

**THE METROPOLITAN DISTRICT COMMISSION
DISTRICT BOARD**

555 Main Street
Hartford, Connecticut 06103
Monday, May 5, 2025

PRESENT: Commissioners Andrew Adil, John Avedisian, Richard Bush, Dimple Desai, William A. DiBella, David Drake, Peter Gardow, Joan Gentile, James Healy, Allen Hoffman, Gary Johnson, Byron Lester, Diane Lewis, Maureen Magnan, Jacqueline Mandyck, Dominic Pane, Bhupen Patel, Calixto Torres, James Woulfe and District Chairman Donald Currey (20)

REMOTE ATTENDANCE: Commissioners Kyle Anderson, C. Avery Buell, Christian Hoheb, Jean Holloway, Mary LaChance, Pasquale J. Salemi, David Steuber (7)

ABSENT: Commissioner John Bazzano, John Gale, Michael Maniscalco, Alvin Taylor, Chris Tierinni and New Britain Special Representative Michael Carrier (6)

ALSO PRESENT: Citizen Member Awet Tsegai
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
Tom Tyler, Director of Facilities
Dave Ruty, Director of Operations
Lindsay Williams, Accounting Administrator
Rita Kelley, Equal Employment Opportunity Compliance Officer
Nick Salemi, Communications Administrator
Carrie Blardo, Assistant to the Chief Executive Officer
Victoria Escoriza, Executive Assistant
Matt McAuliffe, IT Consultant (Remote Attendance)
Elizabeth Tavelli, Independent Consumer Advocate

CALL TO ORDER

The meeting was called to order by Chairman Currey at 5:31 PM

ROLL CALL AND QUORUM

The District Clerk called the roll and informed Chairman Currey that a quorum of the Commission was present, and the meeting was declared a legal meeting of the District Board of The Metropolitan District of Hartford County, Connecticut.

PLEDGE OF ALLEGIANCE

Those in attendance stood and recited the Pledge of Allegiance.

APPROVAL OF MINUTES

On motion made by Commissioner Gentile and duly seconded, the meeting minutes of April 7, 2025 were approved.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

INDEPENDENT CONSUMER ADVOCATE COMMENTS & QUESTIONS RELATIVE TO AGENDA ITEMS

ICA Tavelli had no comments or questions.

REPORT FROM DISTRICT CHAIRMAN

No report was given.

REPORT FROM CHIEF EXECUTIVE OFFICER

Scott Jellison, Chief Executive Officer showed a video regarding the MDC's "TRY-A-TRADE" program.

He provided an update on the employee Climate Survey and stated that he has been meeting with all employees to develop action plans based on input from Amazing Workplace and all District employees. After feedback from employees, the action plans will be finalized and presented to the District Board. Mr. Jellison also stated that all management and supervision employees will undergo leadership training on May 21st.

Susan Negrelli, Director of Engineering, briefed the District Board on the buildings at HWPCF visible off of 1-91 related to the tunnel, and the status of construction.

Commissioner Woulfe entered the meeting at 5:38 PM

REPORT FROM DISTRICT COUNSEL

Christopher Stone, District Counsel, provided an update on the landfill and Buckingham garage cases. He stated they were consolidated in complex litigation docket but the assigned judge was recently appointed to the Appellate Court. The case has been reassigned and is on the trial list for fall 2026.

District Counsel Stone also stated he received a draft termination agreement from US Attorney's office for the Colebrook Dam, and the surrender of the associated FERC license is in process.

District Counsel Stone stated that he will hopefully have the final numbers of the tunnel claim settlement to present to the District Board at the June Meeting.

PRESENTATION BY METROHARTFORD ALLIANCE

Without objection, District Chairman Currey postponed this presentation.

