



The Metropolitan District  
water supply · environmental services · geographic information

**BUREAU OF PUBLIC WORKS  
REGULAR MEETING  
MONDAY, APRIL 28, 2025  
5:30 PM**

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<u>Location</u>	<u>Commissioners</u>	
Board Room	Avedisian	Holloway
District Headquarters	Bazzano	Johnson
555 Main Street, Hartford	Bush	Lester
	Currey (Ex-Officio)	Magnan
	DiBella	Patel
	Drake	Salemi
	Gale	Steuber
	Gentile	Taylor
Dial in #: (415)-655-0001	Healy	Torres (VC)
Access Code: 2317 945 2937#	Hoffman (C)	Woulfe
<a href="#">Meeting Video Link</a>	Quorum: 10	

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1. CALL TO ORDER
2. PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS
3. INDEPENDENT CONSUMER ADVOCATE COMMENTS & QUESTIONS RELATIVE TO AGENDA ITEMS
4. APPROVAL OF MEETING MINUTES OF MARCH 3, 2025
5. CONSIDERATION AND POTENTIAL ACTION RE: LICENSE AGREEMENT FOR PARKING AT 45 GRANBY STREET HARTFORD
6. CONSIDERATION AND POTENTIAL ACTION RE: ENCROACHMENT AGREEMENT:
  - A. CONCOURSE PARK - SILVER LANE EAST HARTFORD
  - B. THE SPARK ON CEDAR- 1 MYRA COHEN WAY NEWINGTON
7. DISCUSSION AND POTENTIAL ACTION RE: DRAFT ORDINANCE REVISIONS RE: AVAILABILITY & CAPACITY GUIDELINES
  - A. REFERRAL OF DRAFT ORDINANCE REVISIONS TO COMMITTEE ON MDC GOVERNMENT
8. DISCUSSION AND POTENTIAL ACTION RE: APPROVAL OF AVAILABILITY & CAPACITY GUIDELINES
9. OPPORTUNITY FOR GENERAL PUBLIC COMMENTS
10. COMMISSIONER REQUESTS FOR CONSIDERATION OF FUTURE AGENDA ITEMS
11. ADJOURNMENT

**BUREAU OF PUBLIC WORKS  
LICENSE AGREEMENT RE: 45 GRANBY STREET, HARTFORD**

To: Bureau of Public Works on April 28, 2025

In 2014, the District entered into a license agreement with New Hope Christian Ministry ("Licensee") to use 45 Granby Street for the purpose of parking. The license agreement was thereafter extended for five (5) additional years, until September 30, 2023, and amended to expand the permitted parking area. The Licensee has requested to extend the term of the agreement for another five (5) years, up to and including May 15, 2030. The District purchased the property known as 45 Granby Street, Hartford in 2010 for the Clean Water Project ("CWP") but the property is not yet needed for construction activities and, according to the most recent CWP construction schedule, will not be needed during the term of the requested license renewal. If that changes, the license agreement can be promptly terminated upon notice to the Licensee.

It is RECOMMENDED that it be

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

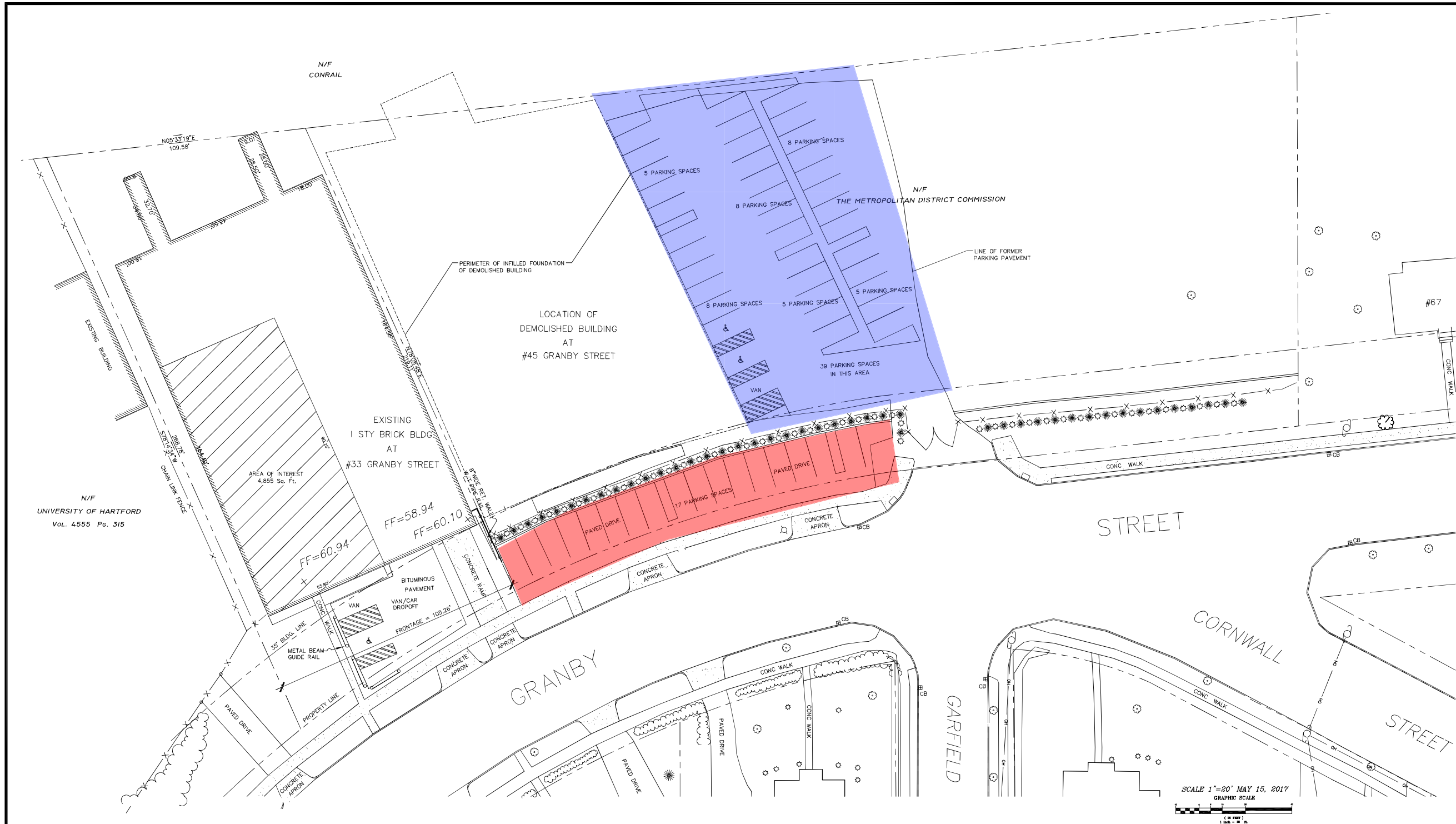
**RESOLVED:** New Hope Christian Ministry is hereby authorized to use a portion of 45 Granby Street for parking purposes, subject to proper execution of a renewed license agreement with such terms and conditions as required by District Counsel; and

**FURTHER  
RESOLVED:** That Scott Jellison, as Chief Executive Officer of The Metropolitan District, is authorized to execute and deliver the License Agreement on behalf of the Metropolitan District and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of the License Agreement.

