

**EAST LYME WATER & SEWER COMMISSION  
REGULAR MEETING  
TUESDAY, JULY 26th, 2022  
MINUTES**

The East Lyme Water & Sewer Commission held a Regular Meeting on Tuesday, July 26th, 2022. Chairman Seery called the Regular Meeting to order at 7:00 PM.

**PRESENT:** Kevin Seery, Chairman, Steve DiGiovanna, Dave Jacques, Joe Mingo, Dave Murphy, Carol Russell, Roger Spencer, Dave Zoller

**ALSO PRESENT:** Attorney Edward O'Connell, Town Counsel  
Attorney Henry Heller, representing Pazz Construction  
Jason Pazzaglia, Pazz Construction  
Joe Bragaw, Public Works Director  
Ben North, Municipal Utility Engineer  
Matt Garneau, Assistant Utility Engineer  
Anna Johnson, Finance Director  
Anne Santoro, Deputy First Selectman

FILED

August 2, 2022 AT 10:04 AM PM

**ABSENT:** Dave Bond

Branche Horner ATC  
EAST LYME TOWN CLERK

**1. Call to Order / Pledge of Allegiance**

Chairman Seery called the Regular Meeting of the East Lyme Water & Sewer Commission to order at 7:00 PM and led the assembly in the Pledge.

Mr. Seery asked for a motion to add Item 8.A – Discussion and possible action to carry over left over funds from FY 21-22 into FY 22-23.

**\*\*MOTION (1)**

Mr. Murphy moved to add Item 8A – Discussion and possible action to carry over left over funds from FY 21-22 into FY 22-23.

Mr. DiGiovanna seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

**2. Approval of Minutes**

▪ **Regular Meeting Minutes – June 28, 2022**

Mr. Seery called for a motion or any discussion on the Regular Meeting Minutes of June 28, 2022.

Ms. Russell asked that at the bottom of Page 2 where she is speaking that inflationary measures be changed to read inflationary pressures.

**\*\*MOTION (2)**

Mr. DiGiovanna moved to approve the Regular Meeting Minutes of June 28, 2022 as amended.

Mr. Zoller seconded the motion.

Vote: 7 – 0 – 1. Motion passed.

Abstained: Mr. Jacques

**3. Delegations**

Mr. Seery called for delegations.

There were none.

#### **4. Billing Adjustments/Disputes**

There were none.

#### **5. Approval of Bills**

There were none.

#### **6. Discussion and Possible Action on Relocation of Sewer Shed Line**

Mr. North provided an overview on this item noting that Pazz Construction LLC developer of the 90 N Bridebrook apartment complex is requesting that the sewer shed line be relocated to allow for an alternate configuration of the buildings on the site. The developer states that this request if granted, will not affect the original sewer capacity request that the commission has approved for 35,400 gallons per day. The developer's desire is to move the sewer shed line so that it follows the property line of the parcel affecting the area in the vicinity of buildings C, G and L on the site plans.

Attorney O'Connell said that the sewer shed line is set forth in the Sewer Facilities Plan which outlines the areas to be sewerred and those that would not be. Changes would have to be sent to and approved by the DEEP. With regard to this property, the sewer shed line meanders within the property. The way to amend the sewer shed line is a cumbersome process and has to be sent to the State for approval. They would want to amend it to follow the property boundary.

Henry Heller said that he represents Pazz and has an office in Uncasville, CT. He said that they believe that the line was put in that property in error. Allowing the sewer line to be changed allows for more diversity in relocating buildings which will make it a more livable project and more easily maintainable. It won't require more usage. (He noted that they do have a pending appeal with the Inland Wetlands Agency in Town)

Mr. DiGiovanna asked if the approval of the line is contingent on the whole project approval. Attorney Heller said no.

Mr. Mingo said that he looks at it as they can put the buildings in anyways and that the line should follow the boundary.

Attorney O'Connell said that if they are in favor of moving the sewer shed line that they could instruct staff to start the process to do it.

Ms. Russell asked if they could find out what the metrics were for placing the sewer shed line there before amending it.

Mr. Murphy asked if after the sewer shed lines were established there was a transfer of ownership. Attorney Heller said yes, adding that the boundary lines did not change.

Mr. Jacques said that he was concerned about precedence with some of the other issues that are going on.

Attorney Heller said that the last time that this was done was for Gateway. But, they have to look at if the line was improperly drawn and they have to correct it.

