

4 Turkey Hill Road  
Newtown, CT 06470  
Tel (203) 270-4300  
Fax (203) 426-9968



Fred Hurley,  
*Director*

**TOWN OF NEWTOWN**  
**WATER AND SEWER AUTHORITY**

Marianne Brown,  
*Chairman*  
Richard Zang  
Louis Carbone  
George Hill  
Alan Shepard  
Eugene Vetrano  
Carl Zencey

*THESE MINUTES ARE SUBJECT TO APPROVAL BY THE WATER AND SEWER AUTHORITY*

The Water and Sewer Authority held a regular meeting on April 12, 2018, at Newtown Public Works, 4 Turkey Hill Road, Newtown, CT. Marianne Brown called the meeting to order at 7:04pm.

**Present:** Gene Vetrano, , Dick Zang, Carl Zency, Lou Carbone(left at 9:30), Marianne Brown(left at 9:15) Alan Shepard , George Hill (arrived 7:30)

**Also Present:** Director of Public Work Fred Hurley, Julio Segarra of Suez Water Environmental Services, Mike Burton and 34 members of the public and 1 member of the press

**Public Participation** – Duane Jones, 16 Walnut Tree Hill Road – Read a letter (Attachment A).

Ken Chimileski, 22 Walnut Tree Hill – presented a drawing and a packet which is a copy of the on-line petition (Attachment B). He is not in favor of the sewer extension and would like to see the application denied.

Peter Alagna, 55 Head of Meadow Road – He explained that he is the former chair of the WSA. They developed a sewer avoidance area which was mandated by the state. The sewer lines constructed were on town property right of ways. He understands that 10% is on the property but that is not the case. There were two homes that were connected; it was on the right of way. To claim that 10% of the sewer avoidance area on the delineation of the property needs to be corrected. D. Zang explained that there is a portion of that property. It extends from Church Hill Road about 200 feet onto the property. Regardless if it is 0 or 10%, the town has the authority to stay within the sewer service area and within the sewer avoidance area.

**Approval of the Minutes** – D. Zang moved to approve the minutes from the 2/8/18 public hearing and regular meeting. Motion unanimously approved.

**Report by Suez Water Environmental Services** – J. Segarra reported that the pumps at the Sandy Hook pump station are running at full capacity. Another 20,000 gallons will increase it by 20 or 30 gallons a minute. There is an uptick in all pump stations after a rain. Of all the pump stations, Sandy Hook is tighter and has less I&I. F. Hurley explained that there had been a stoppage in Sandy Hook at 100 Church Hill and they found bricks, wood and debris probably from construction further up the line. Once that was cleared the pump station was within an inch of overflowing for about a ½ hour.

The plant itself is running well. The Community Center at FFH is doing a flow study and they know they are not going to have enough capacity for fire protection. They still need to work on the domestic water. They are going to have a lot of flushometers and showers. They are going to need a booster pump and a sand filter.

The Water System is running well. There are plans to overhaul the anoxic mixer at the waste water treatment plant. Hawleyville is waiting on final spring paving.

**Report by Public Works Director – F. Hurley** reported that they are following up on the lead mass balance study and the community center. The one thing is they have to move forward with the benefit assessment for the water system at FFH. The method and fiscal estimate will work as it did with the sewer. He would like to get Kerin & Fazio involved. We would have to advertise in May or Early June to meet appeal deadlines to have the benefit assessment done by July 1.

**Committee Reports – None**

### **UNFINISHED BUSINESS**

*Sewer Application 79 Church Hill Road* – Fred Hurley presented documents pertinent to the meeting that was previously distributed to the board members as well as the applicant. All of the following items are available for review at the Public Works Department: Volume I & II Public Hearings 3/12/15 & 4/1/15, Current Sewer Regulations 10/29/15, Existing Water Pollution Control Plan Revision, 2/8/18 Draft System Overview, Applicant Submittal and Court Case – Forest Walk, LLC v. WPCA of The Town of Middlebury, Letter from the Newtown Health District and communication from Virginia Zimmermann Gutbroad.

Chris Smith, Land Use Attorney and Partner with Shipman & Goodwin. The applicant is 79 Church Hill LLC. Mr. Smith was accompanied by owner Irene Papageorgiou and surveyor Tracy Lewis. He then walked the board through the application letter dated 2/2/18. The property comprises of approximately 35 acres and meets the qualifications for incentive housing zone with sewers.

