

Town of Lebanon
WATER POLLUTION CONTROL AUTHORITY
SPECIAL MEETING
Lebanon Town Hall
Lower Level Conference Room
Thursday, January 24, 2013 – 7:30 PM

MINUTES

Members Present: Brandon Handfield, Al Wilder, David Martin, Paul Oliver, David Benjamin

Absent: Yaw Nsiah

Also: Brenda Bennett, WPCA Clerk, Joyce Okonuk, 1st Selectman, Phil Chester, Town Planner, Peter Zvingilas, Building Official, Reed Gustafson, Town Sanitarian, Kurt Mailman, Fuss & O'Neill, Attorney Ed O'Connell and Attorney Matt Kinell.

Nominations for Chairman Pro Tem - Moved by A. Wilder and seconded by P. Oliver to nominate Brandon Handfield as Chairman Pro Tem. Motion unanimously approved.

1.0 Call to Order – The Public Hearing was called to order at 7:30 p.m. by the Chairman Pro Tem. The Legal Notice was read into the record.

1.1 WPCA Sewer Regulations- The following Public Comment was received:

Barbara McShane, 46 Lakeside Drive, Lebanon, a member of the Lebanon Lakes, Inc. expressed concerns about Article VI of the Sewer Regulations, restrictions on the number of bedrooms allowed. This affects family's quality of life and real estate values. Is this restriction imposed on other neighborhoods in Lebanon? There are currently no restrictions of this kind on the Hebron side of Amston Lake. She stated she would like to turn an existing enclosed porch into a bedroom with a closet for visiting grandchildren and finds this unreasonable and unconstitutional. Prides Corner received was allowed by zoning to allow for housing for migrant workers and was capped at 10 people for the size of their septic system.

Nancy Carini, 356 Deepwood Drive, Lebanon, thanked all the members of the commission for all their work and time on this project. She also expressed concerns with Article VI of the Sewer Regulations and stated she currently has a 2-bedroom home and questioned whether the 2-bedroom minimum needed to be maintained. "There should be no restrictions on the number of bedrooms as long as the building and zoning codes are followed". The property at 170 Deepwood Drive has recently received a permit to demolish and reconstruct a 5- bedroom residence. "Why"? She made the recommendation to the commission to go forward with the approval of the Regulations but to hold off on Article VI and act on this at a later time due to the short notice to residents.

Mary MoQuin, 34 Spafford Drive, Lebanon, expressed concerns with the diminished resale value of her home, doesn't seem plausible, unconstitutional and questioned why the Public Hearing was being conducted during a time when seasonable residents are not able to attend as this also affects them too.

Greg Carini, 356 Deepwood Drive, Lebanon, questioned the type of sewer system being used as there are currently 2 types. The Amston Lake residents have a type to resolve "conservation due to pollution" and stated that Bolton residents received a grinder pump which is the same as

Lebanon and that town does not have a problem and can handle the flow and they are a year-round status.

David Wigfield, 220 Lakeside Drive, Lebanon, expressed concerns with the WPCA's enforcement of Planning & Zoning Regulations and the restriction of the number of bedrooms.

Marg Nichols, 18 Spafford Drive, Lebanon, expressed concerns with the timing of Public Hearing, the low attendance and requested that a decision not be made at this time.

The following Exhibits were submitted for the record:

Exhibit #1 - Letter to WPCA dated January 24, 2013, submitted by Barbara McShane.

Exhibit #2 - State Plan of Conservation and Development, 2005-2010, submitted by Town Planner.

Exhibit #3 - Town of Lebanon Plan of Conservation and Development, 2010, submitted by Town Planner.

Exhibit #4 - Green Valley Institute, Build-Out and Fiscal Study for the Town of Lebanon, January 2010.

Exhibit #5 - Lebanon Lakes.com 2010 Property Survey, submitted by Barbara McShane.

2.0 Adjournment Moved by A. Wilder and seconded by P. Oliver to adjourn and close the Public Hearing at 8:00 p.m. Motion unanimously approved.

