



**MIDDLEBURY WATER
POLLUTION CONTROL AUTHORITY**

1212 Whittemore Road · Middlebury, CT 06762

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Sept. 20 2023 at 2:50 p.m.

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MINUTES

Meeting of the Water Pollution Control Authority

Tuesday, September 19, 2023 – 7:30 p.m.

Shepardson Community Center – Room 26

Present: Robert Smith -Chairman

Dan Civitello

Ted Mannello

Michael Angieri, P.E.

Mark Petrucci

Also Present: Attorney – Brian Henebry – Carmody Law

Attorney – Edward Fitzpatrick -Fitzpatrick

Ryan McEvoy – SLR International Corp

WPCA Employee – Edward Baily

Scott Meyers – Myers Associates

Ari Baftijar & Enver Omeragic

Kyle Richards – Metro Realty

Recording Clerks – Liana St. Germain & Jennifer Atkinson

Absent:

Paul Phillips

Call to Order

The meeting was called to order by the chairman, Robert Smith, at 7:30 p.m.

Approval of June 20, 2023, Meeting Minutes

Ted Mannello **MOTIONED** to approve the minutes from June 20, 2023, **SECONDED** by Dan Civitello.
Unanimous approval.

Old and New Business

a.) Ari Baftijar & Enver Omeragic re Lot 5-02-014 South Street, is sewer available for this lot?

They have just purchased the lot on South Street and will be constructing a three-bedroom home on the 4.98 acres and want to connect to the sewer. There are no wetlands. Mike states he will need to review this with Ed, and Chairman Smith requested that they come back to next month's meeting.

b.) Scott Meyers re: Capacity Application for Nick Road Subdivision, 5 houses.

Scott Meyers from Meyers Assoc. presented the application on behalf of James Christiano of 72 Nick Rd. He is proposing to extend Nick Rd and to extend the sewer for a cul-de-sac for five homes. Chairman Smith stated that he believes that they may have already been approved for a capacity application, and Scott stated that wetlands have already been approved. Chairman Smith states that there will have to be individual permits for each house and a site plan. Chairman Smith **MOTIONED** to approve the capacity application **SECONDED** by Dan Civitello. Unanimous approval.

c.) Granite Woods sewer use agreement

Brian Henebry says this is a housekeeping matter, and no action is needed by the board.

d.) Ryan McEvoy, SLR re: Southford Park at 764 Southford Rd, Capacity Application

Ryan McEvoy from SLR is proposing two warehouses with individual pump stations for each building. Mr. McEvoy states that the 77 acres are currently served by sanitary sewer. Regulations currently allow for 460 gallons per day per acre, more than 33,000+ gallons per day for this site. The proposal would be 25 gallons per 1,000 sq. ft for 16,000 gallons per day, which will be half. There would be toilets and a kitchen for staff for general purposes. The Chairman asked if there would be any fitness or food prep, to which Mr. McEvoy responded no. Mr. McEvoy also stated that, at this time, there is no tenant. Mike stated that once it is leased out, they would need to come up with a different application to the board if any changes need to be made. Chairman Smith **MOTIONED** to approve 16,738 gallons per day with the understanding the usage change in the capacity needed to be more, and the applicant must come back, **SECONDED** by Dan Civitello. 3 in favor, 1 opposed.

e.) Metro Realty re: update on intermunicipal and developer agreement

Attorney Edward Fitzpatrick states Waterbury gave the capacity determination with the property determination, and the agreements were drafted between Waterbury and Middlebury. This has been given to the Chairman and will be handed to the council, and they will return in October to discuss it at next month's meeting. Attorney Fitzpatrick states there is one owner of the land, and Brian asks for an explanation of the map. Kyle Richards of Metro Realty explains the map that was handed to the commissioners.

f.) 2024 Meeting Schedule

WPCA will meet on the third Tuesday of every month at 7:30 p.m. at the Shepardson Community Center, Rm 26. Chairman Smith **MOTIONED** to approve the schedule **SECONDED** by Ted Mannello. Unanimous approval.

g.) Monthly Expenses

Invoices are signed by Chairman Smith.

Staff Discussion

Ed Bailey states everything is good. The pumps came in three months ago and will be installed within the next two weeks. We are waiting for the control panel for Avalon Farms, and summer maintenance has been completed.

Adjournment

Dan Civitello **MOTIONED** to adjourn at 7:59; **SECONDED** by Ted Mannello. Unanimous approval.

These minutes are submitted subject to approval.

Respectfully Submitted,

Jennifer Atkinson

Recording Clerk