

AVON WATER POLLUTION CONTROL AUTHORITY

March 9, 2017

Selectmen's Chambers, 7:00 p.m.

Town of Avon

PUBLIC HEARING

I. CALL TO ORDER

The Avon Water Pollution Control Authority was called to order at 7:05 p.m. by Mr. Johansen.

AWPCA

Present: Eric Johansen, Chairman
Terry Ryan, Vice Chairman
Tom Armstrong
Chris Roy
Lawrence Baril, Town Engineer
Tim Foster, Superintendent of Sanitary Sewers

Absent: Keith Jones

II. MINUTES OF PRECEDING MEETING – January 12, 2017

MOTION: Mr. Armstrong made a motion for approval of the January 12, 2017 minutes. The motion, seconded by Mr. Ryan, received unanimous approval.

III. COMMUNICATION FROM THE AUDIENCE – *Audience Comments will appear under the Public Hearing agenda item, 2016 – 8.*

IV. NEW BUSINESS –

2017 – 2 16 White Birch Lane proposed Low Pressure Sewer project – *Discussed after agenda item VIII*

2017 – 3 Annual discussion to establish sewer use (EDU) rate – Tabled for next meeting

V. OLD BUSINESS -

2015 – 8 Potential Sanitary Sewer Service for School Street - Tabled for next meeting

2016 – 4 Potential Sewer Connection Charge Increase – Tabled for next meeting

2016 – 8 Potential Sanitary Sewer Service for Paperchase Trail South (Public Hearing)

Mr. Johansen began the public hearing and encouraged residents to state their name and address when posing a question. Mr. Armstrong noted that Mr. Chris Roy, member of the AWPCA, will reclude himself from any vote during the public hearing. Mr. Johansen added that Mr. Roy will be part of the audience as he lives in the neighborhood of discussion.

Mr. Baril noted there is a sign-in sheet and suggested residents to provide their contact information and referenced the Town's web site for updated information.

Mr. Baril provided the slide presentation and noted the beginning of the presentation has been discussed before as tonight's meeting is the third informational meeting.

- 1) Primary Drivers for the Project – It's a high need area in the Sewer Facilities Plan, petition received from homeowners, age of septic systems, high ground water and area abuts existing public sewer located at Cambridge Crossing

- 2) Project Goals – Provide gravity sewer service to first floor connections at every residence, minimize disturbance to environment, locate manholes to minimize driver impediments, determine interest and feasibility to bring other utilities to the neighborhood, complete road overall after both projects are finished, assuming town budget approval.
- 3) Work completed to date: Performed field survey, office survey, soil borings, prepared preliminary design, met with Avon Water and CNG to discuss project and solicit interest, identified and evaluated various routes to connect to the existing sanitary sewer, prepared preliminary cost estimates, prepared public information meeting presentations and materials.
- 4) Combined Project Specifics – Approximately 4,590 feet of sanitary main, 26 manholes, 44 service laterals, depth of mainline between 8 ft and 17 ft, 8 residents that may need to pump, road will be partially closed during construction, temporary pavement over disturbed roadway, complete roadway after both phases are finished (assuming Town budget approval).
- 5) Combined Project Area – The combined project is the entire neighborhood up to Indian Pipe Trail over to Stagecoach.
- 6) South Project Specifics – The South Project area includes approximately 2,360 feet of sanitary main, 13 manholes, 19 service laterals, depth of mainline between 8 feet and 17 feet, road will be partially closed during construction, temporary pavement over disturbed roadway, gets to existing sewer on Cambridge Crossing via easement.
- 7) South Project – Bids Received – The project went out to bid three times. The first time the project went out as a combined project. The numbers received were higher than hoped. The Town then decided to split the project into two and rebid the first piece, with the goal to reduce each project to below the \$400,000 prevailing wage threshold which is mandated by the State of Connecticut. Mr. Baril noted that unfortunately the numbers that were submitted were higher than the prevailing wage limit of \$400,000. Based on contractor feedback, many of the contractors had already established their workloads that summer season and thus placed a high number on their bid assuming that if one contractor was chosen, they want to be compensated for a potential hardship by juggling such a workload. The third bid was sent out in January. Mr. Baril presented a table which included the bids received noting a separate column for the bid price without restoration of 30 Paperchase. Mr. Baril noted the project was bid as an item based bid to try and reduce the price of the project. From a contracting perspective, it allowed the Town to change or eliminate bid items, while holding unit prices presented by contractors. Mr. Baril noted that the top two low bidders cost to restore 30 Paperchase was \$40,000 from Ludlow Construction and \$58,000 from Suburban Sanitation. Mr. Baril believes the lot restoration can be completed much lower. The low bid with restoration of 30 Paperchase Trail is \$529,735 and the low bid without restoration of 30 Paperchase Trail is \$474,468. Mr. Baril noted that the Town created the bid package as an item-based bid because the Town heard from contractors that they were concerned about the 30 Paperchase Trail restoration. Mr. Baril noted it's a unique landscaping site. Mr. Baril mentioned the AWPCA has a choice to eliminate 30 Paperchase restoration from the bids, thus reduce the cost. The onus will then fall on Engineering to manage the restoration separately and work to get it done for less than the bid amount Mr. Baril mentioned he is confident this can be done. The bids received are higher than what the Town received in June/July.
- 8) Potential Project Schedule – If the project is approved, the potential project schedule is: The AWPCA awards the project which is heard before the Avon Town Council. The goal is begin construction sometime in late April and complete construction in July 2017.
- 9) Concurrent – North Project Schedule – The project design is finalized, prepare a North bid package and bid if South Project is approved and go out to bid as early as late March, award project in June, begin construction in July 2017 with a goal to complete construction in October 2017. Once sewer (and possibly gas) construction is completed, mill and overlay