3.0 Call to Order Special Meeting. Nominations for Chairman Pro Tem: Moved by A. Wilder and seconded by P. Oliver to nominate Brandon Handfield as Chairman Pro Tem. Motion unanimously approved.

4.0 Approval of 1/10/13 Special Meeting Minutes.

Moved by P. Oliver and seconded by A. Wilder to approve the 1/10/13 Special Meeting Minutes with noted corrections:

Section 3.1 last sentence "Ms. Johnson will *provide...*"

Section 5.1 change "*Calver*" to "*Calvert*" and change \$6,442.292 to "\$6,442,292"

Section 5.2 first sentence change "*that*" to "*some of the*"

Section 7.1 change "*Amedment*" to "*Amendment*"

Motion unanimously approved.

5.0 Correspondence –

5.1 Rick Watrous, email dated 1/3/13 regarding sewer project. B. Bennett addressed Mr. Watrous questions regarding assessment, user fee, etc. via a telephone conversation on 1/16/2013. The Commission agreed that a subcommittee needs to be re-established to address all these types of questions for buyers, realtors, and attorneys in conjunction with the building department, tax collector and attorneys.

6.0 Project Update –

6.1 A “draft” postcard was distributed to the commission for their comments and review. The commission will make suggested changes and forward those onto the B. Bennett to proceed to the printers. This information will also be posted on the website.

6.2 Roles of the Land Use Office – to be discussed with under New Business/Action Items.

7.0 Old Business -

7.1 The closing for the short-term bonding went well and first payment will be due on January 16, 2014.

8.0 New Business/Possible Action Item

8.1 WPCA Sewer Regulations – The Commission will take into consideration Article IV dealing with the limitations of bedrooms and will take the time to review all exhibits submitted before a decision is rendered.

8.2 Pending Property Assessments & Sewer Use Fees – Attorney Ed O’Connell noted that a Notice, specific to the Assessment & Sewer Use Fee must be published in the local newspaper prior to a Public Hearing, indicating the interest rate, the number of payment installments, delinquency interest rate, “due on sale” clause. The WPCA budget must also account for a budget line for “Legal Fees” to defend the “Appeal of Assessments”. The Commission agreed that a Public Hearing to set the Assessment and User Fee Rate will be some time at the end of March, 2013.

8.3 Discuss Application to Connect and permitting process with Building, Health & Zoning Departments and Roles of Land Use Offices – The roles of each department were discussed as well as budgeting for their additional time for the amount of inspections necessary for the sewer abandonment, sewer connection, electrical work, etc. The “Order to Connect” is expected to be issued in late spring/early summer. Effective March 1, 2013, the Planning & Zoning lifted the classification of “seasonal” dwellings in the lake area. It was noted by staff that building permits are expected to increase and, therefore, more inspections will be needed. The 1st Selectman noted that there needs to be more hours for support staff to handle the amount of calls received on a daily basis regarding the status of the project.

Kurt Mailman, P.E., Fuss & O’Neill reported on the status of the project. He stated that the work on the Lebanon side was substantially complete, the electrical feed to the Odor Control System will be completed soon, and within 3 weeks, the contractors will be completed with the system on the Hebron side.

8.4 Review Draft of Sewer Connection Permit – tabled to next meeting.

8.5 2013 WPCA Budget Approval. Moved by D. Martin and seconded by P.Oliver to approve the 2013 WPCA budget in the amount of \$323,787.00. Motion unanimously approved.

9.0 Treasurer’s Report – no report.

- 10.0 Topics for next agenda – Create sub-committee to work with the Land Use/Building/Health Departments and look at possible dates/times to meet. Items 8.1-8.5 to be added back for discussion on the next agenda.
- 10.0 Adjournment. Moved by B. Handfield and seconded by D. Martin to adjourn the Special Meeting at 9:35 p.m. Motion unanimously approved.

Respectfully Submitted,

Brenda Bennett, Clerk

February 1, 2013

(Minutes are unapproved as of transcription date.)