RECD. CT NO. 95-070

74872

## **4. APPLICATIONS**

### **C. Ball & Socket Arts, Inc. (Phase 1, Building Nos. 2 and 3) – 493 West Main St.**

#### **i. Memo**

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<b>TO:</b>	Water Pollution Control Authority	<b>DATE:</b>	3/15/2021
<b>FROM:</b>	Dennis Dievert Jr.	<b>PROJECT NO.:</b>	20458
<b>SUBJECT:</b>	Final Design/Award of Capacity Approval 493 West Main Street Ball and Socket Arts, Inc.		

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This application is for a proposed commercial facility within a sewered area, and is located on the site of a former industrial facility that was connected to the sanitary sewer system in 1974, at which time a benefit assessment of the property was made and paid. The estimated flows of 10,160 gpd from this 3-acre parcel, is greater than the 600 gpd planned for growth in industrial/commercial areas. However, the historical use of this property as an industrial facility in all likelihood had much higher flows from process and sanitary wastewaters.

The project phasing plan was recently changed in February 2021. Phase 1 now includes the renovation of Building #2 & #3, which currently do not have sewer service. Building #2 will house an ice cream shop and social learning center. Building #3 will house an open art gallery and offices. The total anticipated flow for Phase 1 is 930 gpd. The Applicant proposes to install a new gravity sewer connection from Building #2 and Building #3 to the existing 12" gravity main on Willow Street as part of this application.

We have the following comments and questions, some of which were previously noted in feasibility application approval:

1. With respect to Building #1 and Building #5, Records in the Building Department refer to a 5" and an 8" connection to the sanitary sewer system located west of the buildings. Future plans for these two buildings are not yet finalized and will require a separate application when ready. The future application must include additional research and television inspection of the sewer service connection(s) and force main as noted in the sewer feasibility approval.

The overall layout for the new sewer connection from Building #2 & #3 is acceptable. However, the plans are void of any of the reference details required for the construction of new sewer service and connection to the 12" main on Willow Street which are required for review.

The project will need to pay capacity fees as outlined in the WPCA regulations. The method of annual sewer fees will be based on the town's residential or nonresidential rate structure.

With the stipulations outlined above, Phase 1 of this project is recommended for approval to the WPCA.



ENGINEERS & SURVEYORS • 78 ELM STREET • BRIDGEPORT, CONNECTICUT 06604

ORIGINAL

Received  
Town of Cheshire Public Works Dept

FEB 26 2021

BY: \_\_\_\_\_

**FINAL APPLICATION FOR**  
**NEW SEWER CONNECTION**  
**FOR**

**"Ball & Socket Arts, Inc."**  
**(Phase 1, Building Nos. 2 and 3)**  
**493 West Main Street**  
**Cheshire, CT**

February 24, 2021



Prepared by: Chris DeAngelis, PE



## TABLE OF CONTENTS

### **APPLICATION**

Application Form (including Sample Agreement)

Narrative

Attachment A1 – Site Locus Map

Attachment A2 – State of Connecticut Conservation & Development Location Guide Map

Attachment B1 – Conceptual Approval Letter (January 15, 2014)

Attachment B2 – Conceptual Flow Estimate (January 9, 2014)

Attachment C – CT Dept. of Public Health Sewer Design Flows (Table 4)

Attachment D – Existing Sewer Connection, West Side of Property (1973)

### **SUPPLEMENTAL INFORMATION (Provided under separate cover)**

Property/Topographic Survey – with Supplemental Information by Cabezas-DeAngelis, LLC added February 18, 2021 (*Originally Prepared on October 18, 2013 by Milone & MacBroom, Inc. now part of SLR*)

Drawing C-01 – Phasing Plan (December 18, 2020)  
(*Prepared by Cabezas-DeAngelis, LLC*)

Drawing C-03 – Site Plan (December 18, 2020 revised to February 5, 2021)  
(*Prepared by Cabezas-DeAngelis, LLC*)

Drawing C-04 – Grading & Drainage Plan (December 18, 2020)  
(*Prepared by Cabezas-DeAngelis, LLC*)

**Town of Cheshire—Department of Public Works**

**Application for Final Design and Award of Capacity  
Approval  
For Extension of Public Sanitary Sewers**

Project Name: Ball & Socket Arts Project Address: 493 West Main Street  
Zoning District: S.A.R.D.D. Assessor's Map #: 49 Lot #: 2  
Applicant's Name: Chris DeAngelis, PE Applicant's Telephone Number: 203-330-8700  
Applicant's Address: Cabezas-DeAngelis LLC, 78 Elm Street, Bridgeport CT 06604  
Property Owner's Name: Ball & Socket Arts, Inc. Property Owner's Telephone Number: 917-414-4020  
Property Owner's Address: Ilna Somogyi, President, 762 Bethany Mtn. Rd, Cheshire, CT 06410  
Contractor's Name: To Be Determined Contractor's Telephone Number: TBD  
Contractor's Address: TBD

**I. Project Details**

☐ New Discharge ☒ Substantial change in the volume or character of pollutants being discharged.  
Explain: The site is a former industrial factory that will be converted over to a mixed use.  
See attached narrative for specific information regarding uses and flow rates.