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

To: District Board

May 5, 2025

From: Water Bureau

In a letter dated March 19, 2025, Paul Rodrigues of Solli Engineering, LLC., on behalf of Jasko Development LLC, 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 Northeast Transmission Main East Hartford Line thirty-foot-wide (30') easement or right-of way, containing an existing concrete 30-inch treated water transmission main, 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 April. 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 three (3) 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 24,850 sf of easement area, earth excavation up to 2.2 feet deep and filling up to 4.3 feet in depth, (iii) installing new utilities across the ROW including a new 8-inch water main 4" and 6" fire services, new sanitary laterals (1) 4" force main and (1) 8" PVC lateral, one (1) 4-inch gas line, (16)-2" service conduits, (8)- 4" electric and telecommunication conduits in up to six (6) locations, and new stormwater lines, (3) 8" C900, (1) 18" RCP and (1) 24" RCP sizes, and (iv) installing surface restoration consisting of new bituminous pavement, concrete walkways, curbing and 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").

The proposed lines will be installed above the MDC's existing thirty-inch (30") transmission main and its appurtenances situated within the ROW (collectively, the "Main") with a minimum of one foot (1') of vertical clearance between the Main and such lines, and proposed grades will not impede access to the Main. Eversource will require a twenty-foot wide (20') and forty-foot wide ($\pm 40'$) 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 Main was built in 1973 and the ROW was acquired by the MDC and filed on the East Hartford land records in Volume 493, at Page 36.

MDC staff has concluded that the Improvements will not be a detriment to the District's transmission main as a result.

Jasko has agreed to the following conditions in order to satisfy the District's concerns for protection of the transmission main 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 transmission main. 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 transmission main shall be reviewed and approved by District staff prior to mobilization to the site. Any damage to the transmission main caused by any construction, maintenance, repair, replacement or associated activities by or on behalf of Jasko for or in connection with the Improvements within this ROW shall be the responsibility of Jasko.

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 transmission main 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 Jasko or the property owner at the time.
4. The District reserves the right to remove Improvements within this ROW at any time if so required for maintenance, repair or replacement of the transmission main or any part thereof. Jasko or the property owner at the time 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.
5. An MDC inspector must be on the job site whenever work is being performed within the ROW, and Jasko 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.
6. Jasko 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.
7. Jasko 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.

At a meeting of the Water Bureau held on March 31, 2025, it was:

VOTED: That the Water Bureau 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 Zelman 1 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 both MDC existing thirty-foot-wide (30') 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 30" Water 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



March 19, 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 Development, 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 enclosed plans have been revised based on email comments received from your office on March 12, 2025. These plans have been revised to minimize earth excavation over the existing MDC transmission line to the maximum extent possible. A temporary encroachment will be required for a singular construction vehicular crossing over the easement via a modular bridge set on timber matting to limit construction loading on top of the existing infrastructure as shown on the attached spec sheet. The use of this form of crossing will allow for mobility during construction. The location will be determined in the field during construction coordinated with the MDC for review and approval prior to implementation.

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
- Earth moving activities
 - Total Area: 24,850± SF
 - Cut: 245± CY, 2.2± FT max.
 - Fill: 660± CY, 4.3± FT max.
- Temporary 14' wide x 45' long Bridge System on timber matting abutments spanning MDC water main easement, location to be as needed during construction based on site conditions.
- Installation of (3) new storm drainage pipes, (1) 24" RCP, (1) 18" RCP, and (3) 8" C900
- Installation of (2) new sanitary sewer laterals, (1) 4" force main, and (1) 8" PVC
- Installation of (1) new natural gas service
- Installation of (1) new 8" water main with connection to existing 30" water main
- Installation of (1) new 4" domestic water service
- Installation of (1) new 6" fire water service
- Installation of (2) new 4" electric conduits at 2 locations – total of (4) conduits
- Resetting existing electric manhole to finished grade

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- Installation of (2) new 4" fiber/cable conduits at 2 locations – total of (4) conduits
- Installation of (4) new 2" site electric/telecom/security conduits at 4 locations – total of (16) conduits
- Installation of new landscape islands:

Shrubs

- (6) Mt. Airy Fothergilia
- (9) Shamrock Inkberry
- (7) Dwarf Mugo Pine
- (4) Red Chokeberry
- (3) Oakleaf Hydrangea
- (10) PJM Rhododendron
- (6) Meadowsweet

Groundcover

- (7) Bearberry
- (8) Gro-Low Fragrant Sumac

Perennials & Ferns

- (8) Moonshine Yarrow
- (8) Ice Plant
- (7) Cone Flower
- (10) Walker's Low Catmint

Grasses

- (10) Karl Foerster Reed Grass

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



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

Enclosures:

Existing 30" Water Main Profiles
MDC Water Easement Encroachment Exhibit
ADM Welding & Fabrication, LLC Portable Bridges

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**

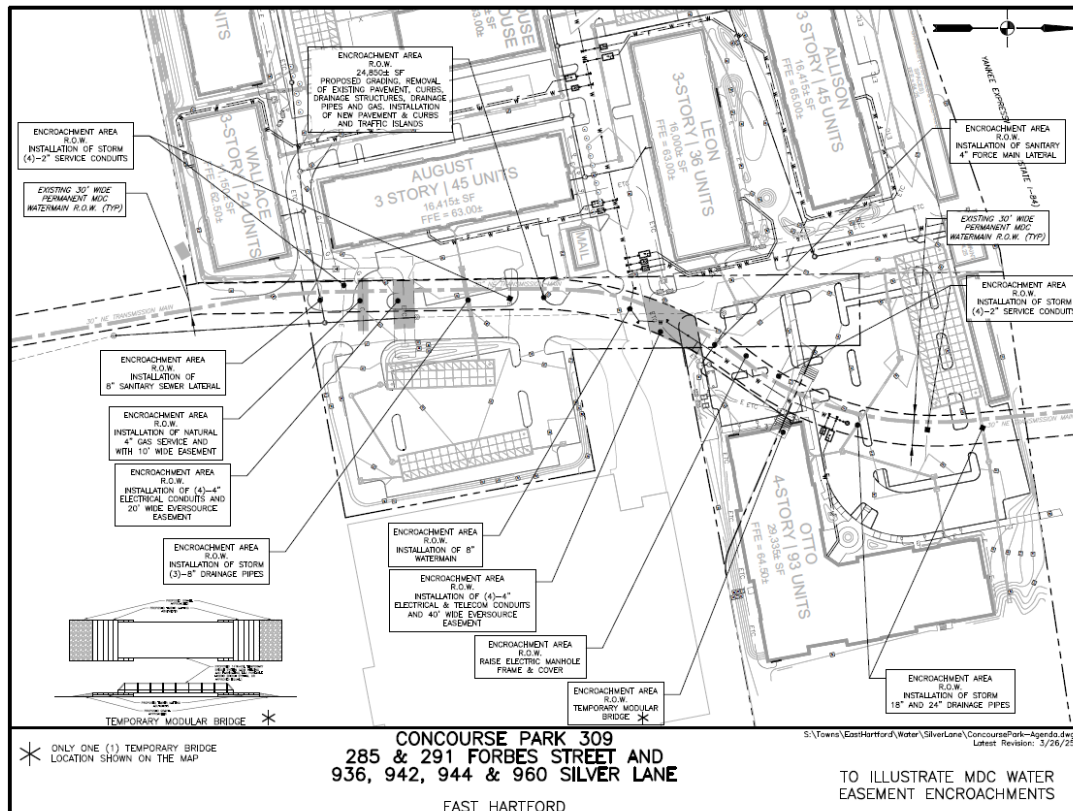
Dear Mr. Curley:

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



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

Commissioner Hoffman made a motion to approve agenda items #12A “Encroachment Agreement – Concourse Park 309 Redevelopment 285 & 291 Forbes Street; 936, 942, 944 & 960 Silver Lane”, 12B “Encroachment Agreement – The Spark on Cedar – 1 Myra Cohen Way Newington” and 12C “License Agreement for Parking at 45 Granby Street Hartford,” together. The motion to approve agenda items #12A-12C was duly seconded and approved by unanimous vote of those present.