Ms. Russell said that her concern was precedence also and that she feels that they should have criteria/factors that can be applied to this type of request so that they are consistent.

Attorney O'Connell suggested reviewing the original Facilities Plan and reporting back to the Commission.

Attorney Heller noted that the plan should be a dynamic plan that can be adapted to the needs of the community at the time that they arise.

Mr. Seery asked if they should be according to the property lines.

Attorney O'Connell said that in this instance perhaps the property line would be appropriate but in other instances it could be to the detriment of that particular property. He suggested that they review the Facilities Plan and address just this issue at this time.

**\*\*MOTION (3)**

**Mr. DiGiovanna moved that they approve the 'concept' of moving the sewer shed line of Pazz & Construction LLC to the boundary line of the property owned by Pazz & Construction LLC and instruct staff to take the necessary measures to amend the Facilities Plan as such.  
Mr. Mingo seconded the motion.**

Ms. Russell asked how they would be approving this –  
Attorney O'Connell said that logic approves the concept but they have to see the amendment for approval to the Facilities Plan. He added that he does not think that they don't have criteria –

Ms. Russell maintained that she thinks that they have to develop criteria so that they are consistent for anything coming before them.  
Attorney O'Connell said that would take a very long time and would keep people hanging in the meantime.

Mr. Mingo said that the statement was made that the sewer line should be at the property line.

Mr. Murphy said that they are just dealing with the Pazz line here and that anyone else would have to come before the Commission and make their request.

**Vote: 7 – 1 – 0. Motion passed.**

**Against: Ms. Russell**

**7. Discussion and Possible Action on Bi-Town Agreement**

Attorney O'Connell noted that they had the last version and that it had gone through eight or nine revisions. He noted that it follows the outline provided by Mr. Bragaw previously and synopsised the conveyance agreement. He said that the term of the agreement is the same as the Tri8-Town agreement.

Mr. Bragaw noted that the Waterford Utility Committee has approved it and that it goes to the Waterford BOS and RTM. The Tri-Town agreement was signed some six to nine months ago.

Mr. Jacques asked if he was correct in that the force main repairs are 100% our expense although Waterford repairs it.  
Mr. Bragaw said yes.

**\*\*MOTION (4)**

**Mr. Murphy moved that the Chair is authorized to execute, in the name and on behalf of the East Lyme Water and Sewer Commission, an agreement entitled "The Waterford/East Lyme Wastewater Collection and Conveyance Agreement dated \_\_\_\_\_, 2022 substantially in the form presented to the Commission at its meeting of July 26, 2022.  
Mr. DiGiovanna seconded the motion.**

**Vote: 8 – 0 – 0. Motion passed.**

**8. Finance Director Report**

Ms. Johnson noted that her report was for the final month of the last fiscal year and that they ended the year well on both sides with strong cash positions.

**8.A Discussion and Possible Action to carry over left over funds from FY 21-22 into FY 22-23**

Mr. Bragaw explained that as he had previously discussed with them that they had about \$200,000 remaining in the Water side and that he recommended taking those dollars and rolling them into this

new fiscal year. He noted that they had this amount as they had been very frugal. He added that there is approximately \$3.7M in the sewer assessment.

**\*\*MOTION (5)**

Mr. Murphy moved to approve a carry over from fiscal year ended June 30, 2022 in the amount of up to \$205,004 remaining balances in accounts: 07-01-300-930-325 (Capital Projects) and 07-01-300-930-999 (Contingency) to the FY 2022/2023 fiscal year to account 07-01-300-930-325 (Capital Projects) being in the best interest of the Water Operations system.

Mr. DiGiovanna seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

**9. Project Updates**

▪ **Meter Replacement Project - Discussion**

Mr. Gameau reported that in they changed out 203 meters for a 45% completion rate. He said that they are also doing some trouble shooting for the next meter reading cycle.

▪ **Update on Well 5 Rehabilitation Project**

Mr. Gameau said that this is going well – they started up the well pumps, filters and all went well. The State will do a walk-thru next week.

Mr. Murphy asked about the renewal.

Mr. North said that Well 6 was submitted and it under review.

**10. Correspondence Log**

There were no comments.

**11. Chairman's Report**

Mr. Seery reported that the McCook band concerts are underway and the Celebrate East Lyme went very well and did not require any police activity and that by midnight the Town had been cleaned up. He said that in the north end of Town there was a line break and an issue regarding water quality and that Mr. North had noted what had happened and how it was handled. The State is to be back-charged for this expense as it involved their demolition of their property.