☐ Residential Number of Bedrooms \_\_\_\_\_ Sewer capacity requested in Gallons per Day \_\_\_\_\_  
☒ Commercial Square footage 8,400 Sewer capacity requested in Gallons per Day 930 GPD  
☐ Industrial Square Footage \_\_\_\_\_ Sewer capacity requested in Gallons per Day \_\_\_\_\_

Total, estimated capacity required: 10,160 (gallons per day)

Is food preparation occurring on the property or will it occur as part of this project? yes If yes, provide the Public Health Code Classification: 1 [Note: Class 3 and Class 4 must comply with DEEP Fats, Oil and Grease Regulations.]

Connecticut Conservation and Development Plan and Map Designation [check one]:

- ☐ Neighborhood Conservation Area (Map Color Code: Pink)—An extension of public sanitary sewers IS permitted in this area  
☒ Growth Area (Map Color Code: Beige)—An extension of public sanitary sewers IS permitted in this area  
☐ Existing Preserved Open Space (Map Color Code: Dark Green)—An extension of public sanitary sewers is NOT permitted in this area



## Town of Cheshire—Department of Public Works

- ☐ Preservation Areas (Map Color Code: Medium Green)—An extension of public sanitary sewers is NOT permitted in this area
- ☐ Conservation Areas (Map Color Code: Light Green)—An extension of public sanitary sewers is NOT permitted in this area
- ☐ Rural Lands (Map Color Code: White)—An extension of public sanitary sewers is NOT permitted in this area

### II. Type of Project

- ☐ [12.10.B DPW] The property is located on an existing, public sanitary sewer line; AND
  - ☐ The property has been assessed for public sanitary sewers; OR
  - ☐ The owner has paid or is required to pay a connection charge for connection to a privately installed public sanitary sewer line but has not yet connected to the sewer line.
- ☐ [12.10.C.1.a DPW] The property owner is seeking a ☐ building permit or ☐ Certificate of Occupancy for new construction on approved single residential lots which do not require public or private extension of the sanitary sewer.
- ☐ [12.10.C.1.b DPW] The property owner is seeking a building permit for an addition to an existing residential structure or residential use or a change in residential use, which structure or use is presently connected to a public sanitary sewer line.
- ☒ [12.10.C.1.b DPW] The property owner is seeking a building permit for an addition to an existing commercial or industrial structure or commercial or industrial use or a change in commercial or industrial use, which structure or use is presently connected to a public sanitary sewer line; AND
  - ☐ The additional, estimated flow for such addition or change in use DOES NOT exceed 227 gallons per day; OR
  - ☒ The additional, estimated flow for such addition or change in use DOES NOT exceed the actual flow for the use already permitted prior to the addition or change in use.
- ☐ [12.10.C.1.b WPCA] The property owner is seeking a building permit for an addition to an existing commercial or industrial structure or commercial or industrial use or a change in commercial or industrial use which structure or use is presently connected to a public sanitary sewer line; AND
  - ☐ The additional, estimated flow for such addition or change in use DOES exceed 227 gallons per day; OR
  - ☐ The additional, estimated flow for such addition or change in use DOES exceed the actual flow for the use already permitted prior to the addition or change in use.
- ☐ [12.10.C.1.c DPW] The property owner has been granted final design approval by the WPCA for extensions of the public sanitary sewer system for a project for which the sewers have not yet been extended AND the extension does not go into an area classified as Existing Preserved Open Space (Map Color Code: Dark Green), Preservation Areas (Map Color Code: Medium Green), Conservation Areas (Map Color Code: Light Green), or Rural Lands (Map Color Code: White) as shown on the June, 2005 Conservation and Development Plan and Map of the State of Connecticut (as may be amended).

## Town of Cheshire—Department of Public Works

### III. Assessment/Occupancy Information

1. Date of Feasibility Approval: 1/15/2014 Date of Final Design Approval: \_\_\_\_\_
2. Date of Sewer Assessment: \_\_\_\_\_ Amount: \$\_\_\_\_\_ Caveats?\_\_\_\_ If yes, please provide a copy of the caveat.
3. Estimated date of occupancy--include estimated occupancy dates for each structure for which a Certificate of Occupancy is required:  
  
\_\_\_\_\_  
Phase 1 consisting of Buildings #2 and #3 totaling 8,400 gross sf to be occupied in 2021.  
\_\_\_\_\_
4. Will the property be developed in phases? Yes If yes, how many? 3 If yes, provide the information detailed in attachment #7 below.
5. Describe the project and include all pertinent information necessary for an informed decision to be made on the application.  
  