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

To: District Board

May 5, 2025

From: Bureau of Public Works

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 ($\pm 40'$) 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.

At a meeting of the Bureau of Public Works held on April 28, 2025, it was:

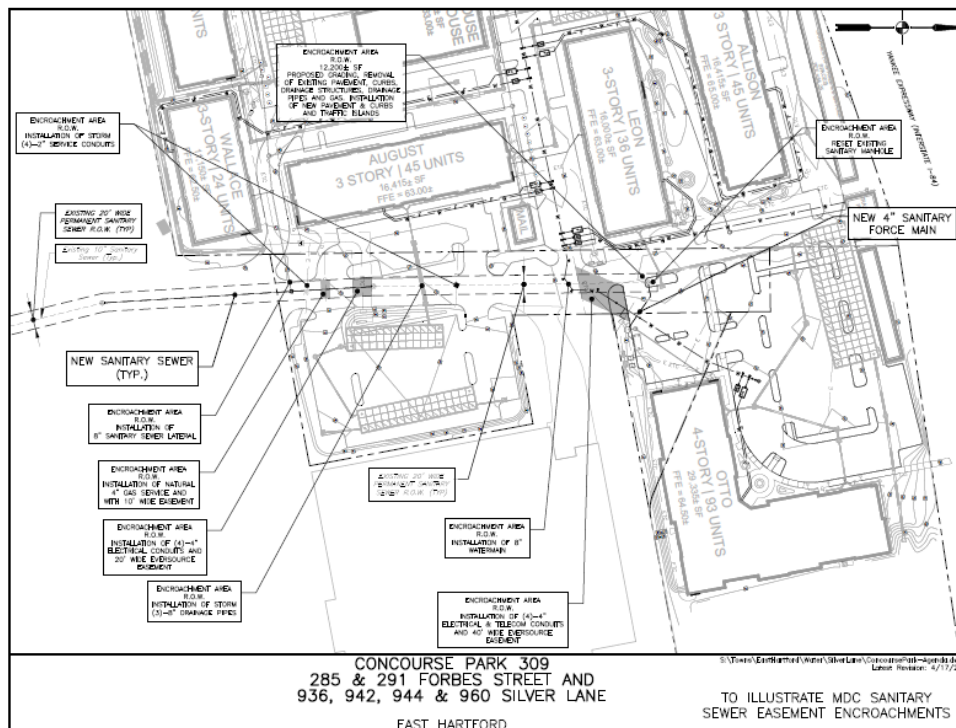
VOTED: That the Bureau of Public Works recommends to the District Board passage of the following resolution:

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,

John Mittle

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) Shanrock Inkbury
 - Grasses
 - (2) Karl Foerster Reed Grass

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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 'Paul A. Rodrigues'.

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

Enclosures:
MDC Sewer Easement Encroachment Exhibit
MDC Sewer Encroachment Profile

**BUREAU OF PUBLIC WORKS
ENCROACHMENT AGREEMENT – THE SPARK ON CEDAR STREET
1 MYRA COHEN WAY, NEWINGTON**

To: District Board

May 5, 2025

From: Bureau of Public Works

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.

At a meeting of the Bureau of Public Works held on April 28, 2025, it was:

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,



John S. Mirtle
District Clerk



One Financial Plaza, 15th Floor
Hartford, CT 06103
860.646.2469
www.fando.com

December 13, 2024

Mr. Michael Cudley, 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. Cudley:

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

Connecticut Massachusetts Maine New Hampshire New York Rhode Island Vermont

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May 5, 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.

