

**BUREAU OF PUBLIC WORKS  
REGULAR MEETING  
Remote Meeting  
Wednesday, March 10, 2021**

**Present:** Commissioners Andrew Adil, John Avedisian, Richard Bush, David Drake, James Healy, Allen Hoffman, Byron Lester, Dominic Pane, Bhupen Patel, Raymond Sweezy, Alvin Taylor, Calixto Torres, Richard W. Vicino, James Woulfe and District Chairman William DiBella (15)

**Absent:** Commissioners Donald Currey, Maureen Magnan, and Alphonse Marotta (3)

**Also**

**Present:** Scott W. Jellison, Chief Executive Officer  
Christopher Stone, Assistant District Counsel  
John S. Mirtle, District Clerk  
Christopher Levesque, Chief Operating Officer  
Kelly Shane, Chief Administrative Officer  
Christopher Martin, Chief Financial Officer  
Sue Negrelli, Director of Engineering  
Robert Schwarm, Director of Information Technology  
Tom Tyler, Director of Facilities  
Michael Curley, Manager of Technical Services  
Allen King, Real Estate Administrator  
Jennifer Ottalagana, Senior Project Manager  
Nick Salemi, Communications Administrator  
Carrie Blardo, Assistant to the Chief Operating Officer  
Victoria S. Escoriza, Executive Assistant  
Julie Price, Professional Level Trainee  
David Silverstone, Independent Consumer Advocate

**CALL TO ORDER**

The meeting was called to order by Vice Chairman Hoffman at 5:17 PM

**PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS**

No one from the public appeared to be heard.

**APPROVAL OF MEETING MINUTES**

***On motion made by Commissioner Sweezy and duly seconded, the meeting minutes of January 20, 2021 were approved.***

**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,



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

An Employee-Owned Company

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

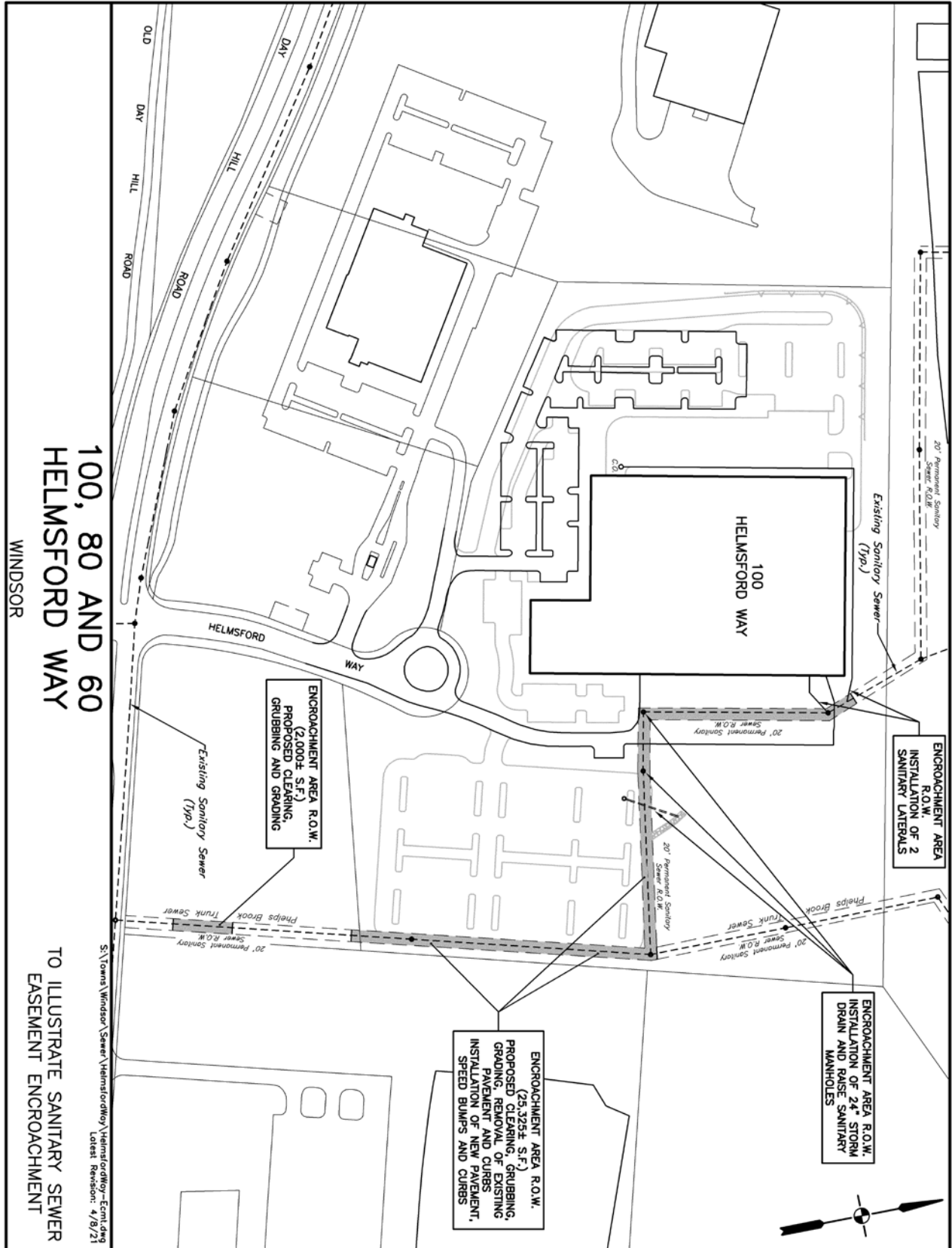
Please consider this a formal request for a permanent encroachment permit to redevelop the warehouse/package distribution facility within the MDC easement.

