

**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

Branke 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.

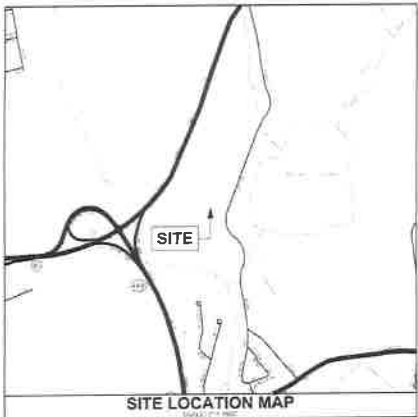
13. Future Agenda Items
There were none.

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 73C NRCS SOIL MAP UNIT. THE PROJECT SITE IS LOCATED IN THE 73C NRCS SOIL MAP UNIT. THE PROJECT SITE IS LOCATED IN THE 73C NRCS SOIL MAP UNIT.
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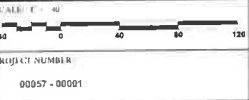
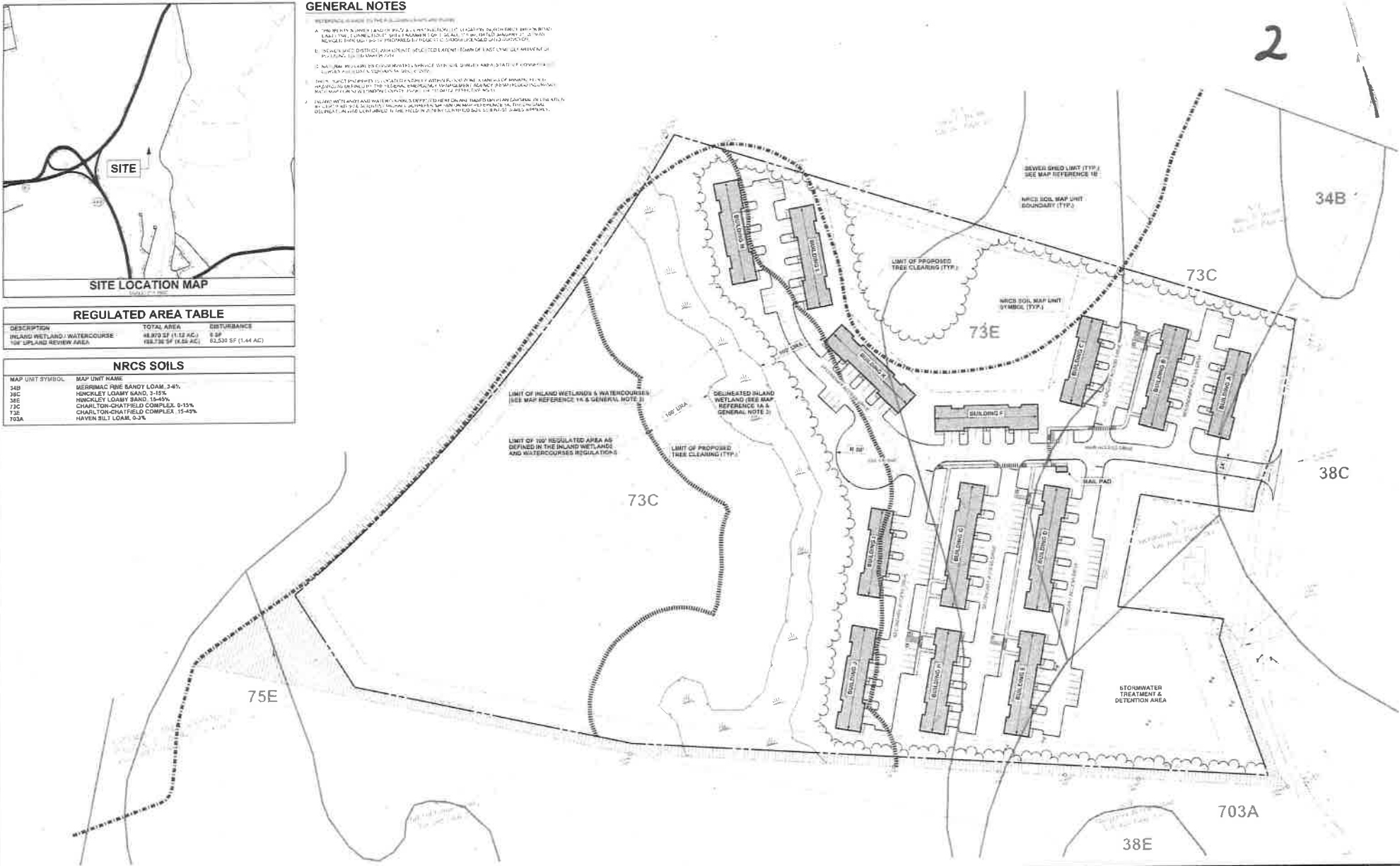
DESCRIPTION	TOTAL AREA	DISTURBANCE
INLAND WETLAND / WATERCOURSE	48,870 SF (1.12 AC.)	0.00
100' UPLAND REVIEW AREA	182,736 SF (4.18 AC.)	0.230 SF (1.44 AC.)