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

RESOLVED:

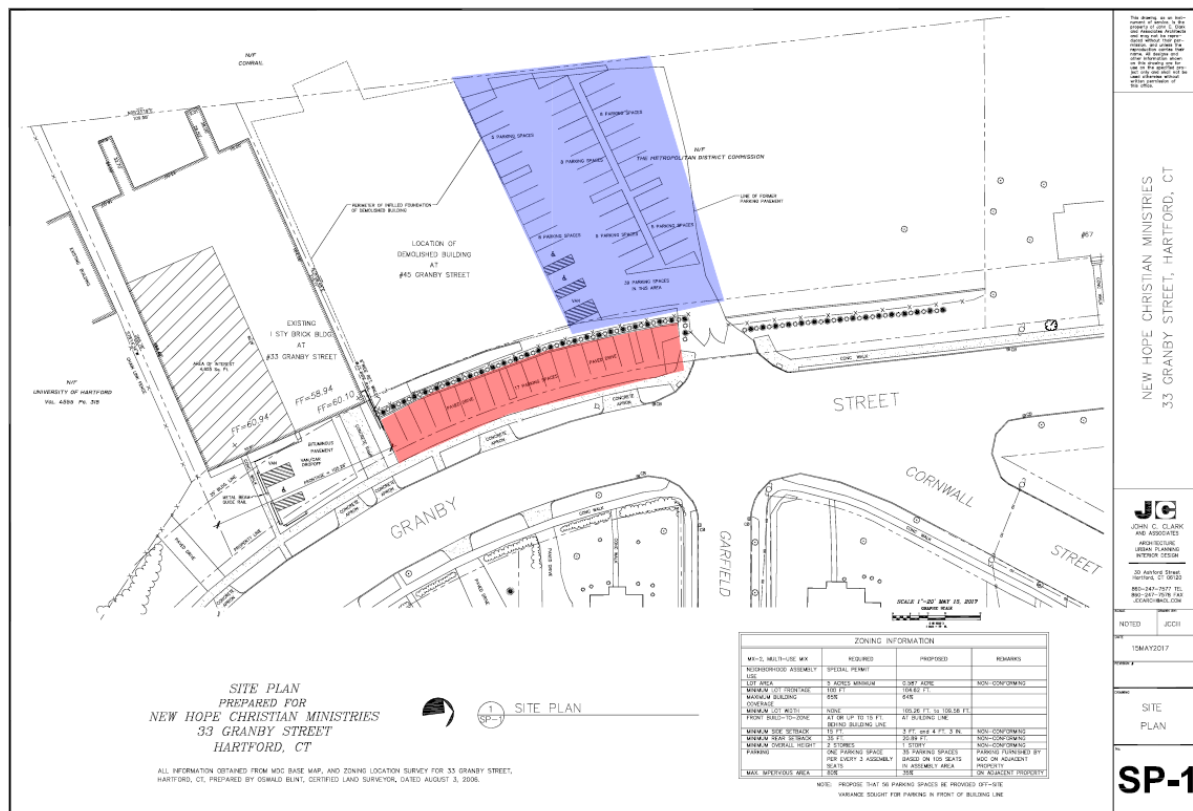
New Hope Christian Ministry is hereby authorized to use a portion of 45 Granby Street for parking purposes, subject to proper execution of a renewed license agreement with such terms and conditions as required by District Counsel; and

**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,

John Mirtle
John S. Mirtle, Esq.
District Clerk



OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

Judy Allen, West Hartford resident, recently listened to public radio and heard a public service announcement from DEEP to recruit lifeguards. She suggested it may be an option for the MDC.

COMMISSIONER REQUESTS FOR CONSIDERATION OF FUTURE AGENDA ITEMS

Commissioner Adil requested that the District Board discuss the process whereby Commissioners are notified about large mishaps or events in their community.

Commissioner Bush requested a future discussion regarding the sump pump program.

Commissioner Pane thanked Dave Rutty, Director of Operations, and other staff who worked on the 25-year club event and stated it was a wonderful event.

District Chairman Currey stated that some commissioners approached him and asked that he have better control of meetings; specifically there times where questions go back and forth and not through the chair. He stated that in the future, he will gavel those speakers and asked that everyone goes through the chair.

ADJOURNMENT

The meeting was adjourned at 6:16 PM

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval