



# PUBLIC UTILITIES COMMISSION

Bethel Municipal Center, 1 School Street  
Bethel, Connecticut 06801 Telephone: (203) 794-8501

## MINUTES OF SPECIAL MEETING

Monday, May 10, 2010

4:00 p.m.

C.J. Hurgin Municipal Center – Meeting Room “A”

**Present:** First Selectman Matthew Knickerbocker, Selectmen Richard Straiton, Selectman Paul Szatkowski and Commissioners Michael Gribbin and Peter Valenti. Also in attendance were Town Engineer Andrew Morosky, Utility Consultant Len Assard, Utility Supervisor Kelly Curtis and Town Attorney Martin Lawlor.

**Call to Order:** First Selectman Knickerbocker called the Special Meeting to order at 4:00 p.m. and led the Pledge of Allegiance.

**Public Input:** Geraldine Mills of Colonial Drive stated she sent an FOI request to the commission last month and received a letter from the Public Works Office indicating receipt of the request. Mr. Morosky indicated that he has received an email response on May 10 from URS indicating that the compaction rate for the paved areas at the Walnut Hill Road pump station site are 95%. Mrs. Mills thanked the commission for their work.

Richard Mellin; Condominium Association Property Managing Agent for Kingswood and Plumtrees, spoke regarding the Fire Hydrant Charges and thanked First Selectman Knickerbocker for taking the time to review the rate structure prior to making a decision on the charges.

Richard Manager of Greenwood/Chestnut Hill Village Condominium Association; spoke regarding the hydrant charges as well.

Geraldine Mills of Colonial Drive stated for the record that United Water Company charges over \$900 per Fire Hydrant to the Town.

In response to a question about the Commission's plans, First Selectman Knickerbocker gave a brief history of the water and sewer rates as well as the fire protection and hydrant charges; indicating that for 22 years the town hasn't increased the fees for fire protection services and an adjustment is needed. He also indicated that, rather than acting on the fire protection charges alone, a full scope of the changes needed in the rate structure is required prior to the Commission making a decision. The Commission is working on an equitable solution and desires to do this right the first time. The First Selectman indicated that since the consultant (Chris Woodcock) isn't present for the meeting he is going to table the discussion to next month's meeting.

Selectman Szatkowski made a motion, which was seconded by Selectman Straiton, to move Financial Reporting before Correspondence on the agenda. Vote, all in favor, motion unanimously approved.

### Financial Report:

**Water and Sewer Financial Status** Reports were unavailable at this time.

RECEIVED  
2010 MAY 14 P 4:00  
TOWN OF BETHEL  
TOWN CLERK

Ann Scacco, the Tax Collector, was requested last month by the Commission to provide a synopsis of what the tax clerks do for the Public Utilities Commission, since the Commission is paying for two full time employees including benefits. Mrs. Scacco gave a detailed description of the overall work structure of the tax department and their responsibilities. Mrs. Scacco feels the commission is actually receiving a bargain due to the fact most of the responsible work is completed by herself and her assistant; for example: working with the auditors handling all the financial reporting.

This past month the department has handled the following on behalf of the Commission:

- 111 Water Accounts were sent liens
- 113 Sewer Account were sent liens
- 100 Termination letters were sent out of which 48 are in the process of being shut off.

Commissioner Valenti had questions for Mrs. Scacco about the computer software system that the tax department uses for the water and sewer billing. Mrs. Scacco indicated that her department is waiting for the Town to migrate to the new Munis Software System to be installed; they are hoping to be on-line by summer time.

Commissioner Valenti pointed out the PUC updated the meter reading system some years ago to become more efficient in meter readings and save money. Mrs. Scacco indicated the system has allowed the process to be much more customer service orientated and has cut down on the customer services calls by a large percent.

Selectman Straiton asked Mrs. Scacco for the number of accounts they handle; Mrs. Scacco indicated there are 3,238 Water Accounts and Sewer Accounts are as follows: 3,637 Sewer Accounts.

First Selectman indicated he feels at this time with the Town situation and the present software system it's the best possible way to handle the collections and billings.

