



PUBLIC UTILITIES COMMISSION

Bethel Municipal Center, 1 School Street
Bethel, Connecticut 06801 Telephone: (203) 794-8501

REGULAR MEETING

Monday, October 1, 2012
4:00 p.m.

C.J. Hurgin Municipal Center – Meeting Room “A”

RECEIVED
2012 OCT - 5 P 1:21
TOWN OF BETHEL
TOWN CLERK

Present: First Selectman Matthew Knickerbocker, Selectman Richard Straiton, Selectman Paul Szatkowski, Commissioner Peter Valenti. Also in attendance were Town Engineer Andrew Morosky, Utilities Consultant Len Assard, Supervisor of Utilities Kelly Curtis, Town Attorney Martin Lawlor and Town Comptroller Robert Kozlowski.

Call to Order: First Selectman Knickerbocker called the Regular Meeting to order at 4:07 p.m. and led the Pledge of Allegiance.

Public Input: James Dilillo, 1A Kingswood Drive; addressed the Commission regarding the appearance of the Hickok tank. Mr. Dilillo inquired whether the tank can be painted. First Selectman Knickerbocker indicated that the tank was just drained. Mr. Morosky stated that the tank is not in use but there are no plans to remove it at this time. Due to the denial of the Eureka Water Storage Tank application by the City of Danbury, it's possible that the location of Hickok tank will be in use again.

Correspondence: None

Meeting Minutes:

Regular Meeting September 10, 2012: Selectman Szatkowski made a motion, which was seconded by Selectman Straiton to approve the minutes as presented. Vote, All in Favor, Motion Approved.

New Business: **48 Stony Hill Road; Sewer Capacity:** Mr. Peter Olson representing the properties owners (Tony's Restaurant Inc) of 46 and 48 Stony Hill Road and 39 Hawleyville Road as well as RMS, LLC Bethel, addressed the Commission. Mr. Olson indicated that the owners have submitted (3) three applications to the Planning and Zoning Commission; the first is a re-subdivision application to rearrange the lot lines and create two new parcels; the second site plan and special permit for front parcel known as parcel B1 and the third site plan and special permit application for parcel B2 which is the rear portion of the property, as well as submitting applications for permit to regulate actively to the Wetlands Commission for primary parcel B2 and small amounts of actively related to parcel B1. Mr. Olson presented the maps for the subdivision and reviewed the plans. Mr. Olson stated in 2008 the Planning and Zoning Commission approved parcel A as well as the Inland and Wetlands Commission for an 80-unit Assisted Living development. Currently the owners are under contract with a company to purchase the Assisted Living development; they are looking to close in a month and a half. Mr. Olson indicated the second parcel is the remainder of the property, except for a small rear piece which is intended to become Town-owned Open Space. The property is 24.92 acres, which is proposed to be divided into two parcels with the front parcel being a combination of

commercial and residential development. The commercial development will have 43,000 square feet of retail space as well as 60 units of 1 and 2 bedroom apartments above the retail space. The rear parcel is a duplex and townhouse community, with 88 townhomes and 48 duplex units. The final piece is in the rear on 39 Hawleyville Road which will be conveyed to the Town as open space, this section has not been on any of the plans for development. In 2008 the Public Utility Commission approved an sewer allocation of 8,800 gallons for the parcel A, the Assisted Living development. In 2009 Tighe & Bond did not consider the subdivision of the property and gave an overall allocation of 19,878 gallons. Mr. Olson indicated that the development needs in the front commercial piece are 11,000 gallons per day and for the rear residential piece 17,000 gallons per day and therefore is seeking a total allocation of 28,000 gallons for the parcel B. Mr. Olson indicated that in the 24.92 acres, the request totals 1,123 gallons per acre. Further discussion took place about the development. Doug DiVesta, the Civil Engineer for the property owners, did an analysis to determine daily flow allocation for the property which came from actual water use from various condominium complexes within the Danbury and Bethel area. See attached. Mr. DiVesta also indicated locations for the water and sewer connections on the plans. Further discussion between Mr. Olson and the Commission took place. Mr. Knickerbocker indicated that the Sewer Regulations need to be approved prior to approving any additional allocations. The regulations should be completed before the November Public Hearing for the Planning and Zoning Commission.