Respectfully submitted,

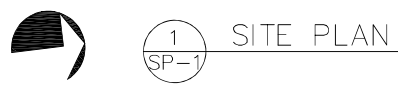
A handwritten signature in black ink that reads "John S. Mirtle". The signature is written in a cursive, flowing style.

John S. Mirtle, Esq.  
District Clerk



SITE PLAN  
PREPARED FOR  
NEW HOPE CHRISTIAN MINISTRIES  
33 GRANBY STREET  
HARTFORD, CT

ALL INFORMATION OBTAINED FROM MDC BASE MAP, AND ZONING LOCATION SURVEY FOR 33 GRANBY STREET, HARTFORD, CT, PREPARED BY OSWALD BLINT, CERTIFIED LAND SURVEYOR, DATED AUGUST 3, 2006.



ZONING INFORMATION			
	REQUIRED	PROPOSED	REMARKS
MX-2, MULTI-USE MIX			
NEIGHBORHOOD ASSEMBLY USE	SPECIAL PERMIT		
LOT AREA	5 ACRES MINIMUM	0.587 ACRE	NON-CONFORMING
MINIMUM LOT FRONTAGE	100 FT	104.62 FT.	
MAXIMUM BUILDING COVERAGE	65%	64%	
MINIMUM LOT WIDTH	NONE	105.26 FT. to 109.58 FT.	
FRONT BUILD-TO-ZONE	AT OR UP TO 15 FT. BEHIND BUILDING LINE	AT BUILDING LINE	
MINIMUM SIDE SETBACK	15 FT.	3 FT. and 4 FT. 3 IN.	NON-CONFORMING
MINIMUM REAR SETBACK	35 FT.	20.89 FT.	NON-CONFORMING
MINIMUM OVERALL HEIGHT	2 STORIES	1 STORY	NON-CONFORMING
PARKING	ONE PARKING SPACE PER EVERY 3 ASSEMBLY SEATS	35 PARKING SPACES BASED ON 105 SEATS IN ASSEMBLY AREA	PARKING FURNISHED BY MDC ON ADJACENT PROPERTY
MAX. IMPERVIOUS AREA	80%	35%	ON ADJACENT PROPERTY

NOTE: PROPOSE THAT 56 PARKING SPACES BE PROVIDED OFF-SITE  
VARIANCE SOUGHT FOR PARKING IN FRONT OF BUILDING LINE

This drawing, as an instrument of service, is the property of John C. Clark and Associates Architects and may not be reproduced without their permission, and unless the reproduction carries their name. All designs and other information shown on this drawing are for use on the specified project only and shall not be used otherwise without written permission of this office.

NEW HOPE CHRISTIAN MINISTRIES  
33 GRANBY STREET, HARTFORD, CT

**JCA**  
JOHN C. CLARK  
AND ASSOCIATES  
ARCHITECTURE  
URBAN PLANNING  
INTERIOR DESIGN  
30 Ashford Street  
Hartford, CT 06120  
860-247-7577 TEL  
860-247-7578 FAX  
JCCARCH@AOL.COM

SCALE: NOTED  
DRAWN BY: JCCIII

DATE: 15MAY2017

REVISION: #

DRAWING: SITE PLAN

No. **SP-1**

**ENCROACHMENT AGREEMENT – CONCOURSE PARK 309 REDEVELOPMENT  
285 & 291 FORBES STREET; 936, 942, 944 & 960 SILVER LANE**

To: Bureau of Public Works for consideration April 28, 2025

In a letter dated April 9, 2025, Paul Rodrigues of Solli Engineering, LLC., on behalf of Jasko Zelman 1 LLC, and JZ Otto LLC (collectively “Jasko”) and the Town of East Hartford, (“Town”) the future and current owners respectively of 285 & 291 Forbes Street, 936, 942, 944 & 960 Silver Lane in East Hartford (the “Property”), has requested permission from The Metropolitan District (“MDC” or “District”) to encroach on the MDC’s existing twenty-foot-wide (20’) easement or right-of way, containing an existing 10-inch sanitary sewer, situated on the Property (the “ROW”) for the purpose of constructing and installing site improvements for and in connection with a proposed residential development project, as shown on the attached map (the “Map”).

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

The proposed scope of work entails: (i) installing a temporary 14’ wide x 45’ long modular steel bridge on timber matting including all appurtenances in up to two (2) locations along the ROW ahead of proposed site demolition and subsequent permanent site improvements, including removing existing pavement and curbing; existing gas lines, drainage piping and structures (ii) regrading up to 12,200 sf of easement area, earth excavation up to 2.4 feet in depth, (iii) installing new utilities across the ROW including a new 8-inch water main, new sanitary laterals (1) 4” force main and (1) 8” PVC lateral, (1) 4-inch gas line, (8)-2” service conduits, (2) 4” electric and telecommunication conduits in up to four (4) locations, and new stormwater lines, (3) 8” C900, and (iv) installing surface restoration consisting of new bituminous pavement, concrete walkways, curbing, traffic islands, and landscaping including shrubs and grass as well as incidental activities such as resetting existing manhole frame and covers, within the ROW as shown on the Map (collectively, the “Improvements”).