\_\_\_\_\_  
See attached narrative.  
\_\_\_\_\_  
\_\_\_\_\_

### IV. Detailed Project Information

Attach the following to this application:

1. A copy of the letter describing the project which was submitted with the application for feasibility approval, together with a statement of any changes in the proposed sanitary sewer system since feasibility approval was granted, and including such additional, pertinent information necessary for an informed decision to be made on the application.
2. A copy of the Feasibility Approval granted by the WPCA.
3. Separate drawings for each of the sanitary sewers proposed, drawn at the Town's standard scale of horizontal 1"=40', vertical 1"=4', showing the following:
  - a. Contours at two-foot vertical intervals and/or centerline elevations at fifty-foot intervals;
  - b. Location of buildings and building connections;
  - c. Sill elevations;
  - d. Existing and/or proposed utilities;
  - e. Other, major physical features; and
  - f. Easements to be acquired in connection with construction of the sanitary sewer system or in connection with future construction of extensions of the system.
4. Final flow calculations (average daily and peak flow rates) for the following:
  - a. Immediate service area.
  - b. Future service area.
5. A color copy of the June 2005 (or more recent) Conservation and Development Plan and Map of the State of Connecticut on which the location of the property has been clearly indicated.
6. A proposed developer's agreement (as set forth in Section 12.4.C of the Cheshire Sewer Regulations) which is acceptable to the WPCA and the Town Attorney and which details all the conditions required by the WPCA.
7. If the property will be developed in phases, attach plans detailing, phase by phase, the planned construction, the timetable of planned construction, the timetable of estimated occupancy for all uses in each phase, the sanitary sewage flow rate for each connection within the phase, and such other data or information as may be requested by the Director or the WPCA.
8. Ten duplicate sets of the application, including all attachments.

## Town of Cheshire—Department of Public Works

By signing below, I hereby agree and certify as follows:

1. The statements made, and the information provided, in this application and in all supporting documentation are true to the best of my knowledge and belief.
2. I have reviewed, understand, and will comply with The Town of Cheshire Sewer Regulations.
3. I will provide such other data or information as may be requested by the Director or the WPCA as he or it deems necessary to make a decision on the application.
4. Official representatives and agents of the Town of Cheshire, including the Building Official, the Director of Public Works, WPCD staff, or their designees, are authorized to enter the property, at reasonable times, for purposes of inspection, observation, measurement, sampling, and testing.

Applicant's Signature

Chris DeAngelis  
CHRIS DEANGELIS PE

Date:

2/24/21

Property Owner's (or authorized agent's) Signature

[Signature]

Date:

2/24/21

[Printed name of authorized agent]

HONAS J. MOUTY

Contractor's Signature

TBD

Date:

\*\*\*\*\* FOR OFFICE USE ONLY\*\*\*\*\*

Dates:

- \_\_\_\_\_ Submitted to Public Works
- \_\_\_\_\_ Statutory "Date of Receipt"
- \_\_\_\_\_ Approved by Planning & Zoning Commission
- \_\_\_\_\_ Approved by Inland Wetlands & Watercourse Commission (write "N/A" if IWWC approval is not required)
- \_\_\_\_\_ Feasibility approval granted
- \_\_\_\_\_ Town Engineer final design review report received
- \_\_\_\_\_ Final Design approval: ☐ Granted ☐ Denied
- \_\_\_\_\_ Developer's agreement (as set forth in Section 12.4.C of the Cheshire Sewer Regulations, acceptable to the WPCA and the Town Attorney, and which details all the conditions required by the WPCA) filed.
- \_\_\_\_\_ Additional requirements per Director of Public Works:
- \_\_\_\_\_
- \_\_\_\_\_

☐ Approval of Award of Capacity of \_\_\_\_\_ gallons per day, or denied ☐



## AGREEMENT

THIS AGREEMENT, entered into the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between \_\_\_\_\_ of \_\_\_\_\_, hereinafter called the "Developer", and the **CHESHIRE WATER POLLUTION CONTROL AUTHORITY**, hereinafter called the "Authority".

## RECITALS

WHEREAS, the Developer has represented that it is the owner of a certain piece or parcel of land, situated in the Town of Cheshire, County of New Haven and State of Connecticut, said premises are more particularly described on Exhibit "A" annexed and hereby made a part thereof; and

WHEREAS, the Authority herein is the duly constituted WATER POLLUTION CONTROL AUTHORITY of the Town of Cheshire; and

WHEREAS, said hereinbefore described property shall be subject to a sewer assessment which will be levied at some time in the future when public sanitary sewers are fully provided by the Authority to said property; and

WHEREAS, the Developer is desirous of developing the above mentioned parcel of land; and

WHEREAS, the Planning and Zoning Commission of the Town of Cheshire requires said property to be sewerred by a public sanitary sewer line before it is developed by the Developer; and

WHEREAS, the Authority feels it would be in the best interest of the Town of Cheshire to provide sanitary sewers to said property at this stage in its development; and

WHEREAS, the parties of negotiations and discussions have attempted to reach an amicable agreement relating to the construction of said sewer line by the Developer;

NOW THEREFORE, in consideration of the mutual covenants, agreements and understanding herein contained, the parties mutually agree as follows:

1. The Developer agrees to construct and install, at its sole expense, sewer lines and all laterals as shown on maps entitled \_\_\_\_\_ to be filed in the Cheshire Public Works Office as approved by the WATER POLLUTION CONTROL AUTHORITY and the Town Engineer or his/her designee, which Plan & Profile attached hereto is made a part thereof by reference.
2. The Developer shall, at its sole expense, obtain and pay for any easements necessary to construct said sewer line, or, if it is the owner of any property over which said sewer line shall pass, it shall grant such easements without cost to the Authority.
3. All construction being done by the Developer or its contractors shall be accomplished to the exact specifications as will be provided by the Town Engineer or his/her designee.
4. All costs, including, but not limited to, costs of engineering, inspections, construction, easements, etc., shall be paid by the Developer.