They have applied for something that shows 44,000 gallons. When this was referred to the Board of Selectman they reduced the development to the full 33,000 gallons available. They did submit a letter dated April 5 stating that they are not asking for more they are asking for what is left. They provided a quick plan to show what they could put on the property if the board determines not to do the extension (Attachment C) which consists of 2 buildings, one with 64 units and one with 77 and that is a total of 20,868 gallons. It is 100% residential and would be an 830G application. There is a potential for buildout in the back and that would have a community system. Mr. Smith also asked the board to consider changing the equivalent dwelling usage (EDU) unit for multifamily housing from 148 to 125. In conclusion they request extending sewer service area for the entire property, confirmation that there is 33,000 gallons available capacity as well as confirmation of 20,868 capacity for the front portion.

It is uncertain if the property will be split between two owners.

The board then opened the floor to hear comments from the public.

Sharon Hoyt, 28 St. George Place – Questioned the new proposal of putting residential where the commercial was going. That is not residential. The board explained that zoning is not their purview.

Chris Smith explained that the WSA is not approving a proposed site development, what we are dealing with is sewer service area and capacity. That site plan is not been asked to be approved by this authority.

Mary Obr, 79 St. George Place – Questioned if reducing residential would then qualify for affordable housing. The town is always trying to increase the percentage. A. Shepard explained that they are looking on maps and how the capacity will be used.

Beth Koschel 20 Evergreen Road – Question about the application in regards to EDU. They put different conservative factors. Newtown's number is 185 per day. D. Zang explained that an apartment is 148.

Duane Jones – 16 Walnut Tree Hill Road - Opposes a vote tonight for the 144 unit proposal. Residents within the area have not been notified that is even a proposal. D. Zang explained they are voting on the application dated 1/31/18.

PJ Zeller, 27 Old Farm Road – Asked if this is approved, how is this funded. D. Zang answered that it is paid through use fees and benefit assessments. There is no money coming from other residents.

D. Zang explained that some years ago they ran into trouble because it appeared to the court that they were trying to do some zoning and changed the regulations. He then read 690-35 of the town code.

D. Zang moved to deny the request for extension of sewer service area to the entirety of the subject property after consideration of the BOS recommendation on March 5, 2018 to not expand the sewer district to 79 Church Hill Road. G. Vetrano seconded. S. Shepard articulated that he has not heard any benefit to the WSA to make the extension. Motion unanimously approved.

D. Zang moved to deny the request for 44,288 gallons per day of sewer capacity to serve development because such addition would exceed the downstream capacity of the sewerage system. L. Carbone seconded. A. Shepard explained that the capacity we have available is available on a first come first serve basis provided there is not technical issue. D. Zang clarified his motion that it exceeds the capacity of the sandy hook pump station. Clarification was seconded by A. Shepard. There is more capacity at the plant but not at the sandy hook pump station that would receive the flow. Motion unanimously approved.

A Shepard moved to deny request to extend sewer system to rear of subject property because rear of property is a sewer avoidance zone. G. Hill seconded. A. Shepard explained that they would need more information on this and would like to have the option of it going up a public road if there should the property be split to two different owners. It would be a benefit the WSA to do it that way should they be looking at a further extension in the future. Motion unanimously approved.

D. Zang moved to deny the request to amend Sewer Use Regulation 690-3, definition of EDU. (Newtown=185 gpd). A. Shepard seconded, motion unanimously approved. D. Zang noted the equivalent number in other municipalities are Somers= 225; Simsbury = 210; East Windsor=192; Enfield=200; Marlborough=300.

Chris Smith explained that they are asking for what is available. D. Zang stated that reports from the waste water treatment plant showed a 12 month flow to Sandy Hook is 63,000+ per day. In addition to that, they also look at the peak flow. The peak flow factor is 4.5. That brings the existing 12 month average to 197.5 gpm which is a maximum flow. It has two pumps that were nameplated at 200 each. One is operating at 200 and one is operating at below 200. There is zero extra capacity at the Sandy Hook Pump Station.

Chris Smith articulated that there are issues with the capacity at the plant and pump station. They filed an application because they are at P&Z and they need to have sewers. They need to know what the capacity is available to them. They are not going to keep coming back and guessing. The client needs to know if there is 20,868 gallons available they are entitled to, if it has to wait until the next meeting, that is fine.

G. Vetrano moved to temporarily hold 20,868 gallons of capacity until the next meeting so a revised application can be presented. C. Zencey seconded, motion unanimously approved. Motion unanimously approved.

WSA Finance and Procedures – D. Zang moved to table discussion regarding the WSA Finance and Procedures. A. Shepard seconded, motion unanimously approved.

2018 Budget – D. Zang moved to table discussion regarding the 2018 budget. A. Shepard seconded, motion unanimously approved.

Water Pollution Control Plan – F. Hurley explained that if the board wants to adopt it they can vote on it but it will still need to go to public hearing. It probably needs to be modified more frequently. You would have to wait a year before you would feel comfortable that something has been absorbed in the metered capacity. D. Zang does not want to do that, that means they have to update the plan every 3 or 4 months but instead set a calculation. F. Hurley explained that at Public Works we can maintain a running balance that would be available supported by applications. You can operationally advise P&Z and Wet Lands.

G. Vetrano moved to modify the numbers on the chart in section 4 of the Water Pollution Control Plan to reflect the numbers submitted in the 2/8/18 revision proposal, D. Zang seconded. D. Zang moved to amend the motion requested that they review the Water Pollution Control Plan and vote on it next month. A. Shepard seconded the amendment. Motion unanimously approved.

## **NEW BUSINESS**

*Sandy Hook Pump Station* – F. Hurley presented Fuss & O'Neill's Sandy Hook Pump Station evaluation (Attachment D). They have different strategies and they will be evaluating them. We have a lot of moving parts here. The pumps are not set up to run together; if they are both running at the same time it doesn't double to 400 gallons, it is about 250 gallons.

G. Hill moved to approve the task authorization for Fuss & O'Neill. A. Shepard seconded, motion unanimously approved.

*Enforcement regarding Meadowbrook Trailer Park assessment/usage payment issues* – F. Hurley reported that he will be meeting with a representative of the Meadowbrook Trailer park, the Health District and the Tax Collector on Monday morning. They are going into their third year of non-payment. There appears to be adequate revenues. We are at the point that we could foreclose.

D. Zang moved to request the WSA/Town to foreclose on the property known as Meadowbrook Trailer Park for non-payment of use charges and fees in accordance with Section 7-258 of the CGS unless payment in full of all delinquent charges and fees are received by the Tax Collector on or before May 18, 2018. C. Zencey seconded, motion unanimously approved.

*Revised Application 10-22 Washington Avenue* – A. Shepard recused himself from discussion and left the meeting. Michael Burton, the applicant, explained that the project is made up of 7 parcels. He provided the minutes from the 5/14/15 and 6/11/15 WSA minutes showing the acceptance of his properties into the sewer district (Attachment E).

P&Z approved 65 units then the WSA gave him final approval for the project. Due to the economy he could not build that project. He returned to P&Z and was approved for 74 units. He is asking for

approval for an additional 9 units. The original approve was for 65 multifamily units and the new application is 28 town house and 46 apartment style. Basing it on the units it would be 185 EDU for town house and 148 for the apartments. Phase 1 will be 12 town house, phase 2 will be 11 town houses and phase 3 will be the apartments. D. Zang explained that they do not have capacity at the Sandy Hook pump station. As far as the plant capacity and that remains to be seen. D. Zang suggested rescinding the prior authorization. They will also need to reauthorize the benefit assessments so we have to do a public hearing. F. Hurley suggested setting a firm timeline and that needs to be incorporated with approvals. The previous application has sat for a long period of time.

C. Zencey moved to accept application and schedule the benefit assessment done. A public hearing will occur on May 10, 2018. G. Hill seconded, motion unanimously approved.

Having no further business, the meeting was adjourned at 9:48pm

Respectfully submitted  
Arlene Miles, Clerk



To: Newtown Water and Sewer Authority  
From: Peter V. Gelderman, Esq.  
Re: Request for Sewer Extension and Allocation for 79 Church Hill Road  
Date: April 12, 2018

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This memorandum will set forth the arguments as to why the Newtown Water and Sewer Authority should deny the request by 79 Church Hill Road, LLC to extend the sewer and to allocate capacity to a mixed-use development at 79 Church Hill Road. The Newtown Board of Selectmen, at its meeting of March 5, 2018, voted unanimously to recommend denial.

A small portion of the property (i.e., closest to Church Hill Road) is located within a sewer district. Most of the property is located within a sewer avoidance area. The application, as presented to the Newtown Inland Wetland Commission and the Newtown Planning and Zoning Commission, proposed a mixed-use development containing 224 residential units and about 55,000 square feet of office and retail space. That development proposed a sewerage allocation of 44,000 gallons.<sup>1</sup>

The Water and Sewer Authority (deemed to be the water pollution control authority) is the municipal agency charged with determining the adequacy of capacity and with approving requests for "any...proposal for wastewater

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<sup>1</sup> During the hearing before the Board of Selectmen, the applicant modified its request by reducing the number of units to 196 with an allocation of 33,000 gallons. However, at the time that such reduced numbers were presented to the Board of Selectmen, the plans submitted to the various land use commissions had not been modified.

treatment or disposal..." The WSA also has the power to grant approvals to hook up to a sewer system.<sup>2</sup> The discretion vested in the WSA for hook ups, as opposed to extensions is different. For hook ups, the discretion is limited. For extensions the discretion is broad. The two concepts are not analogous, although there is common ground. For example, there is no disagreement that public sewer systems are like public utilities. There is also no disagreement that properties adjacent to a public sewer have the right to hook-up to that sewer, just as people adjacent to a water line or a natural gas line have a right to tap into those utilities. However, as is the case with sewers, no one can dictate to the water company or the gas company that they *must* extend their infrastructure to whomever would like it. The right of persons to demand an extension of service is not absolute, but must be determined by the reasonableness of the demand under the circumstances involved. Where a sewer system is incapable of handling the effluent caused by the proposed extension (i.e., where the requested allocation exceeds available capacity) or where the proposed extension is within a sewer avoidance area, the WSA has the power (and probably the duty) to deny a request for such an extension.

It is not the function of the WSA to cater its plan to a particular development. Instead, it is the obligation of the developer to design a project that is consistent with the Town's sewer plan. In this case, the existing Town plan expressly seeks to avoid sewers in the area for which the applicant seeks an extension. The applicant knew this and decided to proceed as if it had the right

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<sup>2</sup> See Connecticut General Statutes § 7-246a.

to a sewer extension. Of course, it did not and does not. It would be poor policy and a dangerous precedent if the Town changed the boundaries of its sewer district every time it suited a developer's preferred use of property. In fact, if that were the policy, it would not even constitute a "sewer plan." Instead there would be no actual plan, merely a decision on a case-by-case basis of the appropriate location for a sewer. This type of process would lead to a chaotic and unpredictable situation where no one would be able to plan the development of the Town in an orderly fashion.

The WSA should be consistent its existing sewer avoidance policy for the subject extension and deny the application.



# Attachment B

4/12/18

MEMBERS OF THE WSA,

THE DRAWINGS I HAVE GIVEN YOU IS A COMPOSITE MAP OF THE AREA WHICH SHOWS THE EXISTING AND PROPOSED DENSITY OF THE AREA, MOSTLY WITHIN ¼ MILE DISTANCE ON WALNUT TREE HILL RD.

THE PACKET I HAVE GIVEN YOU IS A COPY OF OUR ON-LINE PETITION, THAT HAS 63 COMMENTS AND 278 SIGNATURES. THERE ARE EVEN MORE SIGNATURES THAN THAT, SINCE MANY PEOPLE HAVE SIGNED THE PETITION IN PERSON.

THE HEADER OF THE PETITION COVERS SEVERAL ITEMS FOR ALL OF THE COMMISSIONS INVOLVED WITH THIS PROPOSAL, BUT THE SPECIFIC WORDING THAT CONCERNS THE WSA IS-

“ADDITIONALLY, WE REQUEST THAT THE 32 +/- ACRES THAT ARE NOT CURRENTLY IN THE SEWER DISTRICT BE DENIED ACCESS TO THE TOWN SEWER. ANY RESERVE IN THE TOWN SYSTEM SHOULD BE HELD FOR THE MANNER IN WHICH IT WAS ORIGINALLY DESIGNED, TO SERVICE THE NEEDS OF FAILING SEPTIC SYSTEMS OR FUTURE FAILING SYSTEMS IN ALREADY DEVELOPED RESIDENTIAL ZONES.”

THE PEOPLE IN THIS ROOM, THE PEOPLE ON THE PETITION AND THE PEOPLE IN SANDY HOOK AS A WHOLE, EMPHATICALLY IMPLORE YOU TO DENY THIS APPLICATION.

ANY OTHER DECISION WOULD LITERALLY OPEN THE FLOODGATES FOR THIS METROPOLIS, BUT YOU CAN REST ASSURED THAT A LOT MORE THAN SEWAGE WILL HIT THE FAN IF THIS PROPOSAL IS ALLOWED TO GO THROUGH.

THANK YOU.

KEN CHIMILESKE  
22 WALNUT TREE HILL RD.  
SANDY HOOK, CT 06482

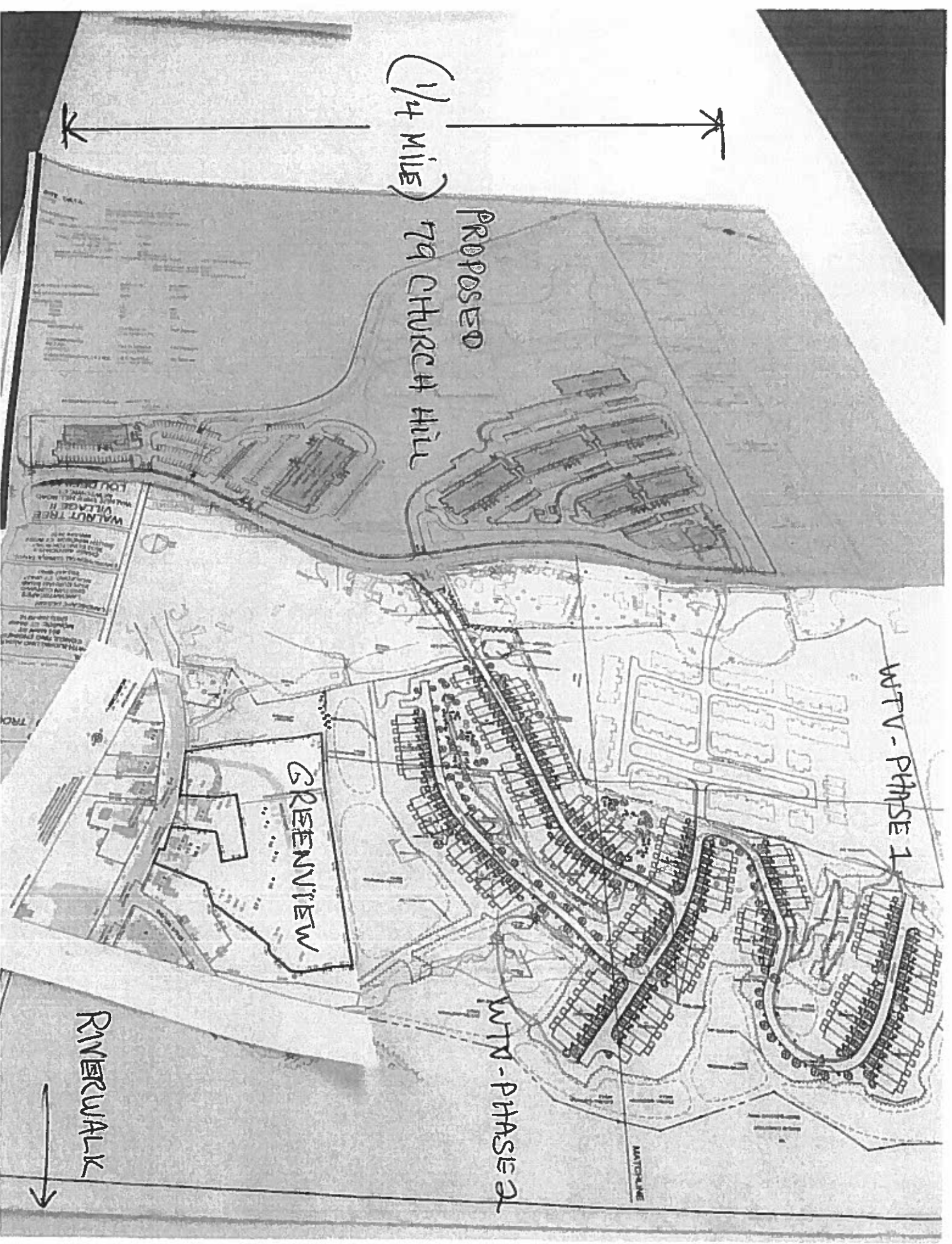
PROPOSED  
(1/4 mile) 79 CHURCH HILL

WTV - PHASE 1

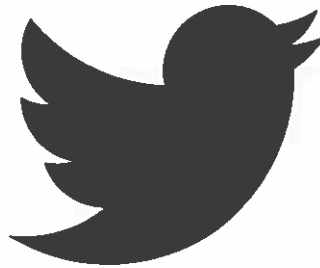
GREENVIEW

WTV - PHASE 2

RIVERWALK



# Responsible Development In Newtown



63 Comments

+ 55 HAND  
WRITTEN —

278 Signatures

Goal: 1,000



We, the undersigned are opposed to the proposed development for property located at 79 Church Hill Road, Newtown, CT. This pertains to the application submitted by 79 Church Hill Road, LLC. and/or its agents. We are opposed to the request of zone change and in addition are opposed to the proposed change of language

and any change of language in any property zone that would change any set back requirements including those to route 84 and its exits and entrances. The interstate and its exits and entrances should continue to be considered a street as it presents the same dangers as such. We are also in opposition to this development due to its proximity with the aquifer and the aquifer recharge zone. Due to the size of this project, (which contains parking for over 600 cars), the runoff, as well as chemical contaminants from vehicles that park in that area will present a health hazard to those (roughly half the town) who rely on this source for clean drinking water. We also have concern that the disturbance to the aquifer will affect area well production adversely. Additionally, we request that the 32 +/- acres that are not currently in the sewer district be denied access to the town sewer. Any reserve in the town system should be held for the manner in which it was originally designed, to service the needs of failing septic systems or future failing systems in already developed residential zones. Lastly, traffic is a large concern, knowing that a project of this size will create a major safety issue to pedestrians as well as vehicular traffic in this already accident prone, heavily traveled area. We respectfully request that the pertinent Commissions have their own studies done, and not rely on and base their decisions on the outcome of the studies submitted by the developer.

# Responsible Development In Newtown

(63) (Comments)

278 Signatures

Goal: 1,000



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**SIGN PETITION**

residential zones. Lastly, traffic is a large concern, knowing that a project of this size will create a major safety issue to pedestrians as well as vehicular traffic in this already accident prone, heavily traveled area. We respectfully request that the pertinent Commissions have their own studies done, and not rely on and base their decisions on the outcome of the studies submitted by the developer.

Share on Facebook

63

## COMMENTS



Louise Howell  
Feb 26, 2018



Feb 26, 2018

upvote reply show

This area is already way too busy, rush hour is already too congested.



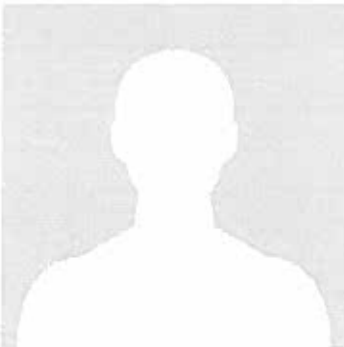
Louise Howell  
Feb 26, 2018



Feb 26, 2018

upvote reply show

This project will add way too much traffic for the area. Rush hour is already too congested.



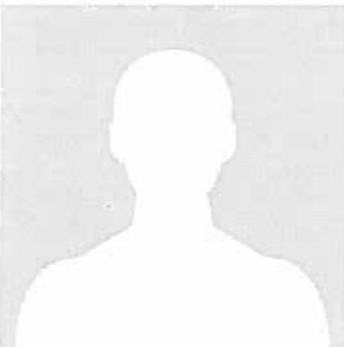
Ryan Clancy  
Feb 23, 2018



Feb 23, 2018

upvote reply show

Progress is progress, but this is predatory building pure and simple. Wrong for so many reasons: aesthetics, our children's safety, our water table, our environment.



Susan Valentine  
Feb 11, 2018



Feb 11, 2018

upvote reply show

Newtown is not a city! Please allow some tranquility to remain.

Dawn Handschuh  
Feb 11, 2018

SIGN PETITION

Attachment C



Sheet Title <b>CONCEPT PLAN (8-30G)</b>		Sheet No. <b>CP-2</b>	
Project <b>79 CHURCH HILL ROAD NEWTOWN, CONNECTICUT</b>			
Drawn By 6/13/18	Scale 1" = 80'	Project	
Check By	Date	Description	



**FUSS & O'NEILL, INC.**  
**TASK AUTHORIZATION REQUEST**

Prepared For: Town of Newtown, DPW

Contact: Mr. Fred Hurley, DPW Director

Prepared By: Douglas Brisee, P.E.  
Title: Sr. Engineer I

Revised Date: 4/5/2018

F&O Project: On-Call Engineering Services  
Project No: 1992248.A53 Task No: 00200

Task Title: 2018 Sandy Hook (Glen Road) Pump Station Evaluation

**Task Descriptions:**

Task 00200 – Sandy Hook (Glen Road) Pump Station Evaluation

- Review draft Sandy Hook (Glen Road) Pump Station Evaluation technical memorandum dated April 25, 2017.
- Confirm whether single or parallel force mains exist along Church Hill Road from the Sandy Hook Pump Station to the I-84 Interchange 10 bridge crossing.
- Calculate revised average and peak hour wastewater flow for existing and proposed developments Coordinate estimated flows with Town Staff.
- Calculate system hydraulics with proposed additional flow.
- Collect and review existing pump data for the past three years. Review extreme flow events with Newtown Contract Operations staff (Julio Segarra).
- Evaluate impacts of revised proposed wastewater flows on existing Sandy Hook (Glen Road) Pump Station (pumps, electrical, generator, etc.)
- Evaluate impacts of proposed flow on the existing 6-inch force main downstream of the pump station.
- Evaluate methods to reduce peak flows to the Sandy Hook Pump Station including flow equalization with off peak pumping, lead/lag pumping.
- Develop GIS figure depicting existing and proposed infrastructure improvements
- Prepare brief technical memorandum to discuss findings.

\\private\dfs\ProjectData\P1992\92248\A53-Sandy Hook PS Evaluation\Proposal\20180406\_Sandy Hook Pump Station Evaluation II Task Authorization.docx



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Fred Hurley,  
*Director*



**TOWN OF NEWTOWN**  
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George Hill  
Alan Shepard  
Eugene Vetrano  
Richard Zang  
Carl Zencey

THESE MINUTES ARE SUBJECT TO APPROVAL BY THE WATER AND SEWER AUTHORITY

The Water and Sewer Authority held a regular meeting directly following its public hearing on May 14, 2015 at the Waste Water Treatment Plant, 24 Commerce Road, Newtown, CT. Chairman Brown called the meeting to order at 8:06pm.

**Present:** Dick Zang, Gene Vetrano, Marianne Brown, Carl Zencey, Alan Shepard

**Absent:** Lou Carbone, George Hill

**Also Present:** Director of Public Works Fred Hurley, Julio Segarra of United Water Environmental, Mike Burton, Peter Scalzo, Kurt Mailman of Fuss & O'Neill, 2 members of the public and 2 members of the press

**Public Participation - None**

Approval of the Minutes – The previously distributed minutes of the public hearing on 4/9/15 and the the regular meeting on 4/9/15 were unanimously approved.

**UNFINISHED BUSINESS**

*10-22 Washington Avenue* – Mr. Shepard recused himself from this topic. Mr. Zang moved that the WSA request the applicant 10-22 Washington Avenue to resubmit mapping in accordance with the comments from Fuss & O'Neill and argument to use 2007 data for the 2 parcels outside the sewer service area. Mr. Zencey seconded, motion unanimously approved.

Mr. Zang moved that they confirm that the 5 properties, 10, 18, 20, 20A and 22 Washington Avenue are in the sewer service area as the August 12, 2012 map reflects. Mr. Vetrano seconded, motion unanimously approved.

*Hawleyville Sewer Extension* – Mr. Mailman provided and updated a flow data spread sheet (Attachment A). They have had additional parcels that have shown interest. This information shows that there is no pre dedicated use for the larger parcels and to set a cap on the flow in the agreement. One of the concerns looking at the flows is that if someone backs out that there is enough money to continue with the project, which there will be. Once they get the firm commitment from the property owners then they will work with them to iron out the specific design details for the properties.

Fuss & O'Neill has coordinated with DOT about pavement repair. Permitting is almost complete. They need to get agreements, sewer location forms and grinder pump agreement forms executed. They

are hoping to go out to bid June or July. Even if delayed until August, a contractor can be chosen and the project in the ground by fall.

*5 School House Hill Road* – Mr. Hurley explained that the Health Department's recommendation is to get them into the sewer. They are going to pay benefit assessment and pay for a grinder pump and installation of a wet tap. The total cost to hook up will be less than the installation of a new septic. Mr. Zang moved that based on the Health Department's recommendation, accept the homeowners proposal to extend sewer service to 5 School House Hill Road contingent upon the property owner paying for the installation and the benefit assessment and upon signing a sewer service extension agreement. Mr. Vetrano seconded motion unanimously approved.

*4 Berkshire Road* – That sewer project was mandated by the extension to the high school. 4 Berkshire Road choose not to hook up and has to pay admin charges. Mr. Hurley will look into how many properties are only paying the admin fees and let the board know what the impact will be. Mr. Zang moved to table 4 Berkshire Road, Mr. Shepard seconded, motion unanimously approved.

## **NEW BUSINESS**

*Committee Reports* – Dick Zang sent out a draft of the sewer use regulations dated May 10, 2015. Once members have had a chance to review it and give their input it will go to Attorney Grogins and Fuss & O'Neill for review.

*Report by United Water Environmental Services Inc.* – The plant is running well, report is attached (Attachment B).

*Report by Public Works Director* – None

Having no further business, meeting was adjourned at 9:16pm

Arlene Miles, Clerk

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Newtown, CT 06470  
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Fred Hurley,  
*Director*



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THESE MINUTES ARE SUBJECT TO APPROVAL BY THE WATER AND SEWER AUTHORITY

The Water and Sewer Authority held a regular meeting directly following its public hearing on June 11, 2015 at the Waste Water Treatment Plant, 24 Commerce Road, Newtown, CT. Chairman Brown called the meeting to order at 7:08pm.