Mr. Mingo suggested using some of the dollars that they had carried over to investigate Well 6.

Mr. North said that would cost easily \$200,000 to \$300,000 just for a study.

**12. Staff Updates**

a. **Water Department Monthly Report**

Mr. Murphy asked about the Rocky Neck study.

Mr. North said that the State may be willing to look into this.

Mr. Murphy asked if they are monitoring the number of people who are watering their lawns every night.

Mr. North said that they do have that capability and will have it all over Town once all the meters are in.

Mr. Gameau said that there is also a continuous flow alert in the system so they can contact people to let them know about a problem.

Mr. Mingo asked about the Boston Post Road project.

Ms. Johnson said that in August they will receive \$938,000 from the State and that it would be discussed at the BOS meeting which projects to prioritize for it.

Mr. Gameau asked if they would want to bid the project in anticipation of getting the dollars as fall is a good time to paint.

**b. Sewer Department Monthly Report**  
There were no comments.

**13. Future Agenda Items**  
There were none.

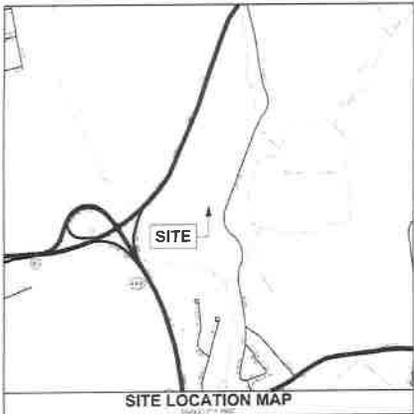
**14. ADJOURNMENT**  
Mr. Seery called for a motion to adjourn.

**\*\*MOTION (6)**  
Mr. DiGiovanna moved to adjourn this Regular Meeting of the East Lyme Water & Sewer Commission at 8:21 PM.  
Mr. Zoller seconded the motion.  
Vote: 8 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary





SITE LOCATION MAP

**GENERAL NOTES**

- A. THE PROJECT SITE IS LOCATED IN THE 100' UPLAND REVIEW AREA OF THE NORTH BRIDE BROOK WETLANDS AND WATERCOURSE AS SHOWN ON THE REGULATED AREA MAP.
- B. THE REGULATED AREA MAP IS A GENERALIZATION OF THE REGULATED AREA MAP PREPARED BY THE NATIONAL WETLANDS CENTER AND THE U.S. ARMY CORPS OF ENGINEERS.
- C. NATIONAL WETLANDS CENTER HAS CONDUCTED SURVEYS OF THE PROJECT AREA AND STATE OF CONNECTICUT HAS CONDUCTED SURVEYS OF THE PROJECT AREA.
- D. THE REGULATED AREA MAP IS A GENERALIZATION OF THE REGULATED AREA MAP PREPARED BY THE NATIONAL WETLANDS CENTER AND THE U.S. ARMY CORPS OF ENGINEERS.
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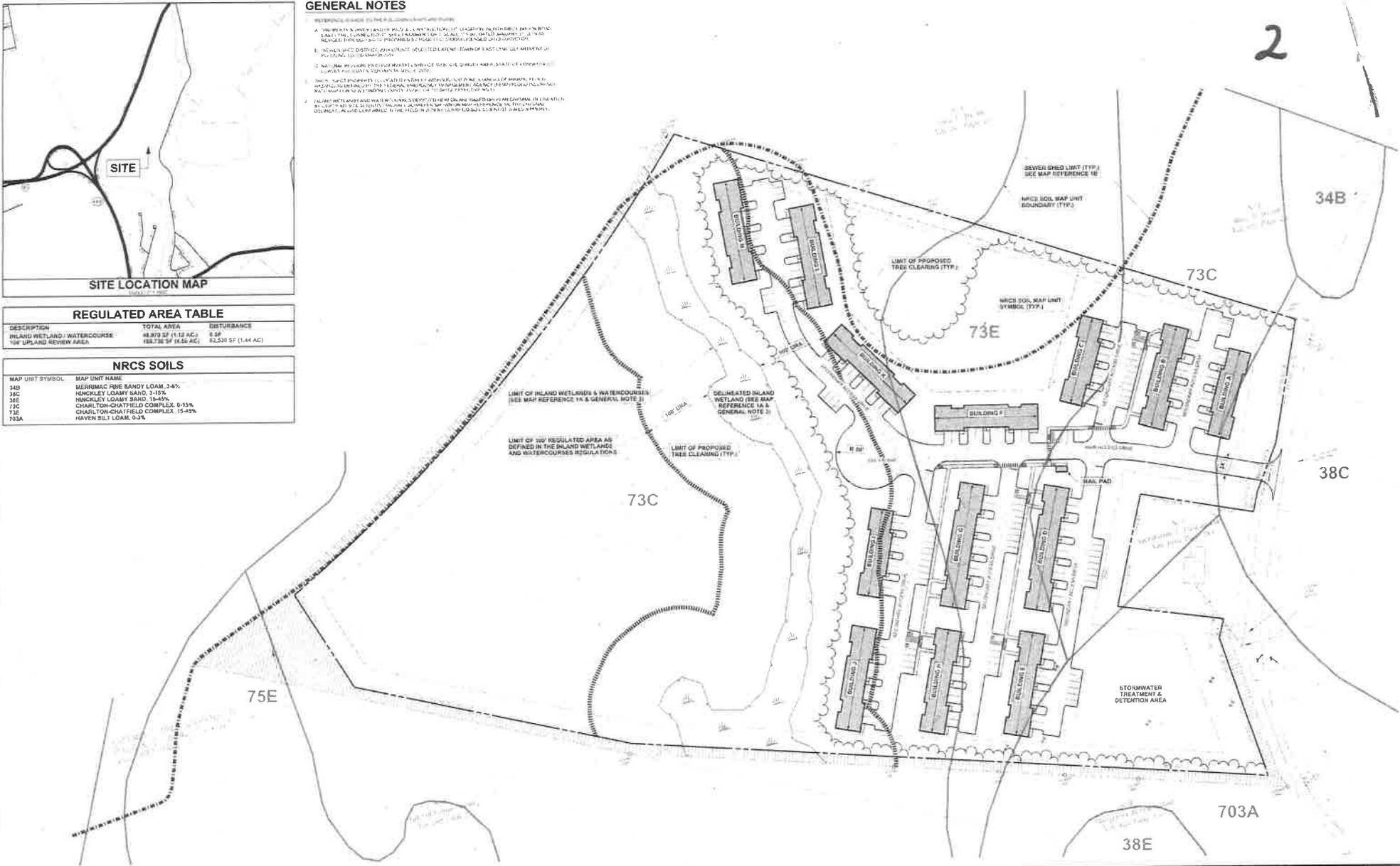
DESCRIPTION	TOTAL AREA	DISTURBANCE
INLAND WETLAND / WATERCOURSE	48,870 SF (1.12 AC.)	0.00
100' UPLAND REVIEW AREA	182,736 SF (4.18 AC.)	0.230 SF (1.44 AC.)

**REGULATED AREA TABLE**

MAP UNIT SYMBOL	MAP UNIT NAME	PERCENTAGE
249	MERRIMAC FINE SANDY LOAM	3-4%
38C	HICKLEY LOAMY SAND	3-15%
38E	HICKLEY LOAMY SAND	10-40%
73C	CHARLTON-CHATFIELD COMPLEX	0-15%
73E	CHARLTON-CHATFIELD COMPLEX	15-40%
703A	HAVEN SILT LOAM	0-3%

**NRCS SOILS**

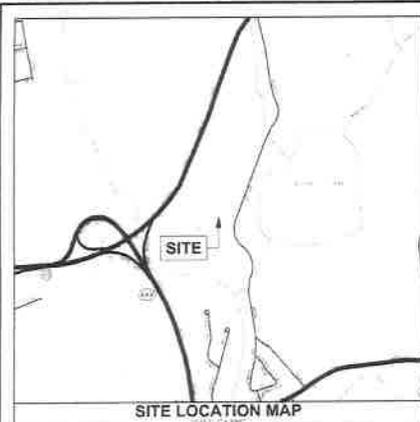
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38C	HICKLEY LOAMY SAND	3-15%
38E	HICKLEY LOAMY SAND	10-40%
73C	CHARLTON-CHATFIELD COMPLEX	0-15%
73E	CHARLTON-CHATFIELD COMPLEX	15-40%
703A	HAVEN SILT LOAM	0-3%



**CONTACT INFORMATION**  
 YANTIC RIVER CONSULTANTS, LLC  
 101 NORWICH AVENUE  
 LEBANON, CT 06240  
 PHONE: (860) 961-1234  
 FAX: (860) 961-1235  
 WWW: WWW.YRCORP.COM