5. Based upon an estimate by the Town Engineer or his/her designee, the reasonable costs of constructing the said sewer line as shown on the plans referred to in Paragraph 1 hereof is \_\_\_\_\_.
6. The Developer agrees that upon the execution of this Agreement, that for itself and its successors and assigns, it hereby waives any and all rights of appeal with respect to any sewer assessment that the Authority may levy pursuant to the provisions of the Connecticut General Statutes, reserving, however, any rights of appeal to any purchasers or their successors and assigns of the lot described above that such purchasers may have only with respect to a supplemental assessment as provided for under Section 7-251 of the Connecticut General Statutes.
7. The Developer agrees that prior to commencing any of the aforementioned construction, all necessary permits and bonds will be obtained by the Developer from all applicable federal, state and local officials or agencies insuring that specified work will be accomplished to the exact specifications of the appropriate regulatory bodies.
8. The Developer hereby agrees that prior to commencing any of the aforesaid construction, arrangements will be made with the Town Engineer or his/her designee to inspect said installation to insure said construction meets the Authority's specifications. The cost of said inspection shall be paid for by the Developer before any of said sewer lines will be accepted by and the use thereof permitted by the Authority.
9. The Developer and Authority both agree that the construction of sewer lines and laterals as aforesaid are to be completed by the Developer no later than \_\_\_\_\_.
10. The Developer agrees to provide the Water Pollution Control Authority, at no cost, with an electronic version of the as-built drawings of the sewers, in a format designated by the Town, once the sewer project is completed and such drawings will be required prior to the acceptance of the sewer lines, laterals and easements by the Town of Cheshire. The Developer agrees that ownership of said sewer lines, laterals, appurtenances and necessary easements shall be deeded in the Town of Cheshire upon acceptance of said sewers by the Town of Cheshire.
11. The Developer will provide a copy of the camera inspection of the sewer lines and results of the pressure testing of the lines for review and approval by the Town Engineer or his/her designee, prior to the Town's acceptance of the sanitary sewer lines that are part of this Agreement.
12. All submissions to the Authority are to be in compliance with the provisions of "Town of Cheshire, Regulations for the Installation of Sanitary Sewers in Residential, Commercial and Industrial Developments, January 1972," as revised and amended.
13. Except as otherwise provided herein, all the conditions and agreements contained herein shall apply to and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties.

Commissioner of the Superior Court  
Notary Public  
My Commission Expires \_\_\_\_\_

## Project Narrative – WPCA Application

**PROJECT:** Phase 1 (Buildings 2 and 3)  
**APPLICANT:** Ball & Socket Arts, Inc.  
**ADDRESS:** 493 West Main Street, Cheshire  
**ASSESSOR:** Tax Map 49 / Lot 2  
**ZONE:** Special Adaptive Reuse Development District (S.A.R.D.D.)

### Project History

The site consists of 3.28 acres of land containing several vacant industrial buildings. The property was purchased in 2014 by Ball & Socket Arts, Inc. with the goal of creating a mixed-use complex centered around a public art gallery. The Town of Cheshire originally approved a Special Permit for the project in January, 2015 with a recent re-approval in December, 2020. As part of these approvals, the project was noted to be developed in two phases with the main building (Building 1) and parking lots constructed in Phase 1, with the perimeter buildings (Buildings 2, 3 and 5) developed in later phases to be determined.

However, since work within Building 1 has been delayed due to environmental cleanup, a new phasing plan was recently submitted and approved by P&Z in February, 2021 for Buildings 2 and 3. [Note: It is noted that Buildings 1.5 and 2 on the original site plan from 2015 have been renumbered as Buildings 2 and 3 for the current application.]

As part of the original Zoning approval in 2015, WPCA granted conceptual approval to re-use the existing sewer lateral(s) at the site, although the location and condition of the lines was unknown. The total estimated sewer flow for the project was estimated to be 10,160 GPD (see Attachments B1 and B2).

### Current Proposal

The current Phase 1 plan is to renovate Buildings 2 and 3 on the site (formerly Buildings 1.5 and 2) since these buildings are environmentally clean and tenants are actively looking to rent the space. Neither of these buildings currently have sewer service.

Following is a summary of the proposed uses:

#### Building #2, 1<sup>st</sup> floor (3,300 gsf): Ice Cream Shop.

The ice cream shop will utilize most of the first floor of the building and will contain a small retail /sales area at the front of the building (600 sf). The rear of the building will be used for ice cream production and storage as well as administrative office space. Two restrooms will be provided – one for customers and one for employees.

The business will continue to serve only frozen desserts and is currently classified as a Class 1 Establishment. Therefore, we propose to install an internal AGRU system rather than an exterior grease trap.

#### Building #2, 2<sup>nd</sup> floor (3,300 gsf): The Social Learning Center.

This educational community-based business works to aid individuals with Autism Spectrum Disorder (ASD) by providing social support services and is looking to expand its operations from its current facility at 545 Highland Avenue. The business is a standard "office" use and there will be two (2) restrooms as well as a small employee breakroom with a sink and refrigerator (no food preparation).

