

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

Amended Minutes of Public Hearing of September 17, 2009

WPCA Members Present: Paul Anderson, Tom Davis, Jim Barton and Chuck Riggott (Alternate)

WPCA Members Absent: Dave Tyler, Mark Livings and Philip Godeck (Alternate)

Others Present: WPCA Superintendent Kevin Leslie, Town Planner Laurie Whitten and Recording Secretary Laura Michael.

Time and Place

Paul Anderson, Chairman, called the meeting to order at 7:00 p.m. at the East Windsor Town Hall, 11 Rye Street, Broad Brook, CT.

I. Public Hearing Scheduled at 7:00 p.m.

Mr. Anderson explained that the purpose of the public hearing was to receive public comment on the proposed sewer service area (SSA). The WPCA was informed by a representative of the DEP that it is required to update the SSA and submit the update to OPM to update the state's mapping. The WPCA has been working on this for three years. The WPCA has documentation of the changes made to the map dated 1992. Mr. Anderson explained that they were there to receive public comment not to discuss; they would listen to comment prior to adoption.

Attorney Bruce Fader, 70 West Rd, Ellington, was present for HSW LLC. He introduced himself and thanked the Board for the opportunity to speak. He recognizes the blood, sweat and tears that went into the development of the SSA map. Attorney Fader was present to speak about the property located off East Rd near Depot St adjacent to the Kement property, which is included in the SSA. He is asking the authority to include his client's property in the SSA. His client, HSW LLC, has rights to the property owned by Myer's Nursery. Phase I and II are existing development, phase III is behind the Kement property. Phase III was over excavated by Herb Holden and they can't put in septic systems. The result is that they can't develop phase III. He is asking that phase III be included in the sewer service area.

Attorney Fader submitted the following documents, The Conservation and Development Policies for CT 2005-2010 Locational Guide Map, a USGA map of Broad Brook, CT, a letter dated February 12, 2009 from Attorney Hal Cummings to OPM, an application for interim change to OPM, a letter dated February 16, 2009 from Attorney Fader to OPM, a letter dated May 21, 2009 from OPM to Attorney Fader denying the change, Herb Holden's excavation application conditions of approval, P&Z approval of phase I of Hemlock Court, P&Z approval of phase II of Hemlock Court, a Hemlock Court Fact Sheet, WPCA minutes of September 27, 2006, and subdivision plans for Hemlock Court Phases I, II and III.

Attorney Fader explained that all of the land around this property is developed or has **sole** development rights and public sewers are already through the Kement property. Including his client's property into the SSA would not open up more development. When phase's I and II were approved by the Town land use committees it was a conceptual idea to develop phase III. Rya Corporation donated open space land to the Town and installed public water with the intent that phase III would be developed. Attorney Fader asked if a decision about the map would be made that night. Mr. Anderson replied that it would not. Attorney Fader thanked the Board for their consideration.

Karen Gaudreau, Depot St, asked why Depot St was not included in the SSA when the line is running down the street to Quarry Meadow. This would not be new development. Her septic system is 53 years old; it's working fine, but if it were to fail why couldn't she connect when there is a line running in front of her house. The cost of a new engineered septic system is between \$30,000 and \$40,000. If there is a possible way to tie into the sewer, it would be more cost effective.

Motion: To close the public hearing.
Riggott/Davis
Passed unanimously

Respectfully submitted,

Laura Michael
Recording Secretary