



The Metropolitan District
water supply · environmental services · geographic information

**BUREAU OF PUBLIC WORKS
REGULAR MEETING
WEDNESDAY, MARCH 10, 2021
5:00 PM**

**IN ACCORDANCE WITH GOVERNOR LAMONT'S EXECUTIVE ORDER #7B
THIS MEETING WILL BE A REMOTE ONLY MEETING**

Dial in #: (415)-655-0001; Access Code: 43808661#

[Meeting Video Link](#)

The general public is welcome to call into the meeting. Everyone on the call will need to mute their phone to limit background noise disrupting the meeting.

Location

Dial in #: (415)-655-0001;

Access Code: 43808661#

[Meeting Video Link](#)

Commissioners

Adil	Magnan
Avedisian	Marotta
Bush	Pane
Currey	Patel
DiBella (Ex-Officio)	Sweezy
Drake	Taylor
Healy	Torres
Hoffman (VC)	Vicino (C)
Lewis	Woulfe
Lester	

Quorum: 8

1. CALL TO ORDER
2. PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS
3. APPROVAL OF MEETING MINUTES OF JANUARY 20, 2021
4. CONSIDERATION AND POTENTIAL ACTION RE: ENCROACHMENT 100 HELMSFORD WAY, WINDSOR
5. CONSIDERATION AND POTENTIAL ACTION RE: ENCROACHMENT 712 CEDAR STREET, NEWINGTON
6. DISCUSSION RE: SLUDGE REVENUE
7. DISCUSSION RE: SEWER RATES
8. OPPORTUNITY FOR GENERAL PUBLIC COMMENTS
9. COMMISSIONER COMMENTS & QUESTIONS
10. ADJOURNMENT

**100, 80 & 60 HELMSFORD WAY, WINDSOR
ENCROACHMENT AGREEMENT**

To: Bureau of Public Works for consideration on March 10, 2021

In a letter dated March 4, 2021, Matthew Bruton of BL Companies, on behalf of Amazon.com Services LLC and WE 100 Helmsford Way LLC, the leasee and owner respectively of the above-referenced property (the "Property"), has requested permission from The Metropolitan District ("MDC" or "District") to encroach on the MDC's existing 20-foot sanitary sewer easement, encompassing both an existing 10-inch sanitary sewer and 21-inch Phelps Brook Trunk Sewer, situated on the Property ("ROW") for the purpose of constructing and installing site improvements for and in connection with a proposed warehouse/package distribution facility redevelopment project.

The proposed work entails: (i) clearing and grubbing, grading (up to 4 feet of fill and 2 feet of excavation), (ii) removing paving and curbing, (iii) installing new pavement, speed bumps, and curbing (iv) raising existing manholes to grade, and (v) installing two new sanitary sewer laterals, and a 24-inch storm sewer, all within such 20-foot easement as shown on the accompanying map (collectively, the "Improvements"). The proposed piping and utilities will be installed above the existing sanitary sewer with a minimum of 3 feet of vertical clearance between this sewer and such piping and utilities. The existing sanitary sewers were built in 1985 (21-inch), 1990 (10-inch) and 1994 (relocated 10-inch) and the easements across the Property were conveyed to the MDC through two separate Developer Permit Agreements and acquired by the MDC through the Capital Improvement Project known as "Phelps Brook Trunk Sect 1, Private Lands, Windsor."

MDC staff has concluded that the Improvements are minor and that there will be no detriment to the sanitary sewer infrastructure as a result.

WE 100 Helmsford Way LLC ("Owner") has agreed to the following conditions in order to satisfy the District's concerns for protection of the existing sanitary sewer located within the Property and to maintain accessibility along the length of the MDC's 20-foot easement:

1. Care must be taken during the performance of work for the Improvements or any maintenance, repair or replacement of the same not to disturb the existing sanitary sewer. All heavy construction equipment must be located outside of the limits of the ROW when not in use. Any earth moving equipment that will be utilized on the ROW over and adjacent to the existing sanitary sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the existing sanitary sewer caused by any construction, maintenance, repair, replacement or associated activities within the ROW shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed Improvements, shall be located within the ROW.
3. The District reserves the right to remove Improvements within the ROW at any time if so required for maintenance, repair or replacement of the sanitary sewer. Owner shall bear any additional maintenance, repair or replacement costs necessitated by

the presence of Improvements within the ROW, including any such costs incurred by the District.