With the exception of the new 8-inch water main that will cross under the Sewer, the proposed lines will be installed above the MDC’s existing ten-inch (10”) sewer and its appurtenances situated within the ROW (collectively, the “Sewer”) with a minimum of one foot (1’) of vertical clearance between the Sewer and such lines, and proposed grades will not impede access to the Sewer. Eversource will require a twenty-foot wide (20’) and forty-foot wide (±40’) easement which will overlap perpendicular with the ROW (collectively these “Eversource Easements”). Connecticut Natural Gas (“CNG”) will also require a ten-foot wide (10’) easement which will overlap perpendicular with the ROW (the “CNG Easement” and Eversource Easements are collectively the “Utility Easements”). The Sewer was built in 1972 under DPA by National Amusements

Company and the ROW was acquired by the MDC and filed on the East Hartford land records in Volume 496, at Page 262U-262V.

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

Jasko has agreed to the following conditions in order to satisfy the District's concerns for protection of the Sewer and to maintain accessibility along the length of the ROW:

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 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 Sewer shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the Sewer caused by any construction, maintenance, repair, replacement or associated activities by or on behalf of Owner for or in connection with the Improvements within this ROW shall be the responsibility of the Owner.
2. No additional permanent improvements, other than the proposed Improvements, shall be located within this ROW.
3. The District shall not be held liable for any damage caused to any structure listed above, located within or adjacent to the ROW in the event of an emergency Sewer repair. The District will make every effort feasible to minimize damage to these structures; however, the cost of repairs to such structures shall be the responsibility of the Owner.
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. The District reserves the right to remove Improvements within this ROW at any time if so required for maintenance, repair or replacement of the Sewer or any part thereof. Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of Improvements within this ROW, including any such costs incurred by the District.
6. 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 forty-eight (48) hours advance notice must be given to the District prior to commencing any such activities within the ROW.

7. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of the 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 Sewer.
8. The Owner shall at all times indemnify, defend and save harmless the District, any municipality included therein, and the State of Connecticut and shall maintain the District's standard form of requisite 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.
9. The Owner shall be responsible for obtaining any and all federal, state, or local approvals necessary for installing the Improvements, including but not limited to the removal and construction of the same.

Staff has reviewed this request and considers it feasible.

A formal encroachment agreement shall be executed between Jasko and MDC, following the completion of the sale of the Property to Jasko, whereby Jasko becomes the fee owner of the Property, and consistent with current practice involving similar requests, and filed on the Town of East Hartford 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 after sale of the property by the Town of East Hartford to Jasko Zelman1 LLC, 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 Jasko Zelman 1 LLC to encroach upon the MDC existing twenty-foot-wide (20') Main ROW situated on 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 Solli Engineering, LLC, entitled, "Existing 10" Sewer Main Profile, Sheet 1 of 2 and Sheet 2 of 2, Concourse Park 309 Silver Lane East Hartford, Connecticut, and (ii) maintain, repair and replace such Improvements, provided that (a) the District shall not be held liable for any cost or damage of any kind and be indemnified from any claims from the present and in the following years as a result of any encroachment authorized hereby, (b) Jasko shall obtain all required approvals and reimburse MDC for any attorney fees and other costs incurred by MDC in enforcing the encroachment agreement, and (c)

such agreement shall not be effective until fully executed by the District and Jasko, and recorded on the East Hartford land records. In the event that such full execution and recording does not occur within four (4) months of the date this resolution is passed by the District Board, then such resolution shall be null and void, and of no further force and effect.

Respectfully submitted,

A handwritten signature in black ink that reads "John Mirtle". The signature is written in a cursive, flowing style.

John S. Mirtle  
District Clerk



April 9, 2025

Michael Curley  
The Metropolitan District  
555 Main Street  
Hartford, CT 06103

**RE: Encroachment Permit Request  
Concourse Park, Silver Lane  
285 & 291 Forbes Street & 936, 942, 944 & 960 Silver Lane  
East Hartford, Connecticut  
Solli Engineering Project Number: 2010501**

Dear Mr. Curley:

Solli Engineering, LLC, on behalf of Jasko Zelman 1, LLC and the Town of East Hartford is requesting the approval of an encroachment permit for the proposed Concourse Park redevelopment at 285 & 291 Forbes Street & 936, 942, 944 & 960 Silver Lane in East Hartford, Connecticut.

The development construction is slated to start in 2025 and the construction activities will include:

- Removal of existing pavement
- Removal of existing curbing
- Removal of existing storm drainage structures and pipe
- Removal of existing gas pipes
- Removal of existing sanitary sewer pipe
- Earth moving activities
  - Total Area: 12,200± SF
  - Cut: 113± CY, 2.5± FT max.
  - Fill: 27± CY, 0.8± FT max.
- Installation of (1) new storm drainage pipe, (3) 8" C900
- Installation of (3) new sanitary sewer laterals, (1) 4" force main, and (2) 8" PVC
- Installation of (1) new sanitary sewer manhole, (1) 4' diameter Sanitary Manhole
- Installation of (1) new natural gas service
- Installation of (1) new 8" water main with connection to existing 30" water main
- Installation of (2) new 4" electric/telecom conduits at 2 locations – total of (8) conduits
- Resetting existing sanitary sewer manhole to finished grade
- Installation of (4) new 2" site electric/telecom/security conduits at 2 locations – total of (8) conduits
- Installation of new landscape islands:
  - Shrubs
  - (3) Mt. Airy Fothergilia
  - (4) PJM Rhododendron
  - (1) Shamrock Inkburry

Grasses  
(2) Karl Foerster Reed Grass

**Monroe, CT | West Hartford, CT | Norwood, MA**

**[www.SolliEngineering.com](http://www.SolliEngineering.com)**



Please consider this a formal request for a permanent encroachment permit for the development known as Concourse Park within the MDC easement. If you have any additional questions, comments or concerns, please do not hesitate to reach out to us.

Respectfully,  
**Solli Engineering, LLC**

A handwritten signature in blue ink, appearing to read 'P. Rodrigues', with a long horizontal flourish extending to the right.