**NORTH BRIDE BROOK  
 MULTI-FAMILY DEVELOPMENT**  
 PREPARED FOR  
 FAZZA CONSTRUCTION, LLC  
**OVERALL LAYOUT PLAN**

REVISION SUMMARY	SHEET
	1 of 7
	DATE
	8/23/09
	REVISED



**SITE LOCATION MAP**

**REGULATED AREA TABLE**

DESCRIPTION	TOTAL AREA	DISTURBANCE
INLAND WETLAND / WATERCOURSE	48,970 SF (1.12 AC.)	0 SF
100' UPLAND REVIEW AREA	198,730 SF (4.56 AC.)	0 SF

**NRCS SOILS**

MAP UNIT SYMBOL	MAP UNIT NAME	PERCENTAGE
34B	DELRIMAC FINE SANDY LOAM, 3-4%	
34C	HICKLEY LOAMY SAND, 3-15%	
34E	HICKLEY LOAMY SAND, 15-49%	
73C	CHARLTON-CHATFIELD COMPLEX, 5-15%	
73E	CHARLTON-CHATFIELD COMPLEX, 15-49%	
703A	HAVEN SILT LOAM, 0-3%	

**UNIT SUMMARY**

NO.	SYMBOL	AREA (SQ. FT.)	AREA (AC.)	PERCENTAGE
1	34B	1,100,000	25.00	1.00
2	34C	1,100,000	25.00	1.00
3	34E	1,100,000	25.00	1.00
4	73C	1,100,000	25.00	1.00
5	73E	1,100,000	25.00	1.00
6	703A	1,100,000	25.00	1.00
<b>TOTAL</b>		<b>5,500,000</b>	<b>125.00</b>	<b>100.00</b>

**GENERAL NOTES**

1. THE PROJECT SHALL BE DESIGNED TO ACCOMMODATE THE PROPOSED DEVELOPMENT AND TO BE COMPATIBLE WITH THE EXISTING SURROUNDINGS AND ADJACENT AREAS.
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**PROJECT PHASING**

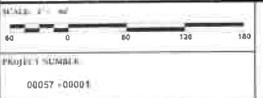
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**PARKING TABLE**

USE	STANDARD	UNIT	REQUIRED	PROVIDED	NOTES
DWELLING					
1-BEDROOM UNIT	1.5 PER UNIT	0	0	0	
2-BEDROOM UNIT	2 PER UNIT	80	100	100	
CLIENT	1 PER 1 UNITS	80	27	27	
ACCESSIBLE PARKING	150-200 SPACES	167	8 (1 VAN)	8 (1 VAN)	COMPLETE

**PARKING NOTES:**

1. THE PROJECT SHALL BE DESIGNED TO ACCOMMODATE THE PROPOSED DEVELOPMENT AND TO BE COMPATIBLE WITH THE EXISTING SURROUNDINGS AND ADJACENT AREAS.



**CONTACT INFORMATION**  
 YANKEE RIVER CONSULTANTS, LLC  
 101 RICHMOND AVENUE  
 LEANSVILLE, MA 01836  
 Phone: 978-254-0000  
 Email: yrc@yrcma.com



<p><b>REVISION REMARKS</b></p>	<p><b>PROJECT INFORMATION</b></p> <p>NORTH BRIDE BROOK          MULTI-FAMILY DEVELOPMENT</p> <p>PREPARED FOR          PAZZA CONSTRUCTION LLC</p> <p>OVERALL LAYOUT PLAN</p>	<p><b>SHEET</b></p> <p>1 OF 8</p> <p><b>DATE</b></p> <p>05/25/23</p> <p><b>BY</b></p> <p>RYN/ML</p> <p><b>DATE</b></p> <p>11/17/22</p>	
	<p>PROJECT NUMBER:</p> <p>00057-00001</p>	<p>DATE:</p> <p>05/25/23</p>	<p>BY:</p> <p>RYN/ML</p>
	<p>PROJECT NAME:</p> <p>NORTH BRIDE BROOK MULTI-FAMILY DEVELOPMENT</p>	<p>DATE:</p> <p>05/25/23</p>	<p>BY:</p> <p>RYN/ML</p>
	<p>PROJECT LOCATION:</p> <p>101 RICHMOND AVENUE, LEANSVILLE, MA 01836</p>	<p>DATE:</p> <p>05/25/23</p>	<p>BY:</p> <p>RYN/ML</p>