4. In the event of a sewer emergency caused by the proposed excavation described above, the Owner shall provide, install, operate and remove, at the Owner's expense, an appropriately sized bypass pump and appurtenances.
5. An MDC inspector must be on the job site whenever work is being performed within the ROW, and Owner shall be responsible for the cost and expense of such inspector. Any construction of the Improvements as well as any subsequent construction, maintenance, repair or replacement of the Improvements shall conform to District standards and 48-hours advance notice must be given to the District prior to commencing any such activities within the ROW.
6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the existing sanitary sewer in the areas of the construction upon completion of backfilling and restoration of the excavated areas. The videos will be delivered to the District for the purposes of assessing the post activity condition of the sanitary sewer.
7. The Owner shall maintain the District's standard form of insurance as stipulated in the MDC's most current Guidance Manual for Developers' Permit Agreements, which insurance shall remain in force and effect during the performance of any work with in the ROW.

Staff has reviewed this request and considers it feasible.

A formal, written encroachment agreement shall be executed between WE 100 Helmsford Way LLC and MDC, consistent with current practice involving similar requests, and filed on the Town of Windsor Land Records.

It is RECOMMENDED that it be

VOTED: That the Bureau of Public Works recommends to the District Board passage of the following resolution:

RESOLVED: That the Chairman or Vice Chairman of the District Board be authorized to execute an agreement, subject to approval of form and content by District Counsel, granting permission to WE 100 Helmsford Way LLC to encroach upon the existing 20-foot sanitary sewer easement situated in the Property in order to: (i) perform the work for the Improvements in connection with the planned redevelopment of the Property as shown on plans submitted by BL Companies, Proposed Warehouse/Distribution, 100 Helmsford Way, Windsor, CT, Cross Sections, Sheet CS-1, and MDC Encroachment Map, Sheet EA-2 and (ii) maintain, repair and replace such Improvements, provided that the District shall not be held liable for any cost or damage of any kind from the present and in the following years as a result of any encroachment authorized hereby, and further provided that

such agreement shall not be effective until fully executed by The Metropolitan District and WE 100 Helmsford Way LLC, and recorded on the Windsor land records. In the event that such full execution and recording does not occur within three (3) months, then such resolution shall be null and void, and of no further force and effect.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. Jellison".

Scott W. Jellison
Chief Executive Officer

March 4, 2021

Mr. Michael Curley, Manager of Technical Services
The Metropolitan District
Engineering & Planning
555 Main Street
P.O. Box 800
Hartford, CT 06142-0800

Encroachment Permit Request-
100, 80 & 60 Helmsford Way - Windsor, Connecticut

Dear Mr. Curley,

BL Companies on behalf of the applicant, Amazon.com Services LLC, c/o Amazon.com, Inc., and the property owner PPF WE 100 Helmsford Way, LLC/ Winstanley Enterprises, LLC, is providing this request for an encroachment permit for the redevelopment of a proposed warehouse/package distribution facility. The proposed project is located on 3 lots off of Helmsford Way totaling 24.02 acres of land north of Day Hill Road, between Prospect Hill Road and Marshall Phelps Road.

The development will be constructed in 2021. The MDC easement crosses the existing loading dock, existing driveway, and proposed parking lot expansion.

Construction Activities will include:

- Clearing and grubbing
- Earth moving (excavation and fill)
 - Encroachment area north of the loading dock
 - Area: 1,885 SF
 - Cut: 0.26CY
 - Fill: 16.69CY
 - Net: 16.43CY Fill

- Encroachment area east of the loading dock
 - Area: 15,781 SF
 - Cut: 357.66CY
 - Fill: 681.68CY
 - Net: 324.03CY Fill
- Removal of existing pavement
- Removal of curbing
- Installation of two new sanitary sewer connections, resetting existing sanitary manholes to finished grade, and a stormwater pipe installation.
- Installation of bituminous concrete roadways, parking, speed bumps, and curbs