**Building #3 (1,800 sf total):** This building will contain an open art gallery on the first floor with a small administrative office on the upper floor. The building will be used by Ball & Socket, Inc. and will contain one bathroom on the upper floor.

#### Estimated Sewer Flow – Phase 1

Based on the anticipated uses as noted above, the total anticipated flow for Buildings 2 and 3 is expected to be 930 GPD as shown in Table 1 below. Flow rates are taken from CT Public Health Code for the design of sub-surface sanitary systems and therefore are conservative (see Attachment C1, C2).

**TABLE 1 – Phase 1 Total Estimated Flow (Building #2 + #3)**

Building	Use	Area	# Employees*	Flow Rate	Total Flow (GPD)
Building #2 First Floor - Front	Ice Cream Shop (Retail Sales)	600 sf	n/a	0.1 GPD per gross sf	60
Building #2 First Floor - Rear	Ice Cream Shop (Factory)	2,700	14	25 GPD per employee	350
Building #2 Second Floor	Office	3,300 sf	17	20 GPD per employee	340
Building #3 (both floors)	Office	1,800 sf	9	20 GPD per employee	180
Totals		8,400 sf			930 GPD

\*(Based on 1 Employee per 200 s.f.)

#### Existing Sewer Connections

There are no detailed records for the existing sewer connection(s), however, as noted in Attachment B1 there may be two existing connections on the west side of the building (5" and 8") which discharge to the existing 15" Canal Brook interceptor line located beneath the linear park trail.

A rough sketch dated 12/4/1973 of one of the connections was found on file in the Building Department and indicates a 6" connection from an existing sewer manhole located on the west side of the factory building (Building #1). We were able to locate this existing manhole on the site and also the receiving manhole in the linear park trail. Attachment D is the original sketch with our recent findings noted.

Building #5 at the rear (south end) of the property currently has sanitary service as evidenced by the lavatories within the building, however the location and condition of the existing sewer line is not known. Buildings 2 and 3 do not currently have sewer service.

#### Proposed Sewer Connections

The existing on-site manhole behind Building 1 is not accessible from Buildings 2 and 3 due to its location behind the large factory building and proximity to the canal. The existing factory building (Building 1) is only a few feet from the canal wall and therefore precludes any type of normal excavation which would impact and undermine the canal wall. Also, the long distance from Buildings 2 and 3 prevents the installation of a conventional gravity sewer, so a lift station would need to be installed on the site to service these two buildings.



Town Sanitary Sewer Regulations Section 3.8(b) as Amended in July 27, 1987 allows for a partial connection to the public sewer system in cases of "extraordinary circumstances." It is our professional opinion that the project meets all 5 criteria outlined:

1. *The unique configuration of the Lot:*

The Ball and Socket property totals 3.28 acres however it is only about 250' wide at its widest point. The property is 800' long which has caused the buildings to be constructed in a long, parallel orientation to each other, making a shared common sewer connection difficult to achieve.

2. *The topography of the lot:*

The property is lower in elevation than Willow Street to the east, limiting the ability of the buildings on the west side of the property to connect to the public sewer in Willow Street. The two sewer connections noted on file are both believed to discharge westerly beneath the canal.

3. *The location of natural resources on the lot:*

The adjacent Farmington Canal greatly complicates construction on the west side of the property. The property is only a few feet higher than the channel bottom, meaning that any deep excavation (more than 3 or 4 feet) is likely to occur within the ground water table.

4. *The placement of existing improvements:*

The main building on the site (Building 1) blocks access to the existing sanitary connection for Buildings 2 and 3 which are located on the east side of the property. In order to connect these two buildings to the existing sewer connection, a long sewer would need to be installed around the large factory building adjacent to the canal. Excavation would be difficult in this area and would likely undermine the existing concrete canal wall.