Paul A. Rodrigues, P.E.  
Senior Project Manager

**Enclosures:**

MDC Sewer Easement Encroachment Exhibit  
MDC Sewer Encroachment Profile

CONNOR S. MARTIN  
MAYOR

# TOWN OF EAST HARTFORD

(860) 291-7200

OFFICE OF THE MAYOR

740 Main Street  
East Hartford, Connecticut 06108

WWW.EASTHARTFORDCT.GOV

March 19, 2025

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

**Re: MDC Encroachment Permit Letter  
East Hartford, CT**

Dear Mr. Curley:

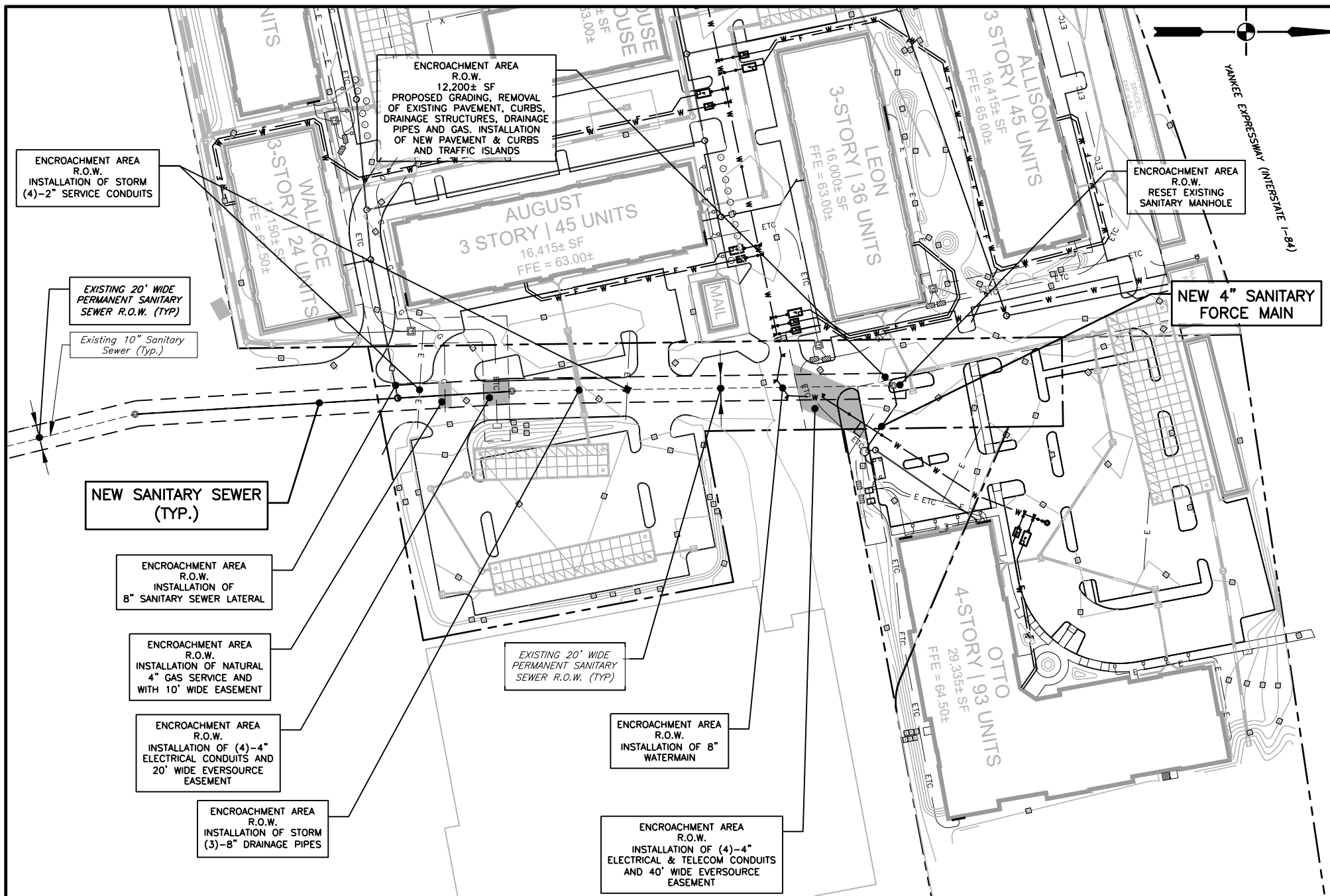
The Town of East Hartford, Connecticut ("Seller") has entered into a Purchase and Sale Agreement with Jasko Zelman 1, LLC ("Buyer") concerning property located at 936 Silver Lane, 942 Silver Lane, 944 Silver Lane, 960 Silver Lane, 285 Forbes Street (a/k/a 285 Forbes Street Rear) and 291 Forbes Street, East Hartford, Connecticut (the "Property"). The Seller and the Buyer anticipate that a closing will occur before the end of April. The Seller has given the Buyer permission to submit an encroachment permit application to The Metropolitan District Commission for work it will undertake in sections of the Property post-closing.

Sincerely,

Town of East Hartford, Connecticut



By: \_\_\_\_\_  
Connor S. Martin  
Its Mayor



**CONCOURSE PARK 309**  
**285 & 291 FORBES STREET AND**  
**936, 942, 944 & 960 SILVER LANE**

**EAST HARTFORD**

S:\Towns\EastHartford\Water\SilverLane\ConcoursePark-Agenda.dwg  
Latest Revision: 4/17/25

**TO ILLUSTRATE MDC SANITARY  
SEWER EASEMENT ENCROACHMENTS**

**ENCROACHMENT AGREEMENT – THE SPARK ON CEDAR STREET  
1 MYRA COHEN WAY, NEWINGTON**

To: Bureau of Public Works for consideration April 28, 2025

In a letter dated December 13, 2024 Ronald E. Bomengen of Fuss & O'Neill, Inc., on behalf of APR Newington LLC, ("APR" or "Owner") current owner of the above-referenced property (the "Property"), has requested permission from The Metropolitan District ("MDC" or "District") to encroach on the MDC's two (2) existing twenty-foot-wide (20') sewer easements situated on the Property along Cedar Street (CT Route 175) and along the right-of-way property of CT Busway (these "Easements") for the purpose of constructing and installing site improvements for and in connection with a proposed residential development project, as shown on the attached map (the "Map").