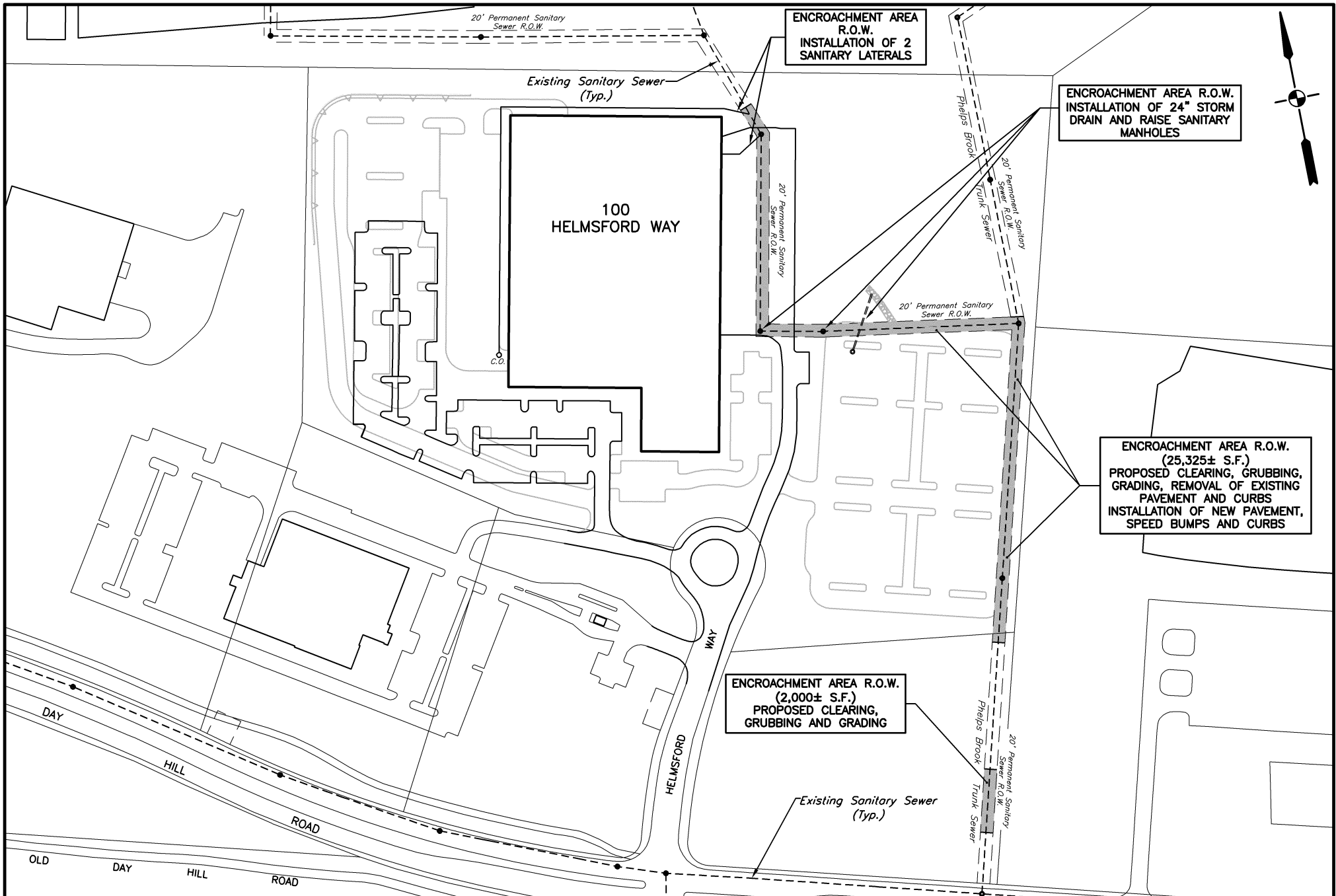
Please consider this a formal request for a permanent encroachment permit to redevelop the warehouse/package distribution facility within the MDC easement.

We look forward to working with The MDC on this project. Please feel free to reach out if you have any questions.

Sincerely,



Matthew Bruton
Regional Manager



100, 80 AND 60
HELMSFORD WAY
WINDSOR

S:\Towns\Windsor\Sewer\HelmsfordWay\HelmsfordWay-Ecmt.dwg
Latest Revision: 4/8/21

TO ILLUSTRATE SANITARY SEWER
EASEMENT ENCROACHMENT

712 CEDAR STREET, NEWINGTON ENCROACHMENT AGREEMENT

To: Bureau of Public Works for consideration on March 10, 2021

In a letter dated January 5, 2021, Rod Szwelicki of Vanasse Hangen Brustlin, Inc., on behalf of Gold Coast Properties CT1, LLC, ("Gold Coast" or "Owner") and Fenn Road Associates, LLC, ("Fenn Road Associates") the future and current owners respectively of the above-referenced property (the "Property"), has requested permission from The Metropolitan District ("MDC" or "District") to encroach on the MDC's existing 20-foot sewer easement situated on the Property for the purpose of constructing and installing site improvements for and in connection with a proposed hotel development project.