(dependent upon Town of Avon budget approval) to be done in Summer of 2018, determine final costs and assessment with a public hearing on assessment in Winter of 2017/18 and levy assessments in Winter/Spring 2018. Mr. Baril reviewed the total cost estimate range (approximately \$985,000 to \$1,083,500), number of properties serviced (44 – which includes 2 Avon Land Trust properties). The **estimated assessment** per property is approximately \$22,386 to \$24,625.

- 10) Mr. Baril stressed that the Town of Avon does not mandate anyone to connect to the sewers. If a resident wants to connect, the current connection fee is \$2,500, the connection cost (paid to contractor hired by homeowner) typically is in the neighborhood of \$3,000 to \$6,000, however this varies on each homeowner's lot configuration which depends on such factors as length, depth, landscaping and restoration requirements. Also, there is an annual sewer use fee which is currently \$350 per year/per house and a \$50 permit fee. Mr. Baril noted that these costs occur at the time of connection from house to Town sewer and are the current fees, subject to AWPCA revision.
- 11) Mr. Baril reviewed the Frequently Asked Questions portion of the presentation and noted that the Town Staff will attempt to meet with every property owner to determine where to locate the homeowner's lateral connection. Mr. Baril reviewed the next steps. Should the AWPCA approve the project, a letter to homeowners in the South project will be sent from the Engineering Department requesting a date and time to meet with the homeowner to determine the location of the lateral stub. Concurrently, the recommendation will go to Town Council for award and ultimately construction begins.

Mr. Baril concluded the presentation and Mr. Johansen reminded residents to state their name and address when asking a question.

Mr. Materskey of 10 Paperchase Trail inquired about the payment and financing process for the assessment. Mr. Baril reviewed the payment options, including the annual payment program. For the past two projects, the AWPCA allowed a 10 year payback period. The interest rate is mandated by the State, based on the current bond rate. Previous projects were approximately 2.5%. Mr. Baril also replied to Mr. Materskey's question regarding the reasoning behind why the second bids came in higher. Mr. Baril noted that putting the North project out to bid secondarily, it's possible that the contractor on-site would bid a lower amount since there should not be much in the way of mobilization costs. Mr. Foster commented that one would think that the contractor on site doing phase one would be very aggressive to go after the second phase because he's already there. The contractor has the potential not only to put in the mainline sewer but also potentially putting in the lateral to the home. The only factor that may alter this is the contractor also has other work they are contracted to perform. Mr. Foster concluded by noting one doesn't really know, unfortunately. Mr. Armstrong clarified the payback costs noting that the financing only relates to the sewer construction costs (Assessment) and not the laterals, connection fees.