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

TO ILLUSTRATE SANITARY SEWER EASEMENT ENCROACHMENT

***On motion made by Commissioner Patel and duly seconded, the report was received and resolution adopted by unanimous vote of those present. Commissioner Vicino abstained.***

**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,



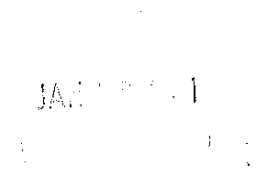
Scott W. Jellison  
Chief Executive Officer



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



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](mailto:apackard@goldcoastpremier.com)  
Tel: (786) 701-3584 | Cell: (316) 644-0260

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

**Attorney:**

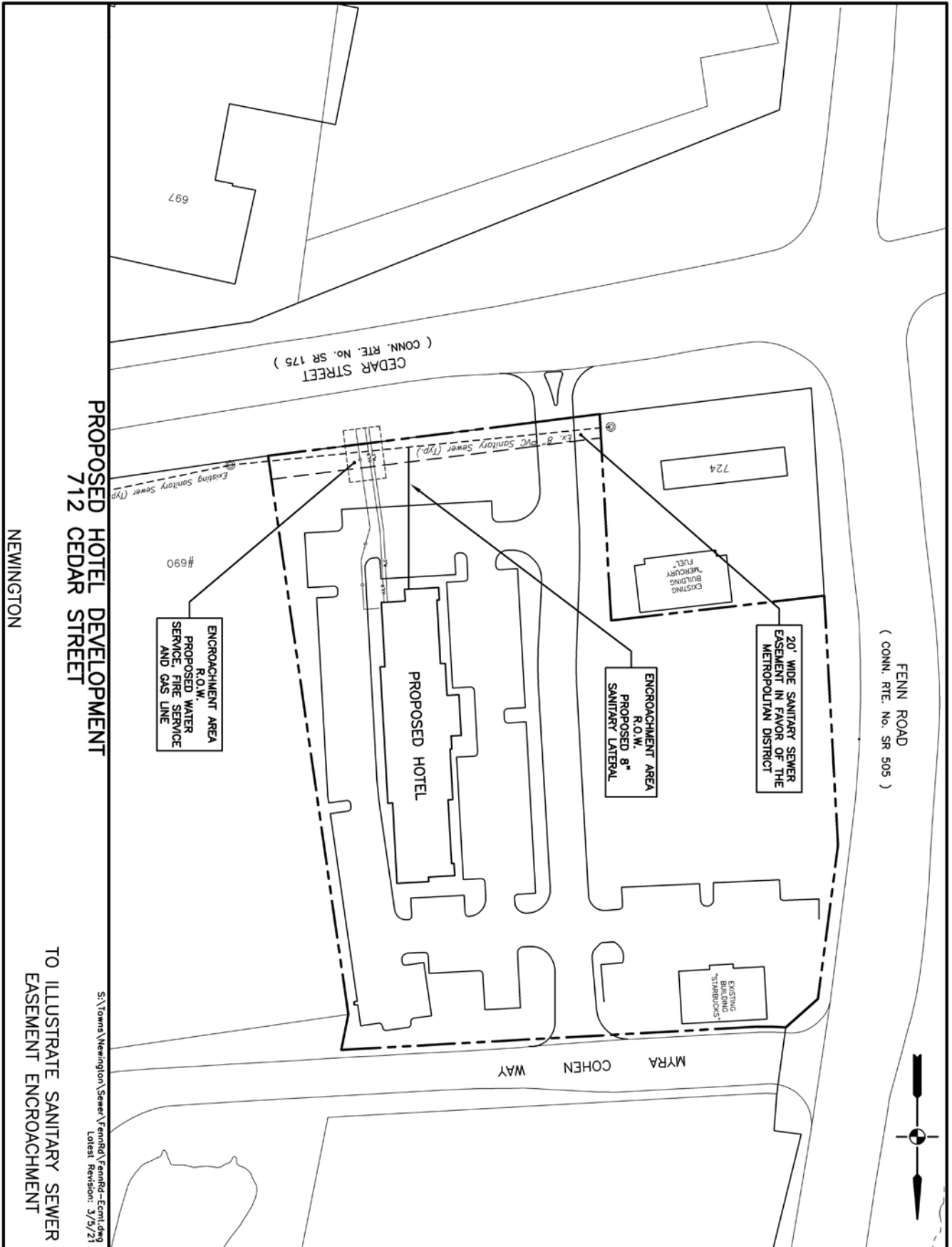
Robin Messier Pearson  
Alter & Pearson, LLC  
[rpearson@alterpearson.com](mailto:rpearson@alterpearson.com)  
Tel: (860) 652-4042

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



TO ILLUSTRATE SANITARY SEWER EASEMENT ENCROACHMENT

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Latest Revision: 3/9/21

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

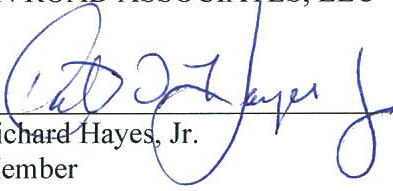
**Re: MDC Encroachment Permit Letter**

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

***On motion made by Commissioner Patel and duly seconded, the report was received and resolution adopted by unanimous vote of those present. Commissioner Vicino abstained.***

**SLUDGE REVENUE**

Tom Tyler, Director of Facilities, presented regarding MDC sludge revenue.

**SEWER RATES**

Christopher Levesque, Chief Operating Officer, presented on the MDC sewer rates.

**OPPORTUNITY FOR GENERAL PUBLIC COMMENTS**

Judy Allen, of West Hartford, spoke regarding the pending legislation at the General Assembly.

David Silverstone, Independent Consumer Advocate, urged caution about publicity on water rates stating that the water bills should be considered as a whole.

**ADJOURNMENT**

The meeting was adjourned at 6:27 PM

ATTEST:

John S. Mirtle  
District Clerk

\_\_\_\_\_  
Date of Approval