5. *The excessive and disproportionate cost of such complete connection:*

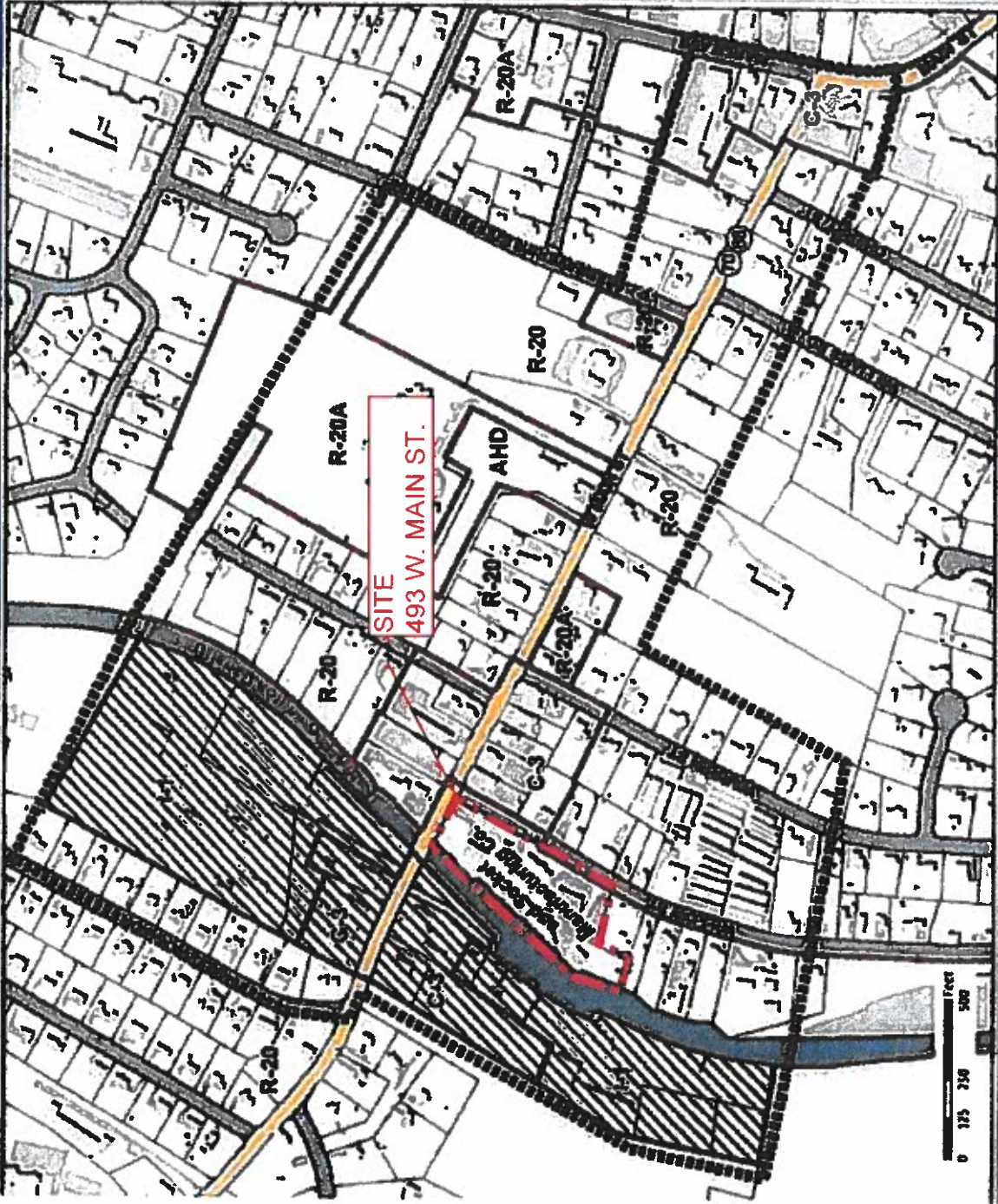
A sanitary pump station could possibly be constructed for buildings 2 and 3, however, this would require installing a long force main (approximately 500 feet), much of which would need to be installed in the tight space between the old factory building and the canal wall as noted above. The cost of a pump station for these two small buildings would be excessive, especially when considering that the installation of the pump station and force main would likely encounter contaminated soil and ground water.

The most sensible way to provide Buildings 2 and 3 with sewer service, therefore, is to make a new gravity connection to the existing public 12" sanitary line in Willow Street as shown on the submitted engineering plans (see drawing C-04). The existing sewer connections for Buildings 1 and 5 beneath the canal will remain in place and can be inspected/repaired when those buildings are renovated during future phases.

### **Summary**

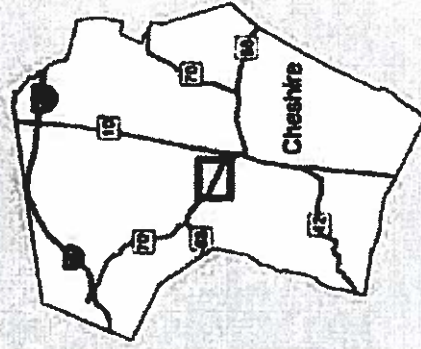
The proposed new gravity sewer connection at Willow Street will allow Ball & Socket Arts, Inc. to open up a portion of the site while environmental cleanup continues within Building 1, the main building. Total flows from Buildings 2 and 3 are estimated to be 930 GPD which is less than the 10,160 GPD previously approved. Future plans for Buildings 1 and 5 are not yet finalized, although the future uses will need to comply with the approved zoning masterplan from 2015. Therefore, the total sewer flows are still expected to fall within the original estimate of 10,160 GPD.

# West Main Street Focus Area



- West Main Street Focus Area
- Potential Special Development District (SDD) Areas
- Zone Boundaries
- State Routes
- Building Structures
- Parcel Boundaries
- Streets
- Parking and Driveways
- Future Farmington Canal Trail
- Streams
- POND
- WETLAND
- Vegetation

Location Map



For planning purposes only.  
Deliverables may not be exact.

NAUGATUCK VALLEY  
COUNCIL of GOVERNMENTS





Attachment A2  
State of Connecticut Conservation &  
Development Location Guide Map

**Date: January 15, 2014**

**TO: WPCA**

**FROM: Walter Gancarz, P.E., Town Engineer**

*WJG*

**SUBJECT: Proposed Ball and Socket Arts, Inc.  
493 West Main Street**

---

The proposed commercial facility is located in a sewered area, and is located on the site of a former industrial facility that was connected to the sanitary sewer system in 1974, at which time a benefit assessment of the property was made and paid. The estimated flows of 10,160 gpd from this 3 acre parcel, is greater than the 600 gpad planned for growth in industrial/commercial areas. However, the historical use of this property as an industrial facility in all likelihood had much higher flows from process and sanitary wastewaters. Records in the Building Department refer to a 5" and an 8" connection to the sanitary sewer system located west of the buildings, although an exact location for each is difficult to ascertain. The application for Preliminary Approval is warranted.

There are several items regarding the proposed plan that will need to be addressed in the Final Application. The plans dated January 9, 2013 do not specify discharge locations. Although the exact location is not required at this time, the applicant will need to provide the following information in the Final Application 1) the exact location of the proposed connection(s); 2) camera inspection of the lateral(s) to verify their condition and that they are connected to the sanitary interceptor located west of the facility. Inasmuch as the laterals cross under Canal Brook making them susceptible to infiltration/inflow, and once contained industrial wastewaters, it is imperative that they be inspected and repaired if necessary. A connection fee will still need to be assessed and paid at the time the new connection(s) are made to the sewer system.

WG

Cc Dennis Dievert

Attachment B1  
Conceptual Approval

January 9, 2014

Mr. Walter Gancarz  
Town Engineer  
Town of Cheshire  
84 South Main Street  
Cheshire, CT 06410

**RE: Ball and Socket Adaptive Reuse  
493 West Main Street  
Cheshire, Connecticut  
MMI #5233-01**

Dear Mr. Gancarz:

The above-referenced project consists of an adaptive reuse of the Ball and Socket property on West Main Street and Willow Street to an arts gallery with a restaurant component. The existing building is currently connected into the town sewer system although the exact location where the building connects to the sewer is unknown at this time. Based on available town mapping, it is likely that the building connects into the existing 15" Canal Brook interceptor to the west of the buildings.

For the purposes of the flow estimates associated with the proposed use(s), we have broken down the building into essentially two uses, the first being the minor restaurant component totaling approximately 8,600± square feet (SF) of space for restaurant areas, including kitchen space, bar area, dining areas, etc. The remaining 56,600± SF of the building will be devoted to uses associated with the art gallery, including retail space, storage, conference areas, recital rooms, etc. In order to estimate sewage generation from these uses, at this time we assume that the restaurant space will accommodate 150 seats and allocate 30 gallons per day (GPD) per seat based on the Connecticut Public Health Code (CPHC) estimates. The gallery space can most closely be defined as retail space with sewage generation of 0.1 gallons per SF per day based on the CPHC.

The following calculations detail preliminary flow estimates for the proposed uses:

Retail

$$0.1 \left( \frac{\text{GPD}}{\text{sf}} \right) \times 56,600 \text{sf} = 5,660 \text{ GPD}$$

Restaurant

$$30 \left( \frac{\text{Gal}}{\text{seat}} \right) \times 150 \text{ seats} = 4,500 \text{ gallons}$$

Total

$$\text{retail} + \text{restaurant} = 5,660 + 4,500 = 10,160 \text{ GPD}$$

Attachment B2  
Conceptual Flow Estimate

**Mr. Walter Gancarz**  
**January 9, 2014**  
**Page 2**

Please note that flow estimations are derived from the CPHC, which represents a conservative total.

Very truly yours,

**MILONE & MACBROOM, INC.**

Ryan J. McEvoy, P.E.  
Lead Project Engineer, Civil

5233-01-j914-ltr.doc

Attachment B2  
Conceptual Flow Estimate



#### IV. DESIGN FLOWS

##### A. Residential buildings

Design flows for residential buildings shall be based on the number of bedrooms (refer to Section I). The design flow per bedroom is 150 GPD, except for bedrooms beyond three in single-family homes that have a design flow of 75 GPD for each additional bedroom.

##### B. Nonresidential buildings and residential institutions

Table 4 shall be used to determine design flows for nonresidential buildings and residential institutions unless specific water use data (minimum 1 year period) is available from the building or similar facilities. Whenever water use data is utilized to calculate the design flow, data shall be accompanied with additional information (e.g., building size, plumbing fixture information, hours of operation) in support of the design. Design flows based on metered flows shall use a minimum 1.5 safety factor applied to the average daily water use.

The required effective leaching area (ELA) for SSDSs serving restaurants, bakeries, food service establishments, residential institutions, laundromats, beauty salons, and other nonresidential buildings with problematic sewage is based on the design flow and the application rates in Table 7. Such buildings or discharges are designated in Table 4 with a notation that Table 7 application rates are to be utilized. Problematic sewage is wastewater that is a concern due to the nature or strength of the sewage. The required ELA for SSDSs serving nonresidential buildings with non-problematic sewage is based on the design flow and the application rates in Table 8.