Mr. Gary Palmer from 20 Hurdle Fence inquired about whether the assessment will be combined for North and South or separate assessments for each project. Mr. Johansen responded noting it's something the AWPCA will need to discuss. The intention right now is to combine the two projects for assessments. There are deep cuts in the south project and you can't have a north project without a south project. The north project benefits from the deeper cuts in the south. To soften the costs, the plan is to combine the projects for assessments and spread it evenly among the two. Mr. Armstrong added that the decision doesn't need to be made for about two more years. The additional reason to wait is the easement is needed which is needed for both north and south. He noted that there should be sharing.

Mr. Richard Getz of 18 Paperchase Trail inquired where the Town stands on the easement. Mr. Baril noted the Town does not have a signed document yet but have had several conversations with the homeowner. She is in favor of the project and Mr. Baril anticipates a positive result. If not, the Town is back to the drawing board. Mr. Armstrong noted that if there is a motion to go forward with the project, he would condition the award on securing the easement in writing first or vice versa, the award is not finalized until the easement is secured.

Mr. Mark Indelicato of 94 Paperchase Trail inquired about an update with the gas company. Mr. Baril replied noting the gas company conducted their own public information meeting in January with an intention to combine a couple of neighborhood projects in Avon with one larger project as they felt that had a greater likelihood of success and proved a greater economy for them. The two neighborhoods are two neighborhoods where the Town has sanitary sewer projects targeted for – Paperchase Trail / Hurdle Fence and Winding Lane / Stony Corners. Mr. Baril learned from the gas company that they sent mailers to all residents, approximately 100 residences, with the idea of inviting them to the public information meeting which Mr. Baril attended. There were only about 12 people in attendance. The gas company said they are very interested and planned to go to a secondary phase to petition residents. In order for the gas company to extend gas service in a neighborhood, they need to get a critical mass of residents who are willing to sign up to do a conversion to gas. It won't be done on pure spec – they need to know they are going to sell gas if they are going to spend money to put in the gas mains. Mr. Baril offered to reach out to the gas company again if that's what the consensus is.

Ms. Pat Brown from 3 Hurdle Fence inquired about the water. Mr. Baril responded and noted the water company attended the first sewer presentation and spoke about costs and they do not want to put in their water service on spec either. Their interpretation based on the lack of questions from residents during the presentation is that residents believe the costs are too high. Mr. Baril offered he could also reach out to the water company should there be a critical mass of interest. Mr. Baril noted he knows the water company will not put water in on spec either and will request residents to help pay for it. Mr. Foster added that the water company will not put in dead mains and wait for people to hook up. They are a private utility. Mr. Baril concluded by encouraging residents to call Mr. Wesneski directly with any questions. Discussion continued about the potential location Ms. Brown could use as a potential hook up.

Mr. Getz mentioned it was his impression that the water company was looking for the residents to foot the entire bill and inquired if others interpreted that also and noted it seemed extraordinarily expensive. Mr. Getz said it was about \$10,000 to go by his house. Mr. Baril acknowledged it was a big number and Mr. Foster encouraged Mr. Getz to reach out to the Avon Water Company. Mr. Foster added that there are benefits to having the water as it brings fire protection to the neighborhood. Mr. Getz got the impression from the gas company as they viewed this as an investment on their part. He did not receive this impression from the water company. Mr. Baril noted there's a difference to install gas mains than installing water mains. A water main is 5 feet deep, cast iron pipe, and much more expensive an endeavor to put in a water main than a gas main which is shallower and less expensive pipe. Mr. Foster concluded by noting there's a change of ownership with Avon Water and Connecticut Water and encouraged residents to call the Avon Water Company.