Old Business:

- **Transfer Station:** First Selectman Knickerbocker informed the Commission he as well as Selectman Straiton attended the HRRRA meeting last week. During the meeting Cheryl Reedy updated the attendees concerning the tipping fees for the recycling indicated the cost would go down from \$28/ton to \$10/ton. Mr. Knickerbocker stated this will help with the cost of operating the station. Mr. Knickerbocker also informed the Commission; HRRRA has been working closely with Winter Brothers for the upcoming recycling contracts and this not yet final but very close Mrs. Reedy indicated with this new contract we'll have the possibility of revenue sharing. Mr. Knickerbocker indicated not having to pay for recyclables and to receiving revenue; we should see an inflow of monies for the station. Selectman Szatkowski indicated tonnage is coming way down and the overall overhead for operating the station is high. Selectman Szatkowski also stated he does not want to go into a long term contract again with HRRRA, the last contract was for a 25 year period. Selectman Straiton indicated that he believes the contract would be a 3 to 5 year duration.
- **Sewer Allocation:** Mr. Morosky distributed Town Planner Steve Palmer's update of the summary of Sewer Flow Allocation by Zoning Districts (see attached). Mr. Morosky as well as Mr. Assard gave an explanation of the document. Discussion took place between the Commission. Also, the Commission discussed the Inflow and Infiltration problems in the downtown area. Attorney Lawlor indicated that the language of the Sewer Regulations will need to be revised. Mr. Knickerbocker requested that Attorney Lawlor and Mr. Assard work on the language for the regulations.
- **Financial Report:**
 - **Water and Sewer Financial Status:** Comptroller Kozlowski distributed and updated the financial reports to Commissioners.

- **Invoices:**

TRANSFER STATION - October 1, 2012

Item #	Vendor	Inv. Date	Amount	Description
1	Martin Lawlor	10/1/2012	\$97.38	Professional Services

TOTAL AMOUNT \$97.38

First Selectman Knickerbocker made a motion, which was seconded by Selectman Szatkowski to approve the Transfer Station Invoices in the amount of \$97.38. Vote, All in Favor, Motion Approved.

Water and Sewer - October 1, 2012

	Vendor	Inv. Date	Amount	Description	Account
1	Kovacs Construction	9/7/2012	\$21,717.95	Plumtrees Pump Station	Plumtrees Pump Station Stony Hill Sewer Project
2*	*News Times	8/31/2012	\$10,034.15	notification of sewer assessments	Contract 3-Sewer Department
3	Heitkamp	4-Sep-12	\$1,443.40	Professional Services	1/2 Water & 1/2 Sewer
4	Martin Lawlor	10/1/2012	\$527.88	Professional Services	Sewer
5	Martin Lawlor	10/1/2012	\$1,306.88	Professional Services	Stony Hill Sewer Project #3
6	Martin Lawlor	10/1/2012	\$722.63	Professional Services	Water Dept
7**	**Wright-Pierce	9/13/2012	\$3,500.00	Professional Services	Water Storage Tank
8	Earthmovers	9/27/2012	\$40,846.40	Professional Services	Stony Hill Sewer Project #3

TOTAL FOR APPROVAL \$80,099.29

First Selectman Knickerbocker made a motion, which was seconded by Selectman Szatkowski to approve the Public Utility Invoices in the amount of \$80,099.29. Discussion; First Selectman amended his motion to indicate item 2 for \$10,034.15 will be charged to the Stony Hill Sewer Project, Contract 3. Vote, All in Favor, Motion Approved.