The proposed work within these Easements entails: miscellaneous site demolition including, removing existing concrete block wall, chain link fence, and trees; clearing and grubbing up to 12,300 sf; earth excavation and filling up to 3-feet in depth (along the southwest corner of the property). Proposed utility work includes installing an 8-inch water service, 2-inch gas service, an 18-inch stormwater line and new catch basins top(s) on existing drainage structures. This work also includes excavation and minor grading associated with a new (3'-high) concrete block retaining wall, 12-inch (thick) bituminous pavement sections, concrete walkways and curbs, installing one light pole, three (3) collapsible bollards, installing 6' (high) ornamental fence, and landscaping including the bushes and grass within these Easements as shown on the Map (collectively, the "Improvements"). The proposed utility lines will be installed perpendicular to the MDC's existing eight-inch (8") PVC and fifteen-inch (15") sanitary sewers and its appurtenances situated within these Easements (collectively, these "Sewers") with a minimum of one foot (1') of vertical clearance between these Sewers and such lines, and proposed grades will not impede access to these Sewers. The 8-inch PVC sewer was built in 1994 and the easement was acquired by the MDC through the MDC Project known as "724 Cedar Street, Newington, Contract 94-85" and filed on the Newington land records in Volume 986, at Page 71. The 15-inch PVC sewer was built in 1980 and the easement was acquired through the MDC Project known as "Northwest Trunk Sewer Extension, Contract 80-29" and filed on the Newington land records in Volume 394, at Page 243.

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

APR has agreed to the following conditions in order to satisfy the District's concerns for protection of these Sewers and to maintain accessibility along the length of these Easements:

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 these Sewers. All heavy construction equipment must be located outside of the limits of these Easements and their respective right-of-way's ("ROWS") when not in

use. Any earth moving equipment that will be utilized on these ROWs over and adjacent to these Sewers shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to these Sewers caused by any construction, maintenance, repair, replacement or associated activities by or on behalf of Owner for or in connection with the Improvements within these ROWs shall be the responsibility of the Owner.

2. No additional permanent improvements, other than the proposed Improvements, shall be located within these ROWs.
3. The District reserves the right to remove Improvements within these ROWs at any time if so required for maintenance, repair or replacement of these Sewers or any part thereof. Owner shall bear any additional maintenance, repair or replacement costs necessitated by the presence of Improvements within these ROWs, 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 these ROWs, 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 forty-eight (48) hours advance notice must be given to the District prior to commencing any such activities within these ROWs.
6. The Owner shall perform a CCTV inspection, witnessed by an MDC inspector, of these Sewers 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 these Sewers.
7. The Owner shall at all times indemnify, defend and save harmless the District, any municipality included therein, the State of Connecticut and shall maintain the District's standard form of requisite 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 these ROWs.
8. The Owner shall be responsible for obtaining any and all federal, state, or local approvals necessary for installing the Improvements, including but not limited to the removal and construction of the same.

Staff has reviewed this request and considers it feasible.

A formal encroachment agreement shall be executed between APR and MDC, 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 APR Newington, LLC to encroach upon both MDC existing twenty-foot-wide (20') sanitary sewer easements situated on 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 Fuss & O'Neill Inc., "APR Newington LLC MDC Encroachment Permit Plan Garden Apartments 690 Cedar Street, Newington, Connecticut", (Plan Sheet) MDC-01 and (ii) maintain, repair and replace such Improvements, provided that (a) the District shall not be held liable for any cost or damage of any kind and be indemnified from any claims from the present and in the following years as a result of any encroachment authorized hereby, (b) APR Newington, LLC shall obtain all required approvals and reimburse MDC for any attorney fees and other costs incurred by MDC in enforcing the encroachment agreement, and (c) such agreement shall not be effective until fully executed by the District and APR Newington, LLC, and recorded on the Newington land records. In the event that such full execution and recording does not occur within three (3) months of the date this resolution is passed by the District Board, then such resolution shall be null and void, and of no further force and effect.

Respectfully submitted,

A handwritten signature in black ink that reads "John S. Mirtle". The signature is written in a cursive, flowing style.

John S. Mirtle  
District Clerk

December 13, 2024

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

RE: The Spark  
1 Myra Cohen Way, Newington, CT  
Fuss & O'Neill Reference No. 20040587.D20

Dear Mr. Curley:

On the behalf of the APR Newington LLC, I would like to request an encroachment permit for work associated with the construction of "The Spark" multi-family residential development. The proposed project is located on approximately 3.7 acres of land north of Route 175 and south of Myra Cohen Way. The address of the property is 1 Myra Cohen Way. A portion of the project that will require an encroachment permit from The MDC is located along the southern portion of the property as well as the eastern portion of the property.

The Spark development project will be constructed in a single phase. Construction is anticipated to begin in January of 2025. Construction activities within the MDC easement will include:

- Clearing and grubbing
- Earth moving (excavation and fill)
- Installation of water service, gas service, electrical conduits, and stormwater system infrastructure
- Installation of bituminous concrete driveways (12.5-inch pavement section), concrete walkways, and concrete curbs
- Installation of light poles
- Installation of collapsable bollards
- Installation of landscape features and plants
- Installation of 3-foot modular block retaining wall

Please consider this a formal request for a permanent encroachment permit to develop the AVC improvements within the MDC easement.

If you have any questions, please don't hesitate to call me at (860) 783-4767.

Sincerely,

Ronald E. Bomengen, PE, LEED AP  
Vice President/Department Manager





## **SEC. S2f DETERMINATION FOR AVAILABILITY AND CAPACITY EXCLUSION**

~~In determining whether any waste discharged or proposed to be discharged into any public sewer or drain is to be excluded under Section S2e, and Sections S2l through S2n, inclusive, or any subdivisions of any of them, of this ordinance, consideration shall be given to the quantity, time or times, rate and manner of discharge, dilution and character of the waste in question, the size of the sewer or drain into which it is or is to be discharged, the probable quantity of other sewage in said sewer or drain at the time of discharge, the quantities of other objectionable wastes likely in said sewer or drain, and other pertinent facts. Minute quantities of a waste which would be objectionable in larger quantity may be permitted if sufficiently diluted when and as discharged, or if the quantity discharged is very small in comparison to the receiving sewer or drain and the flow therein at the time of discharge, upon specific permission from the Manager of the Bureau of Public Works; but any permission to discharge minute quantities of an otherwise excluded waste shall be revocable at any time by said Manager or his successor.~~

The Bureau of Public Works shall establish and publish Availability & Capacity Guidelines (“A&C Guidelines”) for determination of the availability and capacity of the District’s sewers and drains to accept proposed discharges in accordance with District Ordinances and any municipal, state & federal regulatory requirements.

### (a) For purpose of this ordinance:

- (1) a property is determined to be an “existing connection”, if the property is currently directly connected, or at any time in the past had a house connection or house drain, to a District combined sewer, sanitary sewer or storm drain. Subsoil drainage/ groundwater drainage will not be considered as existing discharges.
- (2) a property is determined to be a “new connection”, if the property has never been directly connected to the District’s sewer system and therefore has never directly discharged to a District combined sewer, sanitary sewer or storm drain. All new connections shall be in accordance with Section S3r requiring separate sanitary and storm connections.