REGULATED AREA TABLE

MAP UNIT SYMBOL	MAP UNIT NAME	PERCENTAGE
34B	MERRIMAC FINE SANDY LOAM, 3-4%	
36C	MCKENZIE LOAMY SAND, 3-15%	
38E	MCKENZIE LOAMY SAND, 10-40%	
73C	CHARLTON-CHATFIELD COMPLEX, 0-15%	
73E	CHARLTON-CHATFIELD COMPLEX, 15-40%	
703A	HAVEN SILT LOAM, 0-3%	

NRCS SOILS

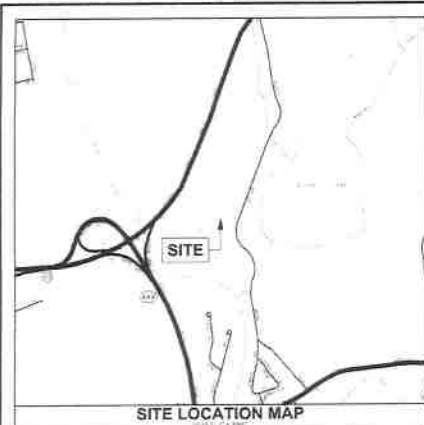
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73E	CHARLTON-CHATFIELD COMPLEX, 15-40%	
703A	HAVEN SILT LOAM, 0-3%	



CONTACT INFORMATION
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 LEBANON, CT 06240
 PHONE: (860) 961-1100
 FAX: (860) 961-1101
 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
	REVISION



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	ELSRIMAC 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.)	PERCENTAGE
1	34B	1,120,000	0.12%
2	34C	1,120,000	0.12%
3	34E	1,120,000	0.12%
4	73C	1,120,000	0.12%
5	73E	1,120,000	0.12%
6	703A	1,120,000	0.12%
TOTAL		9,166,667	100%

GENERAL NOTES

1. THE PROJECT SHALL BE CONSTRUCTED IN PHASES AS SHOWN ON THIS PLAN. THE PHASES SHALL BE CONSTRUCTED IN THE ORDER SHOWN ON THIS PLAN. THE PHASES SHALL BE CONSTRUCTED IN THE ORDER SHOWN ON THIS PLAN.
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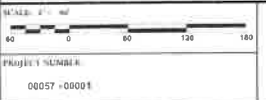
PROJECT PHASING

1. THE PROJECT SHALL BE CONSTRUCTED IN PHASES AS SHOWN ON THIS PLAN. THE PHASES SHALL BE CONSTRUCTED IN THE ORDER SHOWN ON THIS PLAN. THE PHASES SHALL BE CONSTRUCTED IN THE ORDER SHOWN ON THIS PLAN.
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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		
			87		
ACCESSIBLE PARKING	150-200 SPACES	167	8 (1 VAN)	8 (1 VAN)	COMPLETE

- PARKING NOTES:
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<p>NORTH BRIDE BROOK MULTI-FAMILY DEVELOPMENT</p> <p>PREPARED FOR PAZZA CONSTRUCTION LLC</p> <p>OVERALL LAYOUT PLAN</p>		<p>REVISION REMARKS</p>	<p>SHEET</p> <p>1 OF 8</p> <p>DATE</p> <p>05/25/23</p> <p>BY: YRC</p> <p>DATE: 01/17/23</p>
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