

Karen Molloy

From: Jim Grappone
Sent: Tuesday, November 3, 2020 2:02 PM
To: Karen Molloy; Mark Lovley; Severino Bovino - VP, Land Planner - KJA
Cc: Rob Phillips; David Lavallee; Jennifer Montone; Annette Turnquist; Liz Rivers; Kiari Williams
Subject: RE: Engineering comments - 45 Pacer Lane
Attachments: Community_sewer.pdf

Mark/Sev, concerning the comment about the DEEP Community sewerage systems, please see the attachment and information below:

Sec. 7-246f. Community sewerage systems. (a) Any municipal water pollution control authority may ensure the effective management of a community sewerage system as defined in section 7-245 and not owned by a municipality by requiring that the system be owned and managed as provided in this subsection. The ownership and management of the system shall meet the following requirements: (1) The owners of all properties served by the system shall be members of a property owners' association which is organized and operated in accordance with chapter 602 and which shall exist as long as any property is served by the system; (2) the association shall have the authority and the responsibility to operate, maintain, repair and improve the system in accordance with all applicable requirements, and in a manner which will prevent pollution of the waters of the state. Such association shall have the power to borrow money to finance such activities, and to defray the cost of such activities by levying assessments against the properties served by the system. Any such unpaid assessment shall constitute a lien upon the property against which such assessment was levied. Each such lien may be continued, recorded and released in the manner provided by the general statutes for continuing, recording and releasing property tax liens, and such lien may be foreclosed in the same manner as a lien for property taxes, but shall not be construed to have any greater priority than any ordinary lien upon such property; (3) all of the properties to be served by the system, and all other land upon which is located any part of the system, shall be owned in fee or shall be subject to a long-term leasehold or to a system of perpetual easements, held by the association or by the members thereof. Such title or easements shall be sufficient to allow such properties to be served by the system and to allow the association to operate, maintain, repair and improve the system as required under subdivision (2) of this subsection; (4) such association shall assure the availability of funds that are of actuarial adequacy for the continued operation, maintenance, repair and improvement of the system without pollution of the waters of the state; and (5) prior to any discharge to the system, the following requirements shall be met: (A) The association shall be created and a document or documents establishing its duties and powers as provided in this section shall be filed on the land records of the municipality in which the system and properties to be served thereby are located; (B) the system shall be owned by the association as provided in this section and rights of a mortgagee or similar interest in the system shall be subordinated to the ownership of association; (C) the association shall obtain a permit to discharge as provided by section 22a-430; and (D) the association shall certify to the water pollution control authority and the building official of the municipality that a permit to discharge has been obtained.

(b) If the association owning a community sewerage system fails to take any action in accordance with requirements of subsection (a) of this section, the municipal water pollution control authority may take any such action on behalf of the association or any other action within the powers granted to such authority which is necessary to ensure the effective operation of the system and to prevent pollution of the waters of the state. For the purposes of this section, the authority shall have the right to enter upon the properties and land subject to subdivision (3) of subsection (a) of this section. Except where delay would result in pollution of the waters of the state, no such action shall be taken unless the association has been given written notice ten days prior to any such proposed action, and has been afforded an opportunity to be heard on such proposed action. A municipal water pollution control authority may recover the cost of taking any action pursuant to this subsection by levying assessments, in the manner described in section 7-249, or charges, in the manner described in section 7-255, against the properties served by the system. Control over the operation, maintenance, repair and improvement of the system shall be returned to the association, or to a successor thereto, upon provision to the municipal water pollution control authority of adequate assurances that the requirements of subsection (a) of this section will be met, providing that nothing contained in this subsection shall limit the powers conferred on municipal water pollution control authorities by section 7-247. Should the system be designed or intended to serve additional properties that subsequently are to be subject to subsection (a) of this section, such properties and the owner or owners thereof shall be subject to the provisions of this section in the same manner as were the properties held by the association or the members thereof.

(c) Certification by a municipal water pollution control authority to the Commissioner of Energy and Environmental Protection, in a form satisfactory to the commissioner, that it will require a community sewerage system not owned by the municipality to be owned and managed in accordance with the provisions of subsections (a) and (b) of this section shall be sufficient for the municipal water pollution control authority to establish that it will ensure effective management of such system as required by subsection (b) of section 7-246, provided that nothing contained in this section shall limit the power and duties conferred on the Commissioner of Energy and Environmental Protection by sections 22a-427 to 22a-438, inclusive.

I am looking to enter into this type of agreement for all new/existing ARCHZ zones and applications: Meriden Avenue; King's Ridge; Eden Avenue, etc. I appreciate your help!

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From: Jim Grappone

Sent: Tuesday, November 3, 2020 12:41 PM

To: Karen Molloy <molloyk@southington.org>; Mark Lovley <mark@lovleydevelopment.com>; Severino Bovino - VP,

Land Planner - KJA <bovino@kratzertjones.com>

Cc: Rob Phillips <phillipsr@southington.org>; David Lavallee <lavalleed@southington.org>; Jennifer Montone <montonej@southington.org>; Annette Turnquist <turnquista@southington.org>; Liz Rivers <riversl@southington.org>

Subject: RE: Engineering comments - 45 Pacer Lane

Engineering comments are as follows:

- Note #2 on sheet E-1 does not appear to be correct.
- The Town does not recognize the naming of private roadways. Property address will be known as 45 Pacer Lane – Units 1-15.
- Provide stop sign(s) and stop bar(s) for traffic. “Keep right” signs should be installed at each end of the entrance island and pavement markings leading up to the island.
- What are the intersection sight lines exiting the private driveway onto Pacer Lane?
- A private sewer agreement with the Town of Southington and DEEP Community Sewer Permit shall be filed for the project. Manholes 1,2 and 3 shall be maintained by the Town of Southington upon acceptance. All other sewer mains, laterals and manhole structures shall remain private. An air test, video camera inspection, and final inspection of all sanitary sewer lines shall be completed prior to the issuance of any drain laying permits.
- Will the developer file for sewer equity for properties on Southfork Circle?
- Will the units have basements? If so, will foundations drains be shown?
- How will roof drains be handled?
- Drainage calculations are being reviewed. Additional comments may be required.
- Sanitary sewer material at the brook crossing shall be Ductile Iron Piping.
- Label full road width for patch replacement on Southfork Circle due to deep utility cuts.
- Provide BOLD note on sheet P-1 & P2 and detail to provide intermittent clay water stops or concrete collars along the sanitary sewer main due to the depth.

Written responses to comments are required.

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