**It was noted after the approval that item #2 for The Newstimes in the amount of \$10,034.15 should have been for \$9,298.80. The Finance Department will pay \$9,298.80.*

*** It was noted after the approval that item #7 for Wright Pierce in the amount of \$3,500.00 should have been for \$3,300.00. The Finance Department will pay \$3,300.00*

The Total amount for the PUC invoices that will be paid by the Finance Department will be \$79,160.94

Engineering / Utility Consultant Report:

- **Stony Hill Sewer Project:** Mr. Morosky indicated to the Commission the pond dredging on Walnut Hill Road has been completed. Earthmovers, the contractor, will continue dewatering the dredged material before spreading it out on Piera's property.

The two spillways also need to be rebuilt. Mr. Morosky indicated the job will be completed this season. Mr. Morosky stated Maple Row sewer pipe was installed down to Research Drive and the cleaning, video inspection and pressure test has been scheduled for tomorrow.

- **Stony Hill Sewer Project Easements:** Mr. Lawlor indicated that all the easements have been completed with the exception of a few older easements which need some attention despite the construction work being done.
- **Supervisor's Report:** Mr. Curtis indicated that there was a water main break on Honey Hollow which was corrected but caused water discoloration in the system. There is as well a service leak on F.J. Clarke Park which the property owner will be correcting. Mr. Curtis is waiting for a quote from Butterworth and Scheck for the Dodgingtown Road main replacement. Mr. Curtis also indicated they will start clearing out the roots on Elizabeth Street as well as Blackman Avenue. With respect to 4 Grand Street, the new water service has been completed and they are on their own.

First Selectman Knickerbocker made a motion, which was seconded by Selectman Straiton to recess for five minutes and reconvene into executive session inviting Mr. Morosky, Mr. Lawlor and Mr. Kozlowski. Vote, All in Favor, Motion Approved.

- **Potential Litigation – Executive Session Anticipated:** Commission convened Executive Session at 5:35 p.m. and came out of Executive Session at 5:45 p.m.

First Selectman Knickerbocker made a motion, which was seconded by Selectman Straiton to appeal the denial of the Danbury Planning Commission of the Town's application to construct a water storage tank at the Eureka Lake Water Treatment Plant site. Vote, All in Favor, Motion Approved.

Adjourn: *As there was no further business on the agenda First Selectman Knickerbocker made a motion, which was seconded by Selectman Straiton, to adjourn the meeting at 5:45 p.m. Vote: All in Favor, Motion Unanimously Approved.*

Respectfully submitted,



Tracy Rogalski, Recording Secretary

**TOWN OF BETHEL
TRANSFER STATION
10/1/2012 PRELIMINARY**

REVENUE \$ 59,680.89

Revenue Detail

Permits	22,580.00
Bulk Waste	-
Dumping Charges	34,800.62
Scrap Metal	1,780.27
Brush	520.00
Appliances	-
	59,680.89

EXPENDITURES

SALARIES	\$ 28,057.53
BENEFITS	13,534.93
UTILITIES	-
OFFICE	61.97
DEPRECIATION	-
MATERIALS & SUPPLIES	976.32
REPAIRS & MAINTENANCE	-
CONTRACTED SERVICES	11,916.12
INSURANCE	-
ALLOCATED EXPENSES	9,000.00

63,546.87

NET REVENUE **\$ (3,865.98)**

**TOWN OF BETHEL
WATER DEPARTMENT
10/1/2012 PRELIMINARY**

REVENUE \$ 208,818.09

Revenue Detail					
Use of Water			204,618.09		
Liens			-		
Permits & Installation			4,200.00		
Interest on Investments			-		

208,818.09

EXPENDITURES

SALARIES	\$ 87,991.22	
BENEFITS	36,128.04	124,119.26
UTILITIES	7,438.09	
SUPPLIES	14,788.95	
MAINTENANCE	23,551.95	
SERVICES	8,382.54	
CAPITAL IMPROVEMENT	5,030.00	
UTILITY COLLECTOR/OFFICE	959.43	
DEBT SERVICE		
ALLOCATED EXPENSE	33,750.00	
Less: Items to be Capitalized	-	
DEPRECIATION	-	
INTEREST EXPENSE	-	
		<u>218,020.22</u>