Mr. Wolfangel of 70 Paperchase Trail inquired about which financial institution will finance the assessments. Mr. Armstrong replied that it's the Town/AWPCA who offers the installment payments over 10 years. The resident reimburses the Town/AWPCA. Mr. Wolfangel discussed interest differential and what penalties may occur. Mr. Armstrong noted he can pre-pay. If one sells their property, it's due and owing. Mr. Wolfangel noted he's an older person and does not have the

leeway getting into different interest earning events. Mr. Armstrong reviewed the payment options. Mr. Baril clarified noting that a resident can't sit on the assessment for 10 years and the typical two choices are a resident pays up front at the assessment time (interest free) or pay equal annual installments over a 10-year period with a fixed rate based on the current bond rate and also confirmed Mr. Armstrong's comment that there is not a pre-payment penalty. Mr. Baril also clarified an earlier comment noting that the sewer fund is a separately managed fund and it's mandated this way by the state statutes. The sewer fund has a healthy fund currently and does not need to borrow money to do sewer projects, such as the Paperchase Trail / Hurdle Fence project. The sewer fund is not taxed base. Mr. Foster commented that the timeframe can be decided –it's is not a fixed 10 year time frame, it could be 5 year pay-back, 10 year pay-back or a 15 year pay-back. Mr. Armstrong clarified it's capped at 10 year.

Mr. Matersky noted that interest rates are increasing and inquired when the interest rates are determined and asked if there's an opportunity to set the interest rate earlier. Mr. Armstrong replied that it's done at the time of assessment. Mr. Baril noted it's the bond rate, it's not the Fed rate.

Mr. Ed Fisher of 27 Hurdle Fence, asked about the water pipe question and noted he does not want water and inquired if the water goes by his house, will he need to pay for the pipe. Mr. Baril is not sure if the water company has authority to do that. Mr. Chris Roy of 50 Hurdle Fence commented that the price quoted from the water company was the price to run it up to your foundation. If a resident didn't want to connect, they didn't pay anything but the approximate fee of \$9,900 was due when the resident wanted to connect. Mr. Roy believes this is what he understood. Mr. Foster concluded that residents call the water company regarding the pricing.

Mr. Palmer of 20 Hurdle Fence commented he is generally in favor of the sewer assessments and noted he's a CPA in Town and realizes the financial advantages for everyone to do the project now. He is not in favor of the water project – not just the \$10,000 but also the fact that the trench that would go through his right-of-way in his front yard which would be disruptive, especially for Mr. Palmer who put in expensive sod and would not want it dug up. Mr. Palmer noted he has contractor clients and he's not surprised that the assessments have gone up. He's afraid that if we wait much longer, the costs will increase per lot and the interest rate will be much higher in the future.

Ms. Luba Mindzak of 12 Hurdle Fence inquired if the gas company offered any costs when they gave their presentation and the timing of the project – same time as the sewer project, after? Mr. Baril noted that they would come in after the sewer project is done. The gas project is much shallower – similar to the water mains. Mr. Baril does not believe the gas company mentioned there was a cost to residents for the mainline installation is his recollection. Rather, the gas company did say they need to get some critical number of residents who agree to sign-up and are willing to convert to their system – both heat and hot water – to be gas energized. Ms. Mindzak asked how much the conversion would cost. A resident in the audience responded it was in the handout/brochure that all residents received. Mr. Ryan reiterated Mr. Foster's comments that the AWPCA does not speak for the gas and water company and encouraged residents to call the individual company directly. Mr. Johansen noted he connected to gas in his home and it cost about \$3,500 and noted it's a good deal and commented his oil burner needed frequent service but the gas burner hasn't needed service for two years – there are some advantages.

Mr. Armstrong asked how many residents are generally in favor as after the discussion, there will be a motion to close the public hearing which means it's one's final chance to comment. One resident replied that the residents don't have the vote anyway. Mr. Armstrong moved to close the public hearing and two residents said they are in favor of the project. Mr. Armstrong then made a motion to close the public hearing.

A resident apologized who walked in late and inquired when the Stony Corners / Winding Lane project will be discussed or if it was included with the Paperchase Trail discussion. Mr. Johansen noted it's a separate discussion.

Mr. Indelicato of 94 Paperchase Trail posed a specific question related to his house and noted his septic system comes out the back of his house which is probably closer to Indian Pipe. Mr. Baril noted that Indian Pipe has sewer but not near Mr. Indelicato's house. Mr. Baril reiterated an earlier comment that someone from the Town will visit his house to determine lateral locations.