### (b) Existing Connections

- (1) When a redeveloped property with an existing connection(s) is served by a combine sewer or a storm drain that is tributary to a combined sewer and the redevelopment is not subject to municipal and State of Connecticut requirements based on applicable exemption clauses within the relevant code or regulation, the discharge shall be permitted.
- (2) When a redeveloped property with an existing connection(s) is served by a combined sewer or a storm drain that is tributary to a combined sewer, the applicant will be required to demonstrate that post-development total stormwater runoff volumes and peak discharge rates are controlled to at least pre-development discharge rates and corresponding total runoff volumes for all storms required by municipal and State of Connecticut requirements. If the

applicant is able to demonstrate control of post-development volume and discharge rates to pre-development volume and discharge rates, the discharge shall be permitted.

- (3) When the requirements of subsection (b)(2) above are satisfied, the applicant may evaluate the option to reduce the size of onsite detention systems required by municipal or State of Connecticut minimum requirements thus reducing costs of the detention system. The cost reduction of the detention system will be paid to the District for improvements to the District storm drainage system through a cost sharing agreement.
- (4) When a redeveloped property with an existing connection(s) is served by a combined sewer or a storm drain that is tributary to a combined sewer, and the applicant is unable to control post-development stormwater volume and discharge rates to pre-development volume and discharge rates, the applicant shall be required to install a new storm drain that discharges to an existing storm drain or water course through a Developer's Permit Agreement and/or cost sharing agreement.
- (5) When a redeveloped property with an existing connection(s) is served by a storm drain that ultimately discharges to a water course, the applicant will be required to demonstrate that post-development total stormwater runoff volumes and peak discharge rates are controlled to at least pre-development discharge rates and corresponding total runoff volumes for all storms required by municipal and State of Connecticut requirements. The post-development peak discharges will be evaluated against existing conditions of the existing storm drain during a 10-yr event. If the applicant is able to control post-development volume and discharge rates to pre-development volume and discharge rates and the existing drain has adequate capacity to accept the post-development discharges, the discharge shall be permitted.
- (6) When the requirements of subsection (b)(5) above are satisfied, the applicant may evaluate the option to reduce the size of onsite detention systems required by municipal or State of Connecticut minimum requirements thus reducing costs of the detention system. The cost reduction of the detention system will be paid to the District for improvements to the District storm drainage system through a cost sharing agreement.
- (7) When a redeveloped property with an existing connection(s) is served by a storm drain that ultimately discharges to a water course, and the applicant is unable to control post-development stormwater volume and discharge rates to pre-development volume and discharge rates, the applicant will be required to increase the capacity of the storm drain through a Developer's Permit Agreement and/or cost sharing agreement.
- (8) For an existing sanitary sewer house connection to a sanitary sewer, Sewer Ordinance S2l "Use of Sanitary Sewers" and the District's Availability &

Capacity determination shall govern.

**(c) New Connections**

- (1) No new house drain connection shall be authorized to discharge to a combined sewer. A property prohibited from connecting a new house drain to a combined sewer, and which does not have access to connect to an existing storm drain, may only connect said new house drain to the District's system by installing a storm drain through a Developer's Permit Agreement.
- (2) When new house drain connections are proposed to be served by an existing storm drain that ultimately discharges to a water course, the applicant will be required to demonstrate that post-development total stormwater runoff volumes and peak discharge rates are controlled to at least pre-development discharge rates and corresponding total runoff volumes for all storms required by municipal and State of Connecticut requirements. The post-development peak discharges will be evaluated against existing conditions of the existing storm drain during a 10-yr event. If the existing drain has adequate capacity to accept the new house drain connection discharges, the discharge shall be permitted.
- (3) When new house drain connections are proposed to be served by a storm drain that ultimately discharges to a water course, the applicant will be required to demonstrate that post-development total stormwater runoff volumes and peak discharge rates are controlled to at least pre-development discharge rates and corresponding total runoff volumes for all storms required by municipal and State of Connecticut requirements. The post-development peak discharges will be evaluated against existing conditions of the existing storm drain during a 10-yr event. If the existing drain does not have adequate capacity to accept the new storm house connection discharges, the applicant will be required to increase the capacity of the storm drain through a Developer's Permit Agreement and/or cost sharing agreement.
- (4) When new house drain connections are proposed to be served by a storm drain that discharges to a combined sewer, the applicant will be required to demonstrate that post-development total runoff volumes and peak discharge rates are controlled to at least pre-development discharge rates and corresponding total runoff volumes for all storms required by municipal and State of Connecticut requirements. All new house drain connections will be required to discharge to a storm drain. The applicant will be required to install a new storm drain to an existing storm drain or water course through a Developer's Permit Agreement and/or cost sharing agreement.
- (5) For a new sanitary sewer house connection to a sanitary sewer, Sewer Ordinance S2l "Use of Sanitary Sewers and the District's Availability & Capacity determination shall govern.

- (6) For a new sanitary sewer house connection to a combined sewer, Sewer Ordinance S2q "Use of Combined Sewers" and the District's Availability & Capacity determination shall govern.

## **SEC. S2e WASTES EXCLUDED FROM ALL SEWERS**

- (a) No person or property owner shall discharge or permit to be discharged, directly or indirectly, from any premises under his control into any public sewer of any kind or type, any of the following:
- (1) Any substance or object likely to damage, injure, destroy or cause an obstruction in any sewer, or appurtenance thereof, into which it may be discharged;
  - (2) Any substance which may attack, damage or alter by either abrasion or chemical action the materials of which the sewer and its appurtenances are composed or built;
  - (3) Sticks, stones of material size, coarse rubbish, rags, unground or unshredded garbage or refuse, portions of any animal carcass more than one inch in longest dimension;
  - (4) Any debris or substance which by depositing any considerable quantity of sediment, by coagulation, by congealing or by attaching itself to the lining of the sewer or to other substances being transported within the sewer is likely to cause an obstruction in any sewer or appurtenance;
  - (5) Any gasoline, kerosene, alcohol, oil, tar, flammable or explosive gas or vapor or any substance which may generate or form any flammable, explosive or combustible substance, fluid, gas, vapor or mixture when combined with air, water or other substances commonly found in sewers; (See Section S2g).
  - (6) Steam, water vapor or other substance at a temperature above 150°F, or substance which, upon coming into contact with water or sewage, will generate steam or vapor within such sewer; (See Section S2g).
  - (7) Any waste or waste water which is strongly acid, and which, when tested in the usual technical manner, has a "pH" less than 5.5 or which is strongly alkaline and has a "pH" more than 10.0; ("pH" means the logarithm of the reciprocal of the weight of the hydrogen ions in grams per liter of solution).
  - (8) Objectionable poisons, cyanides, or any substance likely to generate poisonous fumes that may interfere with, constitute a hazard to, or be dangerous to human beings or domestic animals;

