

**TOWN OF EAST WINDSOR
WATER POLLUTION CONTROL AUTHORITY**

Minutes of Public Hearing March 2, 2010

Members Present: Paul Anderson, Tom Davis, Jim Barton, Philip Godeck, Chuck Riggott (Alternate) and George Butenkoff (Alternate)

Members Absent: Dave Tyler

Others Present: Acting Superintendent Edward Alibozek, Town Planner Laurie Whitten and Recording Secretary Laura Michael.

Time and Place

Paul Anderson, Chairman, called the Public Hearing to order at 7:00 p.m. at the Scout Hall Youth Center, 28 Abbe Rd, East Windsor, CT

Public Hearing Scheduled for 7:00 p.m.:

Mr. Anderson read the legal notice published in the *Hartford Courant* on February 19, 2010 and explained that the purpose of the Public Hearing was to receive public comment and input on proposed amendment to the Town of East Windsor Sewer Service Area. The goal of the public hearing is to make an appropriate decision. Mr. Anderson explained that there were five items for revision:

1. Rya Corporation, Phase III, Hemlock Court
2. Mitchell Property, Griffin Rd
3. Plum Lane Property, located partially in East Windsor and is connected to the South Windsor Sewer System
4. Burlington Coat Factory, located in East Windsor, connected to the Enfield Sewer System
5. Golden Irene's, located in East Windsor, connected to the Enfield Sewer System

Mr. Anderson explained that there was a sign-up sheet for those interested in speaking and that the Public Hearing would be tape recorded.

Attorney Bruce Fader was present of behalf of the Rya Corporation and Myers Nursery. He explained that his clients have an application before the WPCA to be included in the SSA (Sewer Service Area). The area at issue is to the north of the Kement Property (Quarry Meadows) which is in the SSA. This area is phase III of a three phase subdivision. Phases I & II have been approved and developed; the subdivision roads have been accepted as Town roads. Phases I & II were developed with septic systems; phase III was intended to be developed with septic systems, but the land was over excavated and the soil isn't suitable for septic systems. This was not the fault of the applicants. Attorney Fader pointed out that he is not asking for phases I & II to be included in the SSA only phase III. The Rya Corporation undertook expenses for a three phase subdivision: \$400,000 for public water (rights were given to Kement for use of the water), \$100,000 for re-aligning East Rd and land dedicated to open space based on the total acreage. They are asking for inclusion for reasons beyond their control. They would like to get a return on their investment. There are public benefits to developing phase III of the subdivision. Including phase III in the SSA will connect the two existing cul-de-sac roads; allowing access for fire trucks and other public safety equipment to homes currently built at the end of the cul-de-sacs. The East Windsor Planning and Zoning Commission is in support of the development of phase III as noted in a memo from Town Planner Laurie Whitten dated January 27, 2010, as it would complete construction of the internal road plan and public infrastructure. Attorney Fader explained that including phase III in the SSA is in keeping with the Planning Policies of

the East Windsor Plan of Development. The POD states, "Because the wastewater treatment plant owned and operated by the Town has capacity in excess of two times required for the current service area, and even greater if usage is compared to the 30 day average capacity, the Town may wish to consider revising the Sewer Avoidance Area Boundary."

Attorney Fader explained that he is in contact with the owners of Quarry Meadows to work out an agreement to share the cost of the sewer installation and construction of a pump station. This is a win-win situation. Rya Corporation can cut down the cost for Kement and promote economic growth. Mr. Butenkoff questioned how many children would live in these houses? Attorney Fader replied that recently for an application in East Hartford they felt 1.5 children would live in a 3 bedroom house but when you build the houses, your tax base increases.

Mr. Anderson asked if anyone had any questions; there were none. He thanked Attorney Fader.

Town Planner Laurie Whitten stated that certain expectations were created for the developers, the Planning and Zoning Commission and the home owners. This subdivision was a neighborhood concept. Ms. Whitten explained that she has read recently that in 2-3 bedroom homes there are less than .6 kids (she cautioned that she may be misquoting). Rya Corporation can't get approval for phase III until they get approval for sewers; the issue with the soil not supporting septic systems has nothing to do with the applicant. Not developing phase III has an impact on phases I & II; it affects the economic value and suppresses the fair market value.

Cal Myers, 18 Main St, Broad Brook, explained that he is part owner of the property with the Rya Corporation. He feels that Attorney Fader has done an excellent job. He hopes the WPCA will consider extending the SSA; this is a mirror image of Kement.

Attorney Wayne Gerlt was present on behalf of the Mitchell's. They applied to the WPCA for 3 lots and were told they would have to go to the State; the WPCA didn't want to jeopardize state funding. They applied to the State and got approval. The property has been designated a neighborhood conservation area. They would like to be included in the SSA and serviced through the South Windsor Sewer System. They have a letter from the South Windsor WPCA supporting approval. They had originally asked for 3 lots; they are now only asking for 2. The owner of the property will build a house to live in himself. There is a high water table and the property is not suitable for septic. The property is 3 acres and is mostly in South Windsor; there would be a private easement, off road, on private land. Attorney Gerlt thanked the Board.

Russ Heintz, 1227 Burnside Ave, East Hartford, representing the Rya Corporation stated that phase III is completely designed. All the work has been done; the expenses incurred.

Attorney Fader stated that the engineering plans have been approved by Town Engineer Len Norton; they are ready to go forward with the project. He thanked the Board.

Motion: To close the public hearing at 7:45 p.m.
Godeck/Riggott
Passed unanimously

Respectfully submitted,

Laura Michael
Recording Secretary