Fenn Road Associates has entered into a Purchase and Sale Agreement for the Property with Gold Coast, and anticipates that a closing will occur in the near future. Fenn Road Associates has given Gold Coast permission to submit this encroachment permit application for the following described work for such construction and installation of these site improvements that Gold Coast will undertake on the Property after such closing.

The proposed work entails: installing an 8-inch PVC sanitary lateral, 3-inch water service, 6-inch fire service and gas line within such 20-foot easement as shown on the accompanying map (collectively, the "Improvements"). The proposed piping and utilities will be installed with minimal earthwork above the existing sanitary sewer with a minimum of 2 feet of vertical clearance between this sewer and such piping and utilities and the grades will not change. The existing 8-inch PVC sanitary sewers were built in 1994 and the easements across the Property were acquired by the MDC through the MDC Capital Improvement Project known as "724 Cedar Street, Newington" and filed in the Newington land records Vol. 986 Page 71.

MDC staff has concluded that the Improvements are minor and that there will be no detriment to the sanitary sewer infrastructure as a result.

Gold Coast has agreed to the following conditions in order to satisfy the District's concerns for protection of the existing sanitary sewer located within the Property and to maintain accessibility along the length of the MDC's 20-foot easement:

1. Care must be taken during the performance of work for the Improvements or any maintenance, repair or replacement of the same not to disturb the existing sanitary sewer. All heavy construction equipment must be located outside of the limits of the sanitary sewer easement right-of-way ("ROW") when not in use. Any earth moving equipment that will be utilized on the ROW over and adjacent to the existing sanitary sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the existing sanitary sewer caused by any construction, maintenance, repair, replacement or associated activities within the ROW shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed Improvements, shall be located within the ROW.

3. The District reserves the right to remove Improvements within the ROW at any time if so required for maintenance, repair or replacement of the sanitary sewer. Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of Improvements within the ROW, including any such costs incurred by the District.
4. In the event of a sewer emergency caused by the proposed excavation described above, the Owner shall provide, install, operate and remove, at the Owner's expense, an appropriately sized bypass pump and appurtenances.
5. An MDC inspector must be on the job site whenever work is being performed within the ROW, and Owner shall be responsible for the cost and expense of such inspector. Any construction of the Improvements as well as any subsequent construction, maintenance, repair or replacement of the Improvements shall conform to District standards and 48-hours advance notice must be given to the District prior to commencing any such activities within the ROW.
6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the existing sanitary sewer in the areas of the construction upon completion of backfilling and restoration of the excavated areas. The videos will be delivered to the District for the purposes of assessing the post activity condition of the sanitary sewer.
7. The Owner shall maintain the District's standard form of insurance as stipulated in the MDC's most current Guidance Manual for Developers' Permit Agreements, which insurance shall remain in force and effect during the performance of any work with in the ROW.

Staff has reviewed this request and considers it feasible.

A formal encroachment agreement shall be executed between Gold Coast and MDC, following the completion of the sale of the Property to Gold Coast, whereby Gold Coast becomes the fee owner of the Property, and consistent with current practice involving similar requests, and filed on the Town of Newington Land Records.

It is RECOMMENDED that it be

VOTED: That the Bureau of Public Works recommends to the District Board passage of the following resolution:

RESOLVED: That the Chairman or Vice Chairman of the District Board be authorized to execute an agreement, subject to approval of form and content by District Counsel, granting permission to Gold Coast Properties CT1, LLC to encroach upon the existing 20-foot sanitary sewer easement situated in the Property in order to: (i) perform the work for the Improvements in connection with the planned redevelopment of the Property as shown on plans submitted by VHB, Proposed Hotel Development, Fenn Road & Cedar Street, Newington, Connecticut, Utility Plan C-4 and (ii) maintain,

repair and replace such Improvements, provided that the District shall not be held liable for any cost or damage of any kind from the present and in the following years as a result of any encroachment authorized hereby, and further provided that such agreement shall not be effective until fully executed by The Metropolitan District and Gold Coast Properties CT1, LLC, and recorded on the Newington land records. In the event that: (i) such full execution and recording does not occur within three (3) months of the completion of the sale of the Property to Gold Coast Properties CT1, LLC, or (ii) such sale does not occur within one (1) year from the date of this resolution, then such resolution shall be null and void, and of no further force and effect.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Scott W. Jellison".