**Present:** Dick Zang, Gene Vetrano, Marianne Brown, Carl Zencey, Alan Shepard, Lou Carbone, George Hill

**Also Present:** Director of Public Works Fred Hurley, Mike Burton, Kurt Mailman of Fuss & O'Neill, Wes Thompson and 2 members of the press

**Public Participation - None**

**Approval of the Minutes – The previously distributed minutes of the regular meeting and public hearing meeting of 5/14/15 was approved. Alan Shepard abstained.**

**UNFINISHED BUSINESS**

*Hawleyville Sewer Extension* – The sewer extension agreements to give to the property owners are almost ready. There will be a not to exceed benefit assessment dollar amount in that agreement, as well as a contracted maximum flow.

Grace Christian Fellowship will have plans soon for the Covered Bridge parcel, which includes approximately 180 units of Incentive Zone Housing. 90 Mt. Pleasant has an initial concept proposal of approximately 150 (IZH) units. We are going to have to re-investigate doing a feed to them from Mt. Pleasant. The potential benefit assessment would be larger than the cost for this change. The last major project area is the 100 acres parcel which does not have as much detail as the other parcels. The entity involved has done two medical buildings on Mt. Pleasant. They are considering about 300,000sf of commercial office space with a flow of approximately 40,000 gallons per day.

For design purposes, the WSA Regulations defines a unit as 125 (gpd) . But, the board feels more comfortable with higher gallons per unit for design purposes. Mr. Hurley articulated that Hawleyville is different than the central district; it has always been a negotiated district and the WSA board can set parameters.

*5 School House Hill Road* – Mr. Hurley does not have a final number for that project. The homeowner has a septic problem and they would need a grinder pump to hook up to the sewer system. He will try to

get a resolution by the next meeting. Mr. Zang moved to table action, Mr. Shepard seconded, motion unanimously approved.

*4 Berkshire Road* – The number of people in the sewer service area who are not connected that pay an administrative fee is minimal. There are 13 properties that are impacted. Some are vacant lots and some of homes that are not hooked up. They are paying about \$40 per quarter. Mr. Shepard moved to allow Mr. Hurley to wave the admin fees for the properties that are not hooked up to the sewer system in accordance with section 5.6 of the regulations. Mr. Vetrano seconded, motion unanimously approved.

Mr. Zencey moved to waved the penalty on the non-hooked up administration fees. According the regulations, this is good for one year. Mr. Hill seconded, motion unanimously approved.

*10-22 Washington Avenue* – Mr. Shepard has abstained from the discussion. Modified plans have been received from Mr. Burton which Fuss & O'Neill has reviewed. In conclusion, the revised documents submitted are suitable to handle the design wastewater flow of 3,000 gpd in a subsurface disposal system. Mr. Hurley explained that this is in the Aquifer Protection Zone (APZ) and that the Health Department would prefer that the parcels be connected to the sanitary sewers in light of their location in the APZ.

Mr. Vetrano moved to include 12 and 16A Washington Avenue into the sewer service area based on meeting the requirements of proposing a feasible subsurface disposal system and the Health Department recommendation that the parcels be connected to the sanitary sewer system because they are in the Aquifer Projection Zone. Mr. Zang seconded, motion unanimously approved.

Mr. Hurley stated that there is nothing in the plans now that do not meet the intent of the WSA Regulations for the entire project. The proposal also meets the intent of the Town with respect to the IHZ. Finally, the recommendation by the Health Department to include the overall project in the sewer service area because of its location in the APZ is consistent with all previous recommendations.

Mr. Hill moved to approve the preliminary project approval to develop 74 units of incentive zone housing for 10-22 Washington Avenue subject to approval from other town agencies, Mr. Zang seconded. Motion approved with one abstention (Shepard).

#### NEW BUSINESS

*6 Washington Avenue* – Mr. Shepard abstained from the discussion. This is the redevelopment at 6 Washington Avenue. There is a building in back that needs a benefit assessment and then a public hearing will need to be scheduled.

Mr. Zang moved to have Mr. Hurley obtain an benefit appraisal for 6 Washington Avenue from Fazio and Karin, LLC, Mr. Zencey seconded, motion unanimously approved.

*170 Mt. Pleasant Road* – The benefit assessment came in at \$236,000. Mr. Zencey moved to have the public hearing on July 9, 2015. Mr. Shepard seconded, motion unanimously approved.

*Committee Reports – Regulations* – Mr. Zang presented the June 10, 2015 DRAFT which represents how the regulations would appear on the website. The primary purpose of the redraft is to better bring the regulations in line with the State General Statutes and regulations of various state agencies. Once the draft is final with the WSA, then it needs to go to the town and the Town Attorney for review.

*Solar* – Mr. Hurley received a proposal from Sound Solar to revamp the existing Opel system. They are proposing a cost of \$10,000 to revamp the entire solar system. The solar panels will be placed in a stationary position to relieve the previous maintenance nightmare. The board concurred with moving forward.