(9) Any waste water or sewage containing animal guts or tissues, entrails, offal, blood, feathers, hair, hides, scraps, unshredded fruits or vegetables, straw or cinders;

(10) Any water containing disinfectants, formaldehyde, toxic or poisonous substances in quantities sufficient to delay or interfere with sewage treatment and sludge digestion processes including the sedimentation, biological and chemical processes used by the District at its sewage treatment plants;

(11) Any considerable quantity of waste from an industrial or commercial process or processes containing more parts per million than the limit indicated below, for any of the following:

Arsenic	0.1 ppm
Cadmium	0.2 ppm
Chromium (total)	2.0 ppm
Chromium (hexavalent)	0.2 ppm
Copper	2.0 ppm
Cyanide	2.0 ppm
Lead	0.5 ppm
Mercury	Prohibited
Nickel	2.0 ppm
Oil and Grease	100 ppm
Silver	0.5 ppm
Tin	4.0 ppm
Total Nitrogen*	16 lbs/day
Zinc	2.0 ppm
Hydrogen sulfide, sulfur dioxide, nitrous oxide or any halogen gas	10 ppm
Suspended solids other than above (i.e., solids that float on the surface of or are in suspension in sewage which are removable by laboratory filtering)	600 ppm

\*Total Nitrogen shall be measured by analyzing the wastewater for Total Kjeldahl Nitrogen (TKN) plus Nitrate-nitrite. The total mass loading (flow multiplied by concentration) shall not exceed 16lbs per day.

(12) Any waste waters or sewage likely to cause damage, injury or loss to other persons or to the property of other persons who are lawfully entitled to use the sewer or sewers through which said wastes are discharged, or to any person or equipment engaged in sewage treatment and disposal for the District. This prohibition shall be understood as applying to the kind or character of wastes discharged into any sewer and as limiting the quantity of wastes or waters which may be discharged from any one parcel or plot of property and the rate or rates at

which wastes are discharged to approximately the quantity of sewage or water which the sewer was intended to receive from that particular parcel or plot or from a typical parcel of that size or area.

(13) Unusual biochemical oxygen demand (B.O.D.), chemical oxygen demand (C.O.D.), or chlorine demand in such quantities as to constitute a significant load and/or harmful effect on the MDC sewerage system including the sewage treatment plants.

(14) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits in applicable State or Federal regulations.

(15) Any discharge of any pollutant that may cause pass through or interference, as defined in 40 CFR Part 403.

**(b)** In determining whether any waste discharged or proposed to be discharged into any public sewer or drain is to be excluded under this Section, Section S2f and Sections S2l through S2v, inclusive, or any subdivisions of any of them, of this ordinance, consideration shall be given to the quantity, time or times, rate and manner of discharge, dilution and character of the waste in question, the size of the sewer or drain into which it is or is to be discharged, the probable quantity of other sewage in said sewer or drain at the time of discharge, impacts upstream and down from combined sewer overflow regulators, the quantities of other objectionable wastes likely in said sewer or drain, and other pertinent facts. Minute quantities of a waste which would be objectionable in larger quantity may be permitted if sufficiently diluted when and as discharged, or if the quantity discharged is very small in comparison to the receiving sewer or drain and the flow therein at the time of discharge, upon specific permission from the Manager of the Bureau of Public Works; but any permission to discharge minute quantities of an otherwise excluded waste shall be revocable at any time by said Manager or his successor

## **SEC. S2q USE OF COMBINED SEWERS**

A combined sewer, except as provided in Section S2p or as otherwise specifically provided in any particular case, may be used to receive and convey any sewage or waste waters which under the preceding sections of this ordinance may be lawfully discharged into either a sanitary sewer or a storm drain. No waste water or substance which is or has been excluded from both sanitary sewers and storm drains by the preceding sections of this ordinance shall be discharged, directly or indirectly, into any combined sewer. (See also Section S2p). The District prohibits the construction of new combined sewers. ~~The District prohibits the introduction of new inflow sources to the existing combined sewer system.~~ Modified stormwater discharge to a combined sewer as a result of development or redevelopment of a property shall be subject to the District's determination for availability and capacity under Section S2f.

**BUREAU OF PUBLIC WORKS  
APPROVAL OF AVAILABILITY & CAPACITY ANALYSIS GUIDELINES**

To: Bureau of Public Works on April 28, 2025

The Metropolitan District ("District" or "MDC") requires that an Availability & Capacity ("AC") analysis of the District's system be completed prior to permitting any connection to the District infrastructure through MDC's Utility Services Department. The purpose of the Availability & Capacity ("AC") analysis is to determine first the availability of District infrastructure and second, determine whether or not available capacity of the District sanitary, combined, or storm sewer collection and treatment system exists to meet the proposed needs of planned (re)developments of residential dwellings, of four or more units, and commercial/industrial buildings. The District will provide a letter stating whether there is, or is not, adequate sewer service available for proposed (re)development sites.