NET REVENUE **\$ (9,202.13)**

TOWN OF BETHEL
SEWER DEPARTMENT
10/1/2012 PRELIMINARY

REVENUE \$ 810,387.17

Revenue Detail	
Use of Sewer	798,762.17
Sewer Assessments	-
Liens	-
Permits & Installation	11,625.00
Interest on Investments	-
	810,387.17

EXPENDITURES

SALARIES	\$ 53,421.63	
BENEFITS	22,244.52	75,666.15
UTILITIES	6,177.73	
SUPPLIES	2,180.09	
MAINTENANCE	9,482.55	
SERVICES	211,101.52	
CAPITAL IMPROVEMENT	208,938.81	
OFFICE	4,259.41	
DEBT SERVICE	78,286.55	
ACCOUNTS PAYABLE-DANBURY	203,038.29	
OFFICE	-	
ALLOCATED EXPENSE	22,500.00	
Less: Items to be Capitalized	(208,938.81)	
INSURANCE	-	
DEPRECIATION	-	
		612,692.29

NET REVENUE \$ 197,694.88

**Sanitary Sewer Flow Analysis
Stony Hill Inn Site
Stony Hill Road
Bethel, Connecticut**

The proposed project is to develop the 29.3 ± acre parcel. A mixed use of commercial, with residential apartments over the retail space, along Stony Hill Road will be situated on 6.2 ± acres. The remaining 23.1 ± acres will be used for residential townhouses. It is also proposed to have a clubhouse with a pool for the residents.

The purpose of this analysis is to determine a daily flow allocation for the proposed development on the Stony Hill Inn property based on actual water use from various condo complexes within the Danbury and Bethel area.

The resources used to develop our sanitary sewer flows were the Tighe & Bond study entitled "Sanitary Sewer System Capacity Evaluation – Bethel, CT"; the City of Danbury - Engineering Department General Information for Planning Commission/Department Reviews by the Engineering Department of the City of Danbury and actual water meter readings for various condo developments similar to the proposed project. We obtained actual meter readings for at least six past quarters at five different condo complexes in Danbury and Bethel. The complexes in Danbury are approximately the same size as the proposed project. The complex in Bethel was used because it has two bedroom units which are similar to the majority of the units for this proposed project.

The meter readings were analyzed on a quarterly basis per building. We only used the readings that seemed reasonable. According to personnel in the Utility Department for the City of Danbury some of the meters were not recording the flows correctly therefore they would not be representative of the water used. The readings were done on a per building basis therefore we first calculated the flows per building, then by the number of units per building and then by the number of bedrooms. In calculating the average daily flow rates for the building we removed the high and the low readings. Removing the average high and average low flow rate for the quarter would give us a more comprehensive flow rate because a high reading may indicate there may be a potential leak somewhere in the system and a low reading may indicate that some of the units were vacant for a period of time. The number of units per building was determined by as-built plans which we were able to obtain from various sources. Using the assessor's field cards we were able to determine the actual number of bedrooms per unit.

For the commercial water use we obtained actual water meter readings for the various buildings within the Big Y shopping center just east of the Stony Hill Inn property. This shopping center will be similar in terms of uses; for example, there will be a bank pad, restaurant pad and retail pads. There will not be a grocery store. The meter readings were for the specific uses; we did not take into consideration the Big Y grocery store.

We used the assessor's field cards to get the building sizes so that we could compute the future flow rates on a square footage basis.

According to the Tighe & Bond sanitary sewer study the Stony Hill parcel has a proposed allocation of 19,878 gallons per day (GPD). We felt that this flow was low based on the size of the parcel and its potential for development. According to the Tighe & Bond study the 1,242,360 square foot parcel has 961,888 square feet available for development which has been reduced for infrastructure. They also figured that the parcel could be subdivided into 24 parcels at 40,000 square feet each with a total allocated flow of 19,878 GPD.

The proposal is to subdivide the property into two parcels with one parcel developed with a mixed use of commercial with residential over the retail space along Stony Hill Road and the other parcel comprising of residential townhouses and duplex units in the rear portion of the property. Therefore, we feel the proposed allocated flow from the Tighe & Bond study is too low for this parcel.

Based on actual water meter readings for similar developments within Bethel and Danbury we were able to calculate what the actual sanitary sewer flow allocation should be for the Stony Hill Inn parcel. The Danbury projects were used because all of the sanitary sewer flows generated in Bethel are treated by the Danbury wastewater treatment plant.

We calculated an average flow of 55.1 GPD per bedroom as the basis for residential use. For the commercial use we calculated the average GPD rate on a square foot basis for the specific type of use proposed. For a restaurant use the flow will be .37 GPD/square foot, for a bank use the flow will be .021 GPD/square foot, and for retail space the flow will be .028 GPD/square foot.

The residential use for the proposed project will consist of 133 units with two bedrooms each and 28 units with one bedroom each and 35 units with three bedrooms each. The estimated sanitary sewer flow for the 399 bedrooms will be 21,985 GPD.

The commercial use for the proposed project will consist of 30,272 square feet of retail space, 11,330.4 square foot of restaurants and 2,000 square foot pad for a bank.. Based on the specific use the estimated sanitary sewer flow for the commercial portion of the proposed project is 5,081.7 GPD

In conclusion, the sanitary sewer allocation for the Stony Hill Inn property, based on actual meter readings from similar residential complexes and commercial properties, should be 27,067 GPD. Please see the attached summary charts of our findings and back-up water meter readings for the various complexes and commercial properties used to determine the proposed sanitary sewer flow allocation for this property.

RESIDENTIAL									
Parcel B-2 (Res Only)					Parcel B-1 (Comm/Res)				
	1 Bedroom Units BR	2 Bedrooms Units BR	3 Bedrooms Units BR	Totals Units BR		1 Bedroom Units BR	2 Bedrooms Units BR	3 Bedrooms Units BR	Totals Units BR
Duplexes	0	0	0	0		0	0	0	0
Townhomes	0	0	0	0		0	0	0	0
Apartments	0	0	0	0		28	32	0	60
Totals	0	0	0	0		28	64	0	92
Projected Residential Flows					Projected Residential Flows				
55.1 gal/BR/day					55.1 gal/BR/day				
5.069.2 gppd					5.069.2 gppd				
Proposed Commercial Square Footage									
	Retail SF	Rest. SF	Bank SF	Med Off SF	Total SF				
Building 1	17,116	2,016	0	2,016	21,148	SF			
Building 2	11,140	2,016	0	0	13,156	SF			
Bank Building	0	0	2,000	0	2,000	SF			
Kiosk	0	1,790	0	0	1,790	SF			
Rest. Building	0	5,712	0	0	5,712	SF			
Total Proposed SF					43,806	SF			
Projected Commercial Flow (Actual Method)									
Total Building SF by 1									
Total Retail SF	28,256					0.028 gal/SF/day			791.2 gppd
Total Rest. SF		11,534				0.370 gal/SF/day			4,267.5 gppd
Total Med. Off SF				2,016		0.370 gal/SF/day			745.9 gppd
Total Bank SF			2,000			0.021 gal/SF/day			42.0 gppd
Projected Commercial Flow (Actual Method)									
Exhibit D Alloc.					Projected Flow				
Req. Increase					Req. Increase				
TOTALS									
Parcel B-1 Total Requested Allocation					10,915.8 gpd				
Parcel B-2 Total Requested Allocation					16,915.7 gpd				
SUMMARY (48-50 Stony Hill Road)					19,878.0 gppd				
SUMMARY (46 Stony Hill Road)					0.0 gppd				
					8,800.0 gppd				
					8,800.0 gppd				