Scott W. Jellison
Chief Executive Officer



January 5, 2021

Ref: 42690.00

Michael Curley, P.E.
Manager of Technical Services
The Metropolitan District
555 Main Street
P.O. Box 880
Hartford, Connecticut 06142-0800

JAN 11 2021

Re: Easement Encroachment Permit - Proposed Hotel, Cedar Street & Fenn Road, Newington, CT

Mr. Curley,

VHB, on behalf of Gold Coast Properties CT1, LLC is requesting the approval of an encroachment permit for the proposed hotel development at Cedar Street and Fenn Road in Newington, Connecticut (Assessors MBL: 13/02/00).

There is an existing 20-foot wide sanitary sewer easement in favor of the Metropolitan District (Volume 986 Page 71; Exception No. 11; Map Reference #6) located along the entire Cedar Street frontage. Existing utilities within the easement include: an 8" PVC sanitary sewer main and a fire hydrant with waterline connection. The western portion of the easement is flat and eastern portion of the land within the easement is graded at a slope of approximately 3.5:1. Layout features include existing pavement, curbing, and a guardrail along the bottom of the eastern slope. Existing features are shown on the Alta survey Sv-1 dated October 30, 2020 prepared by VHB (included in the planset for reference).

The new hotel building is proposed to connect a new fire and domestic water line (New Britain Water), gas line (CNG), and an 8" sanitary sewer line (MDC) to the respective mains in Cedar Street. The proposed utilities will run perpendicularly through the 20-foot wide sanitary sewer easement in order to connect to the existing mains in the Cedar Street right of way. The existing grades will remain relatively the same within the easement, and minimal earthwork will be required for the utility installation. The disturbed areas will receive loam and seed to prevent erosion. All proposed utility connections have been submitted to each utility provider and correspondence is on-going.

To finalize the design, we are requesting approval from the District Board for permission to do the above said work within the utility easement.

The following items are included to support Permit request:

- Site Plans titled "Proposed Hotel Development" dated December 28, 2020

Engineers | Scientists | Planners | Designers

100 Great Meadow Road
Wethersfield, Connecticut 06109
P 860.807.4300
F 860.372.4570

Michael Curley, P.E.
Ref: 42690.00
January 5, 2021
Page 2



In addition, the contact information for the project client and their attorney are listed below:

Client:

Aaron A. Packard
Director of Development
apackard@goldcoastpremier.com
Tel: (786) 701-3584 | Cell: (316) 644-0260

Gold Coast Properties CT1, LLC
16155 SW 117th Ave, Unit B2
Miami, Florida 33177

Attorney:

Robin Messier Pearson
Alter & Pearson, LLC
rpearson@alterpearson.com
Tel: (860) 652-4042