Mr. Johansen expressed appreciation for those in attendance and commented that the public hearing is closed. Mr. Armstrong suggested there should be a vote which members voted in favor.

[Pause in meeting as audience members exited the Selectmen's Chambers]

The meeting reconvened and Mr. Armstrong instructed Mr. Roy to continue to sit in the audience during the AWPCA follow-up discussion relating to Paperchase Trail. Mr. Armstrong moved the meeting to discussion and vote pertaining to Paperchase Trail / Hurdle Fence, agenda item number 2016 – 8. Mr. Johansen noted he counted 11 entries on the sign in sheet of the 44 were present. There wasn't a single person that voiced opposition of the project and there were plenty of opportunities to speak. The only people who did talk were positive. He made the assumption that if people were against the project, they would have attended the meeting. Mr. Johansen's recommendation is to go forward with the project and go forward with Suburban Sanitation minus the restoration of 30 Paper Chase and he likes Mr. Armstrong's idea to place clarification for the actual vote. Discussion continued regarding the language to be used in terms of noting the project award is contingent upon securing the easement first with 30 Paperchase Trail. Mr. Baril noted that it's not typical to request an easement in front of doing the work. An agreement has been done with the homeowner of 30 Paperchase Trail and explained that after the sewer project is finalized, a formal agreement can be executed. Otherwise, if the easement was finalized before the project is completed and the planned sewer route needed to change, the approved easement would become unacceptable. Mr. Baril noted he worked with Murtha Cullina to work on the agreement and the terms were discussed. Mr. Armstrong stressed the easement needs to be recorded on the land records (signed by the homeowner, witnessed and notarized). Mr. Ryan responded to Mr. Johansen's question that Mr. Ryan is for the project as is Mr. Armstrong.

MOTION Mr. Armstrong moved to make a motion to go forward with Suburban Sanitation with the condition that the AWPCA enter into an easement in recordable form. The award for amount of construction less the 30 Paperchase Trail restoration. The motion, seconded by Mr. Ryan, received unanimous approval.

Mr. Armstrong noted he would like to go to the two Avon Land Trust properties and indicate the AWPCA has approved the project and it would behoove the Avon Land Trust to clarify their ownership interest (either: a lot that can be built on, the AWPCA can defer assessment or if they don't know, the AWPCA can defer assessment or if they do know it will be in perpetuity, the AWPCA will take those two out of the picture.) Mr. Armstrong would like to present them with those issues and see if they would deed restrict the property. Mr. Armstrong clarified his intention noting that the Avon Land Trust properties are in ambiguity currently. Mr. Baril noted the Avon Land Trust has been notified of the meetings and the parcels discussed are not included in the South project. Mr. Armstrong noted he would defer this until the North project is ready.

Mr. Baril replied to Mr. Foster's question stating that all the fees and charges associated with the sewer project are included with the assessment amount, such as the borings, the field survey work

and the legal fees. Mr. Johansen further noted that the AWPCA could clarify in the approval that they are approving the project, not just approving Suburban Sanitation at that price. The AWPCA is approving going ahead with the project and its related cost that tie into it. Mr. Armstrong further clarified that the AWPCA's approval is all the related costs associated with the restoration but to be separately determined.

[Mr. Johansen invited Mr. Roy to sit with the Commission to continue to the next agenda item.]

2016 – 6 Potential Sanitary Sewer Service for portions of Winding Lane and Stony Corners South

Mr. Baril provided an update noting a bid was issued and received at the same time as the Paperchase / Hurdle Fence South project. The low bidder is Simscroft. Mr. Baril replied to Mr. Johansen's question that the first phase is about 25 parcels. Mr. Baril noted the next public informational meeting will be for this project. Mr. Baril noted there are easements to secure with three property owners. A resident in the audience inquired about the timing of both projects. Mr. Baril reviewed the timetable and noted that construction could begin in late May for Winding Lane / Stony Corners. The project will be approximately a 2 ½ month long project for the first phase.