SUMMARY OF SEWER FLOW ALLOCATION BY ZONING DISTRICTS

Zoning District	Total Acreage	# of Parcels	# Units existing	GPD 2012	2012 GPD per property	GPD 2006	Tighte Bond Allocation	2012 planning study				Notes
								# Units at build out	GPD per Unit	Build-out Allocation	Difference (GPD)	
RR-10	231.90	554	932	tb'd	197	151,945	199,821	1,279	150	191,850	7,971	
R-10	685.07	1,220	1,571	tb'd	161	285,159	461,367	1,985	150 or 175	330,700	130,667	
R-20	1,023.07	1,255	1,196	tb'd	152	215,610	327,348	1,314	150 or 175	237,943	89,405	
R-30	175.78	160	141	tb'd	171	24,139	33,789	161	150 or 175	28,350	5,439	
R-40	198.59	249	212	tb'd	139	24,641	29,856	250	150 or 175	43,750	-13,894	
PRD (R-80)		4	n/a	n/a	n/a	n/a	6,755	235	150 or 175	35,250	-28,495	formerly R-80 Toll Summit
RMO	62.74	158	tb'd	tb'd	177	42,912	54,497	412	150 or 175	61,800	-7,303	
C	78.08	155	4,052		169 avg. gpd			5,636				
Rte 6 (CI)	162.64	64				87,080	109,838		1,300	101,504	8,334	based on gpd per acre
I	275.63	95				37,237	113,125		1,100	186,125	-73,000	based on gpd per acre
TP	415.98	89				76,474	147,738		300	82,689	65,049	based on gpd per acre
EP	127.80	2				46,577	144,684		300	124,794	19,890	based on gpd per acre
Misc						17,913	17,913			18,000	-87	Existing usage taken
TOTALS	3,437.28	4,005				1,009,687	1,646,731			1,442,755	203,976	additional capacity

RESIDENTIAL

Single family dwellings are allocated 175 gallons per day
 Condominiums and apartment units are allocated 150 gallons per day

Based on 1044 properties sampled throughout the residential zones to determine average gpd used per property

- 297 in the RR-10 Zone
- 259 in the R-10 Zone
- 222 in the R-20 Zone
- 43 in the R-30 Zone
- 121 in the R-40 Zone
- 102 in the RMO zone

197 avg gpd per property (2 family zone)
 161 gpd per property (s/f zone)
 152 gpd per property (s/f zone)
 171 gpd per property (s/f zone)
 139 gpd per property (s/f zone)
 177 gpd per property (1-4 family zone)
169 gpd average per property (2012 figures used)

Build Out Allocation 929,643 gpd for residential zones

Prepared by Planning & Zoning Dept.

1-Oct-12

COMMERCIAL & INDUSTRIAL

I & IP Zones 691.61 acres of land

Proposed Allocation **300 gpd per gross acre of land (300 gpd may be conservative based on actual usage)**
2006 gpd usage indicates 177 gpd per acre used
Tight Bond Allocation gave 422.8 gpd per acre

C Zone 78.08 acres of land (mixed use)

Proposed Allocation **1300 gpd per acre of land (density allowances are greater in the C zone than RT 6 thus the difference)**
750 gpd (based on 5 residential units @ 150 gpu)
plus 550 gpd for commercial uses

RT 6 Zone (CI) 164.64 acres of land (mixed use)

Proposed Allocation **1100 gpd per acre gross acre of land**
750 gpd (based on 5 residential units @ 150 gpu) plus
350 gpd for commercial uses

Build Out Allocation 513,112 gpd for Commercial and Industrial Zones

***There is not enough time or information available from the Tax Collectors records to complete an analysis of usage by sewer shed.*