For nonresidential buildings that are not specifically listed in Table 4, the strength and nature of the wastewater shall be used to determine the appropriate application rate. The strength of the wastewater can be correlated to the 5-day biochemical oxygen demand (BOD<sub>5</sub>). For reference purposes, a wastewater BOD<sub>5</sub> concentration of 110 mg/l is weak, 220 mg/l is medium, and 400 mg/l is strong per Metcalf and Eddy, Inc. *Wastewater Engineering-Treatment, Disposal, and Reuse Third Edition* (McGraw-Hill, Inc., 1991), table 3-16, p. 109. Weak strength wastewater shall utilize Table 8 application rates whereas strong wastewater shall utilize Table 7 application rates. Medium strength wastewater shall utilize Table 7 for a conservative design unless otherwise approved by the Commissioner.

**Table 4**

Building Type	Design Flow (GPD)
<b>Schools, per pupil</b>	
Base Flow (Excludes Kitchen & Showers)	
High School	12
Junior High/Middle School	9
Kindergarten/Elementary School	8
Day Care Center	10
Additional Flows for Kitchen & Showers	
Kitchen (Table 7 App. Rate)	3
Showers	3
Residential	100
<b>Commercial Buildings**</b>	
Office (Average 200 SF gross area/person), per employee	20
Retail/Supermarket Building*, per SF gross area	0.1
*Supermarkets shall increase design flow to account for delis and bakeries	
Deli and bakery flow: (Table 7 App. Rate)	
Industrial Building, per SF of gross area	0.1
Factory (Average 200 SF gross area/person), per employee	25
(Add 10 GPD for showers)	
**Design flows may be reduced if documentation (building/floor plans, statement of use, etc.) supports the reduction	
<b>Camps/Family Campgrounds</b>	
Residential Camp (Semi permanent), per person	50
Campground with Central Sanitary Facilities, per person	35
Campground per Camp Space (Water and sewer hook-ups)	75
Day Camp, per person	15

<b>Residential Institutions (Table 7 App. Rate)</b>	
Hospital, per bed	250
Rest Home, per bed	150
Convalescent Home, per bed	150
Institution, per resident	100
Residential motels/hotels, per room	150
Group Home/Community Living Arrangement, per client*	100-150**
*Use maximum occupancy unless state license restricts occupancy & requires DOH approval per PHC Section 19-13-B100a for occupancy increases	
**Use higher flow for large tub/on-site laundry.	
<b>Restaurants, Food Service Establishments and Bars (Table 7 App. Rate)</b>	
Restaurant (Public toilets provided), per seat	30*
Restaurant (No public toilets), per seat	20*
*Design flow shall be increased by 50% if breakfast, lunch & dinner are provided	
Take-out Food Service, per meal served	5
Bar/Cocktail Lounge (No meals), per seat (Table 8 App. Rate)	15
<b>Recreational Facilities</b>	
Swimming pool, per bather	10
Tennis Court, per court: indoor/outdoor	400/150
Theater, Sport Complex, per seat	3.5
<b>Church/Religious Building</b>	
Worship Service, per seat	1
Sunday School, per pupil	2
Social Event (Meals served), per person (Table 7 App. Rate)	5
<b>Miscellaneous</b>	
Auto Service Station, per car serviced	5
Salon, (Table 7 App. Rate)	
Per styling chair/station (hair)	200
Per pedicure chair/spa (5 gallon maximum basin)	100
Per manicure chair/station	50
Barber Shop, per chair	50
Dental/Medical Office with Examination Rooms, per SF of gross area	0.2
Dog Kennel, per run (Roof shall be provided) (Table 7 App. Rate)	25
Pet Grooming, per station (Table 7 App. Rate)	250
Laundromat (Non-DEEP Regulated), per machine (Table 7 App. Rate)	400
Motel (Transient, No Food Service, Kitchenette or Laundry Facilities), per room	75
Motel (Transient, With Kitchenette but no Laundry Facilities), per room	100
Marina (Bath-house & Showers Provided), per boat slip	20

### **C. Water usage monitoring and Permits to Discharge**

Plans for large SSDSs (2,000 to 7,500 GPD) shall include provisions to monitor domestic sewage generation via the use of water meters or other available means (e.g., pump cycling and dose volume documentation). Permits to discharge issued by the DOH shall be on approved forms (Form #4 or approved equal) as required by PHC Section 19-13-B103e (h). Permits to discharge for limited SSDS repairs (e.g., septic tank or leaching system replacement only) shall document which SSDS components were and were not replaced. The discharge permits shall specify the design flow and permitted flow. The design flow shall equal the permitted flow, except for leaching system repairs that do not provide the required ELA or MLSS. The permitted flow for these leaching systems shall be prorated by using the most limited percentage of the required ELA or MLSS provided. The discharge permit shall recommend the average daily discharge not exceed 2/3 of the permitted flow in order to allow the SSDS to operate with a sufficient factor of safety and to accommodate peak flow conditions.

### **D. Management programs**

DOHs and municipalities implementing decentralized sewage system management programs (e.g., Sewer Avoidance and Pump-out Ordinances, Decentralized Wastewater Management Districts) shall submit proposed or revised ordinances and regulations to the Commissioner for review prior to adoption.



12-4-1973 M.A. Jason

10-19-2020 C. DeAngelis

02-17-2021 C. DeAngelis