It is RECOMMENDED that it be

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

**RESOLVED:** The District Board hereby approves the attached Availability & Capacity Analysis Guidelines;

Respectfully submitted,

  
John S. Mirtle, Esq.  
District Clerk

**BUREAU OF PUBLIC WORKS  
SPECIAL MEETING**

555 Main Street, Hartford

March 3, 2025

**Present:** Commissioners John Avedisian, John Bazzano, Richard Bush, William DiBella, David Drake, John Gale, Joan Gentile, James Healy, Allen Hoffman, Jean Holloway, Pasquale J. Salemi, Alvin Taylor, Calixto Torres, James Woulfe and District Chairman Donald Currey (15)

**Remote**

**Attendance:** Commissioners Gary Johnson, Byron Lester and Maureen Magnan (3)

**Absent:** Commissioners Bhupen Patel and David Steuber (2)

**Also**

**Present:** Commissioner Jackie Mandyck  
Commissioner Dominic Pane  
Commissioner Chris Tierinni  
Citizen Member Edwin Vargas  
Scott W. Jellison, Chief Executive Officer  
Christopher Stone, District Counsel  
John S. Mirtle, District Clerk  
Christopher Levesque, Chief Operating Officer  
Kelly Shane, Chief Administrative Officer  
Jamie Harlow, Director of Human Resources (Remote Attendance)  
Sue Negrelli, Director of Engineering  
Robert Schwarm, Director of Information Systems (Remote Attendance)  
Tom Tyler, Director of Facilities  
Carrie Blardo, Assistant to the Chief Executive Officer  
Julie Price, Executive Assistant  
Amanda Litvak, Professional Level Associate (Remote Attendance)  
Matthew McAuliffe, IT Consultant (Remote Attendance)  
Elizabeth Tavelli, Independent Consumer Advocate

**CALL TO ORDER**

The meeting was called to order by Chairperson Hoffman at 4:45 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 DiBella and duly seconded, the meeting minutes of January 13, 2025 were approved.*



***Commissioner Healey entered the meeting at 4:48 PM.***

**PIERSON LANE, WINDSOR – FINAL ASSESSMENT**

To: Bureau of Public Works for consideration on March 3, 2025

On February 17, 2016, the District Board of The Metropolitan District Commission passed a layout and schedule of assessment for construction of a sanitary sewer in a portion of Pierson Lane, Windsor, CT. Construction of sanitary sewers and appurtenances in all or portions of PIERSON LANE, WINDSOR, have been completed and house connections authorized. In accordance with Bureau of Public Works policy, the assessments will be billed on or about April 1, 2025.

On November 6, 2024, the District Board of The Metropolitan District voted to defer the assessment of 109 Pierson Lane until such time as the property connects to the District's sewer. It is therefore RECOMMENDED that it be

**Voted:** That the assessments for the construction of sanitary sewers and appurtenances in a portion of PIERSON LANE, Windsor are declared due and payable to the Assessable Sewer Fund; to direct the District Clerk to publish same on a date to be fixed in a conference with the Treasurer; and to direct the District Clerk to file liens to secure any and all assessments or parts thereof which remain unpaid within the time limit set by law.

**FINAL DIRECT ASSESSMENTS**

<u>Property now or Formerly of</u>	<u>Number</u>	<u>Inlets</u>	<u>Frontage</u>	<u>(Adjusted)</u>	<u>Dwelling Units</u>	<u>Acreage</u>	<u>Assessment</u>
<b><u>PIERSON LANE – NORTH</u></b>							
Windsor Business Bays LLC	77	2	150.00		1	.92	\$19,823.40
Lindave Associates	97	1	244.75	(290.00)	0	1.74	\$31,150.80
Vintage Radio & Communications Museum	115	1	190.00		0	1.97	\$27,712.90
<b><u>PIERSON LANE – SOUTH</u></b>							
Richard Havunen	88	1	404.00	(250.00)	0	1.51	\$27,112.70

**Total Direct Assessments**

**\$165,018.90**

Respectfully submitted,

  
John S. Mirtle, Esq.  
District Clerk

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

***Commissioner Taylor entered the meeting at 4:55 PM.***

***Commissioner Woulfe entered the meeting at 5:05 PM.***

**DRAFT ORDINANCE RE: MEMORANDUM OF UNDERSTANDING WITH CITY OF HARTFORD ON CT DEEP GENERAL PERMIT FOR THE DISCHARGE OF STORMWATER FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4)**

***Commissioner DiBella made a motion, which was duly seconded, to refer the draft ordinance to the Committee on MDC government.***

***Commissioner Salemi entered the meeting at 5:15 PM.***

***Commissioner Gale made a motion to amend the draft ordinance, which was duly seconded, as shown in redline below. The amendment was passed unanimously by those present.***

**SEC S2w     STATE OF CT GENERAL PERMIT FOR DISCHARGE OF STORMWATER FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS**

No person or property owner shall, without the express consent of the District, discharge or permit to be discharged, as related to water quality, directly or indirectly, from any premises under his/her control into any District owned or controlled storm sewer or combined sewer any quality discharge of stormwater that is subject to the State of Connecticut Department of Energy & Environmental Protection's ("CT DEEP") General Permit for Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems ("MS4 General Permit"). The MS4 General Permit, issued pursuant to Connecticut General Statutes, Section 22a-430b, authorizes the discharge of stormwater and specific non-stormwater discharges from or associated with the MS4 General Permit. The implementation of the MS4 General Permit is detailed within the terms and conditions of a Memorandum of Decision ("MOU") dated January 14, 2025 by and between the District and the City of Hartford ("COH") , as may be amended. The MOU sets forth the terms, conditions, and specific obligations under which the MDC and COH will comply with and enforce MS4 General Permit, as may be amended. Both the MOU and the MS4 permit are incorporated by reference herein, and are available to the public on the District website. Any express consent by the District to discharge as required above shall be consistent with the terms and conditions of the Memorandum of Decision ("MOU") dated January 14, 2025 by and between the District and the City of Hartford ("COH") , as may be amended.

***The motion to refer the draft ordinance, as amended in redline above, to the Committee on MDC Government was passed by unanimous vote of those present.***

***Chairman Hoffman allowed Independent Consumer Advocate Tavelli to share her comments & questions as she was not present at the beginning of the meeting for the agenda.***

**INDEPENDENT CONSUMER ADVOCATE COMMENTS & QUESTIONS RELATIVE TO  
AGENDA ITEMS**

ICA Elizabeth Tavelli stated that she did not think that the amendment to change the word to “quality” in agenda item #6’s ordinance makes sense and encouraged the Commissioners to read the sentence in question again. She also asked about the language “without the express consent of the District” and what the process for such consent will involve.

**OPPORTUNITY FOR GENERAL PUBLIC COMMENTS**

No one from the public appeared to be heard.

**ADJOURNMENT**

The meeting was adjourned at 5:34 PM

ATTEST:

John S. Mirtle  
District Clerk

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

**\*\*Video of the full March 3, 2025 Bureau of Public Works meeting is available at  
<https://www.youtube.com/@MetropolitanDistrictCommission> \*\***