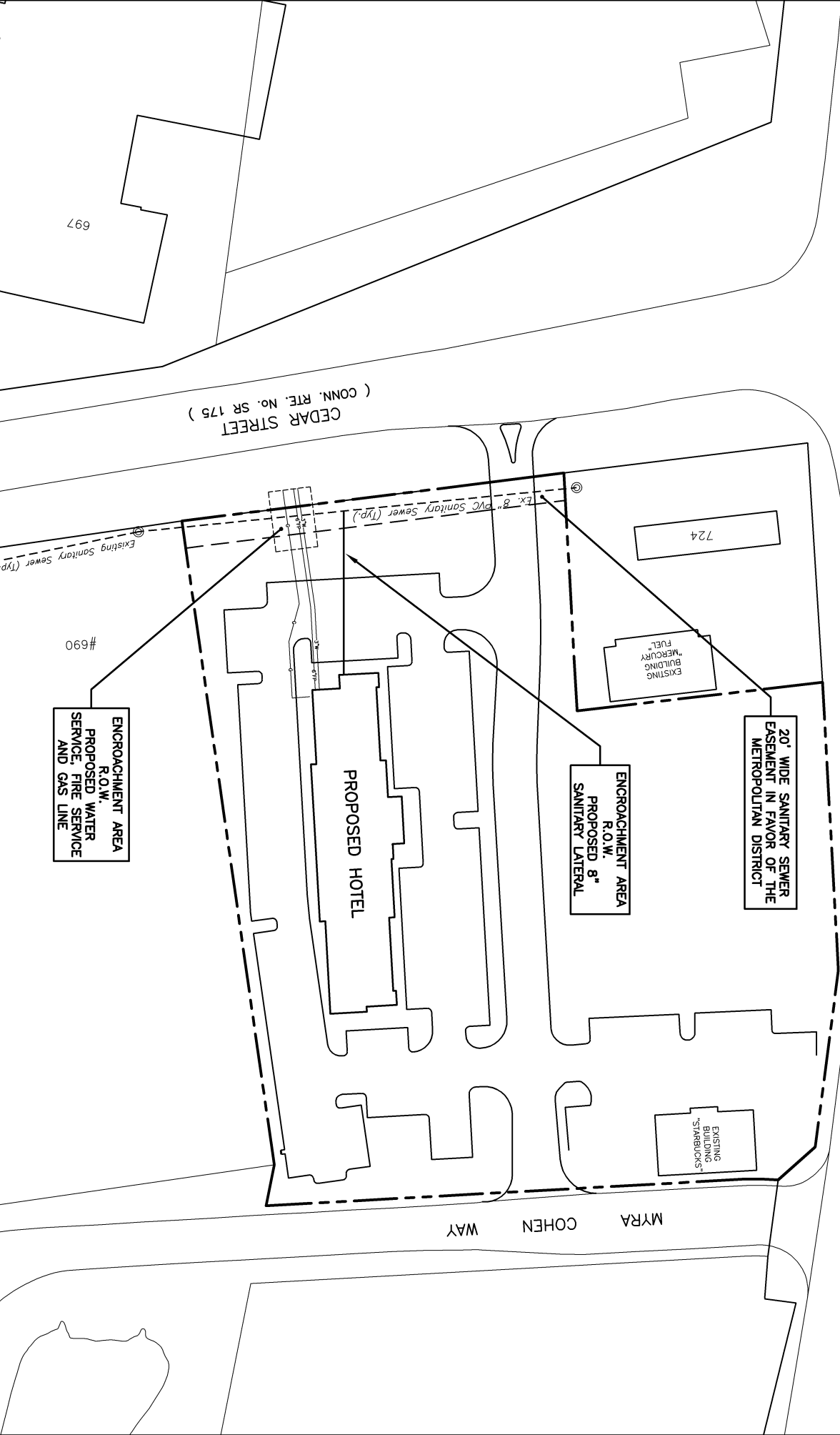
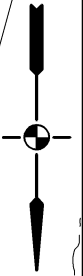
If you have any additional questions, comments, or concerns, please do not hesitate to contact me at 860-807-4322.

Sincerely,
Vanasse Hangen Brustlin, Inc.

A handwritten signature in black ink, appearing to read "Rod Szwelicki".

Rod Szwelicki, PE

FENN ROAD
(CONN. RTE. No. SR 505)



697

CEDAR STREET
(CONN. RTE. No. SR 175)

724

EXISTING BUILDING
"FUEL"

20' WIDE SANITARY SEWER
EASEMENT IN FAVOR OF THE
METROPOLITAN DISTRICT

ENCROACHMENT AREA
R.O.W.
PROPOSED 8"
SANITARY LATERAL

EXISTING BUILDING
"STARBUCKS"

MYRA COHEN WAY

ENCROACHMENT AREA
R.O.W.
PROPOSED WATER
SERVICE, FIRE SERVICE
AND GAS LINE

#690

Existing Sanitary Sewer (Typ.)
Ex. 8" PVC Sanitary Sewer (Typ.)

PROPOSED HOTEL DEVELOPMENT
712 CEDAR STREET

NEWINGTON

**TO ILLUSTRATE SANITARY SEWER
EASEMENT ENCROACHMENT**

S:\Towns\Newington\Sewer\FennRd\FennRd-Encl.dwg
Latest Revision: 3/5/21

Mr. Michael Curley, Manager of Technical Services
The Metropolitan District
Engineering & Planning
555 Main Street
P.O. Box 800
Hartford, CT 06142-0800

Re: MDC Encroachment Permit Letter

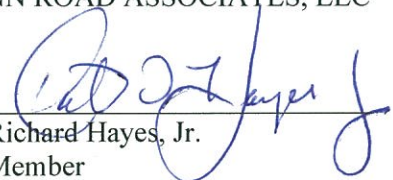
Dear Mr. Curley

FENN ROAD ASSOCIATES, LLC ("Seller") has entered into a Purchase and Sale Agreement With GOLD COAST PROPERTIES CT 1, LLC, ("Buyer") concerning property located at 712 Cedar Street, Newington, Connecticut (the "Property"). The Seller and the Buyer anticipate that a closing will occur in the near future. The Seller has given the Buyer permission to submit an encroachment permit application to The Metropolitan District for work it will undertake in sections of the Property post-closing.

Yours truly,

FENN ROAD ASSOCIATES, LLC

By:


Richard Hayes, Jr.
Member