VI PLANNING & ZONING MATTERS – None

VII COMMUNICATION FROM STAFF – None

VIII COMMUNICATION FROM MEMBERS – Mr. Roy raised a question regarding assessments noting that some of the assessments shall not exceed the special benefit accruing to the property. He asked how does the AWPCA address that and how does one determine that. Mr. Baril provided feedback on his discussion with the Assessor. Mr. Roy confirmed Mr. Baril's conversation with the Town's Assessor noting that one's property's assessment does not change should that property have sewers running in front of their house, which means that his opinion is that there's no property value increase. Mr. Armstrong added that there's a disconnect between Avon's tax assessment, which he feels is generic in Mr. Armstrong's view, and the value of sewers. There are components involved when determining the fair market value of a house that are not directly correlated to the Town's tax assessment. Mr. Johansen concluded discussion of the topic noting it will be revisited when determining assessments.

2017 – 2 16 White Birch Lane proposed Low Pressure Sewer project – *Discussed after agenda item VIII*

Mr. David Whitney, Professional Engineer and his client, Mr. Robert Krawczuk, owner of 16 White Birch Lane, were present.

Mr. Whitney provided a map illustrating the property location for the proposed low pressure sewer project. Mr. Whitney noted he went before the Inland Wetlands Commission but was denied. Mr. Whitney provided a description of the lot noting there is wetlands in the middle of the lot, miscellaneous fill towards the front portion, the back portion of the lot is a sloping hillside which has well drained soils, in the front of the lot there is an old cellar hole which was dug approximately in the early 70s. The house was never built. The cellar hole has developed wetlands characteristics. There is a storm drainage pipe that discharges from the road. There is an area of wetlands that is a swale. Mr. Whitney further noted that Mr. Krawczuk would like to build on this lot. The first item he looked at was extending the public sewer from Stagecoach. Mr. Whitney prepared a plan showing an extension of the public sewer from the existing manhole in Stagecoach up White Birch Lane to the lot and then a

lateral to the house. He noted should the sewer go in, there would be 3 possible connections from 20 White Birch, 17 White Birch and 23 White Birch. The plan view and a sewer plan & profile were prepared showing it's a relative straightforward sewer with a drop manhole. Mr. Whitney responded to Mr. Armstrong's question that there are two properties which are picked up on Stagecoach. Mr. Whitney provided a handout which will provide further clarification in addition to the maps. Mr. Whitney noted that public sewer would be the best option. After meeting with Town staff, the plans were sent to two local contractors for preliminary cost estimates. One estimate received was \$101,000 and the second estimate received was \$120,000 (which included a couple extra construction days and the potential need for extra fill). Mr. Whitney continued to note that the total cost will be approximately \$142,000 (including fees such as legal fees, sewer connection fees). Mr. Whitney met with area neighbors and two out of the three neighbors said the cost was too high. Mr. Whitney mentioned no one indicated they had a septic problem.

Mr. Whitney then created a septic system in the rear portion of the property which would require a pump. Soil tests were done by hand by Mr. Krawczuk. Percolation tests were done also. Farmington Valley Health was involved. The septic system estimated cost is \$25,000. Mr. Whitney's wetlands application included the proposed house in the front with the cellar hole and the proposed septic system, which was approved by the FVHD. Mr. Whitney noted the Wetlands Commission was not as concerned about filling in the old cellar hole as they were about the possibility and impact of the septic system to the wetlands. Mr. Whitney then prepared a pollutant renovation analysis to show how each of the various pollutants and sewage bacteria are renovated in different ways by the soil. Mr. Whitney noted the septic system would have no impact to the wetlands. Mr. Whitney summarized the vote from the Wetlands Commission.

Mr. Whitney provided feedback with his meeting with Mr. Baril regarding the possibility of low pressure sewers. He is waiting to hear from a contractor regarding a cost estimate installing a low pressure sewer but believes it will cost much less than public sewer. Mr. Whitney provided a map illustrating two parcels on Indian Pipe Trail which has low pressure sewers in the Town's right-of-way. Mr. Whitney commented it wouldn't be unique installing a low pressure sewer in this neighborhood. There are also three low pressure systems on School Street and 14 houses are connected to public sewer via low pressure sewer lines at Sconsett Point. Mr. Whitney petitioned the Commission for their consideration for installing a low pressure system specifically for his client's lot.

Mr. Armstrong referenced the AWPCA regulations noting it wouldn't allow low pressure sewers for existing homes where it's no longer feasible to rehabilitate a leaching field system rather than new construction. Mr. Armstrong noted that 16 White Birch Lane is far down the list (Fuss & O'Neill's Wastewater Needs Matrix) for getting Town Sewers. Mr. Whitney reviewed the matrix also and agrees with Mr. Armstrong's comment. Mr. Armstrong inquired about the option of returning to the Wetlands Commission with the authorizing of restoring the wetlands. Mr. Whitney confirmed he needs to return to Wetlands Commission. Another option Mr. Armstrong raised is the possibility of taking some kind of restoration aspect on some other lots somewhere in the same watershed that would allow the Mantis system out back. Mr. Whitney illustrated on a map the section where he proposes to have enhanced plantings which will act as a buffer to the wetlands. This will be presented to the Wetlands Commission. Mr. Whitney also mentioned there's an area of ground that will be lowered about two feet to create new wetlands in the back. Mr. Baril commented that the Wetlands related permit issues are not AWPCA issues and the AWPCA's charge is solely related to having to consider sanitary sewer service on the lot discussed and would be cautious of offering wetlands-related advice. Mr. Armstrong acknowledged Mr. Baril's comment and noted he wanted to raise one issue that wasn't discussed. Mr. Krawczuk confirmed Mr. Johansen's comment that he intends to build the house and live there for the foreseeable future. Mr. Krawczuk noted he wanted a three bedroom house for his small family - wife and daughter. Mr. Johansen asked should the Commission approve the low pressure system, will

Wetlands reverse their decision and approve the lot. Mr. Whitney replied noting that there's at least one member on the record who would prefer the lot is connected to public sewer. Mr. Whitney believes that several of the commissioners would look much more favorably if the lot could connect to public sewer. Mr. Johansen noted a concern that the Commission is establishing some parameters going forward which this application goes against them. If the Commission approves something like this and if it doesn't go through anyway – there's no value to you yet the Commission has gone on record for approving it. The next person who comes along will say it was approved. Mr. Johansen realized Mr. Whitney may not know how the vote will go. Mr. Whitney reviewed the vote, noting it was a 3 – 2 decision. Mr. Whitney acknowledges the Commission's regulations are heading towards existing houses but he would like to have the project looked upon as an old existing lot in the middle of a completely developed area. If he were asking for a new lot (subdivision) Mr. Whitney could see the Commissions' reluctance to put a low pressure sewer in but this is a lot that has been there since the 60s and Mr. Whitney noted it has tried very hard to avoid having to ask for a low pressure sewer line by designing the septic system and having it approved by Farmington Valley Health District. He sees no reason why there's a reason not to have a septic system on the lot – further commenting he's done everything possible to make that happen but the Wetlands Commission denied the project. Mr. Whitney mentioned he feels that Mr. Krawczuk has spent a lot of money and wishes he didn't buy the lot as he did not realize what he was getting into. Mr. Whitney further explained he has spent a lot of time and effort. Mr. Whitney noted that at first he rejected the idea of a low pressure sewer line as his discussion with Mr. Baril indicated generally the Town tries to avoid them which Mr. Whitney said he understands. Mr. Whitney indicated that since the project is denied by Wetlands in part due to the septic system, he felt obligated to come before the AWPCA to see if it would consider a single low-pressure connection for this lot. It is something he had to do to try to bring the project to a conclusion. Mr. Whitney mentioned, as an engineer, he is frustrated because there is a solution – low pressure sewer lines work and they exist elsewhere in the Town. This is one of the last lots in an old neighborhood.

Mr. Baril provided his insights into the project by noting he has been with the Town for 10 years. He stated the problem that can occur with the solution Mr. Whitney is describing is that you are running a private utility in a public right of way in front of other homes. In concept, it's in the Town's right-of-way, which is Town owned property. If there is a problem in the future, the Owner of the lot could need to disturb the right-of-way in front of a neighbor's property and/or driveway. Mr. Baril acknowledges Mr. Whitney's earlier comment that there are numerous areas in Town that have allowed individual low pressure sewer connections. Recently, they have been allowed with caveats, such as requiring the property owner sign a Sewer Connection Agreement stating that if sewers are ever run in front of their home, they will participate willingly, that they will not fight the assessment and they will connect to the sewer as it is installed at their own fee. These agreements are signed, notarized and filed on the land records so they carry with the property. Mr. Baril mentioned if this question were posed to him five years ago, he would recommend denying an individual low pressure sewer request. He further stated that to his knowledge, the Town has never had a problem with these types of connections. Mr. Baril believes the house on Indian Pipe Trail was a condition on getting the lot approved - a similar situation to the 16 White Birch low pressure sewer request.

Mr. Foster believes it's a safe system and there are several of them in Town. Mr. Foster noted he has not been called out for any of these residences for repairs. He further commented it's the safest connection for the parcel. The downside is what Mr. Baril mentioned – there are 350 feet in the Town's right of way in front of two properties. There could be a condition where one could buy a 1 ½" rolls of 300 feet where it's just a continuous run – no joints. The pump chamber and whole lateral is the homeowner's responsibility. Mr. Foster believes there are ways to make it work. The onus of responsibility is with the homeowner. Mr. Baril inquired whether Mr. Whitney met with the owners of the two lots in front of which the lateral would be installed. He recommended that if the connection

was allowed, among the conditions would be a requirement to conduct a meeting with these owners to inform them the Town is aware of the project and looking out for their interests. Mr. Whitney commented about the sewer agreements Mr. Baril mentioned and Mr. Whitney explained this to the homeowner (Mr. Krawczuk) that he understands the conditions which will be imposed. Mr. Whitney stated if there is a better pipe as opposed to the standard pipe that would be a reasonable condition. He further commented that Mr. Krawczuk will have to put a pump in no matter what and pumps are something that need not to be feared. Mr. Whitney noted he spoke to a contractor who said he could mole under the driveway apron (so as not to disturb a neighbors driveway).

Mr. Armstrong raised the concern that the neighbor across the street may also want to have a low pressure system. Mr. Whitney replied the home across the street has considerable amount of more wetlands and has a cellar hole. He noted he couldn't guarantee another neighbor doesn't ask for a similar concession. Mr. Armstrong noted he would add one more condition that if sewer does go in and the connection fee is higher than \$2,500, the difference is paid. Mr. Johansen noted an agreement should be drafted which includes all the conditions discussed and present this at the next meeting so every condition and concern is listed. Mr. Armstrong added he believes there should be notice to the two homeowners. Mr. Baril raised another option to install a low pressure sewer for the neighborhood. Mr. Johansen noted he wouldn't want to change the standard which may allow developers to request to install a low pressure wherever they would like based on lower cost. Mr. Foster inquired about the well location. Mr. Whitney said the well was planned for the front, if the septic is planned, for the back but he could move the well based on the pump chamber location.

Mr. Johansen mentioned he is happy to approve the project but will require more of the criteria in writing such as connection fee, notifying neighbors (alerting them when the project starts), and pipe specifications. Mr. Roy agrees and suggested the Commission defers it to Larry to work out with Mr. Whitney. Mr. Johansen suggested Mr. Baril create an agreement that fairly represents the Commission's concerns. Mr. Baril noted that there is a template agreement that has been through legal review. Mr. Foster recommends to the property owner the pump chamber is protected by a generator and agrees the project should move forward. Mr. Ryan agrees it all works and noting there's extreme hardship. It's a completely filled neighborhood with houses – it's not something new. It's a unique situation and he noted the Town is the 80% - 90% built-out. He reiterated he's all for helping such situations.

MOTION: Mr. Johansen motioned to give Mr. Baril the authority to prepare a Sewer Connection Agreement to allow this system to be put in as explained at the meeting per the plans subject to conditions that we have discussed that is satisfactory to the property owner and move forward with that. The motion, seconded, by Mr. Ryan. Mr. Roy was in favor; Mr. Armstrong opposed. The motion passes.

IX OTHER BUSINESS – None

X ADJOURNMENT –

MOTION: Mr. Johansen motioned to adjourn the meeting at 9:25 p.m. The motion, seconded by Mr. Roy, received unanimous approval.

Respectfully submitted,
Suzanne Essex, Clerk