### **Correspondence:**

**Memorandum from Steve Palmer; Town Planner, Transit Oriented Development Study:** Mr. Morosky indicated that members of the PUC should attend the public information meeting scheduled for June 7, 2010 at 7:00 p.m. in the General Purpose Room. Discussion took place between commissioners about allocations. Commissioner Valenti brought up the interlocal agreement between City of Danbury and Town of Bethel in which he felt Bethel should have negotiated to transfer allocations from Stony Hill to the Downtown sewer service area. Mr. Morosky indicated the option to switch over the allocation is still open and Commission Valenti feels the Commission should revisit this option with Danbury. Danbury also has additional capacity for sale at their treatment plant. Attorney Martin Lawlor indicated that this item should be put on an agenda for another meeting to handle. First Selectman suggested scheduling a Special Meeting and placing this matter on the agenda.

**Vail's Crest Subdivision – Letter from CCA:** As with the Transit Oriented Development, this will be added to the Special Meeting agenda as well.

**Mr. Tariq Wasti, 7 Wine Sap Run; Sewer line extension:** Selectman Szatkowski pointed out that the districts have been made and Mr. Wasti is out of the district. Discussion ensued and it was agreed to place this item on the agenda for the Special Meeting.

**Meeting Minutes from Regular Meeting April 5, 2010:** Selectman Szatkowski made a motion, which was seconded by Commissioner Valenti, to approve the minutes as presented. Vote, all in favor, motion unanimously approved.

**Old Business:**

**Plumtrees Pump Station:** Mr. Morosky indicated that the Plumtrees pump station RFP to design has been advertised and has already received two interested parties; the cutoff date is May 28, 2010.

**Hydrant Charges; Fire Protection:** First Selectman Knickerbocker indicated the commission is going to table this matter. Commissioner Gribbin would like to discuss the hydrant charges regarding what the Town pays United Water for the hydrants in the stony hill area. Mr. Morosky indicated the Town receives a bill for approximately \$13,000 for 66 hydrants. First Selectman indicated that he will check into Commissioner Gribbin's request.

Mr. Assard indicated that the DPUC approves the rates that the private water companies can charge. As it is set by the State, the chances of appealing for a lower rate and succeeding are slim. With public fire protection, Mr. Assard indicated the rates vary widely; from as low as Watertown which charges \$303 a year to \$1,230 a year. Chris Woodcock's job's is to justify the cost of service/operation.

Commissioner Valenti requested information regarding the Town's sewer inspector's salary. Commissioner Valenti would like to know which department is paying for his salary; Mr. Morosky indicated Public Work's pays for his salary. Commissioner Valenti cannot find his salary in the financial reporting wants to know how much he's receiving and if the money is getting allocated back into Public Works from the Sewer Project.

Commissioner Gribbin questioned whether we are taxing United Water Company for the hydrants; Mr. Assard did not have the answer and suggested asking the Tax Assessor.

**Engineering / Utility Consultant Report:****Grants:**

**Eureka Water Storage Tank:** Mr. Morosky indicated to the commission that the Docket with the DPUC was reopened. The reason for this action is that Danbury received the revised plans for the tank site from Bethel but then indicated that their Planning Commission cannot take any action on the plans unless it is for settlement purposes. Therefore, with the Docket re-opened, they now have a legal reason to consider our request and schedule the necessary hearings and meetings.

**Stony Hill Sewer Project:** Mr. Morosky indicated the bulk of Phase 3 is completed and the contractor is waiting on a replacement part for the emergency generator at the pump station on Walnut Hill Road. The generator malfunctioned when tested on April 13.

Mr. Morosky met with the owner of the property and walked the area to discuss the cleaning of the ponds and made further progress. Selectman Szatkowski asked Mr. Morosky whether the cleaning of the ponds will go out to bid. Mr. Morosky indicated they will be going out to bid. Commissioner Valenti would like to know of the cost to perform the work.

Ludlow completed their sewer line work on Garella Road. Besides the restorations, the remaining work in the Stony Hill Sewer Project includes a) the right-of-way from Maple Row to Research Drive; b) the pump station on or near Ridge Road and the roads that lead to the pump station; c) the lower part of Payne Road and d) the link from Route 6 to the west part of Hawleyville Road.

Commissioner Valenti asked whether they was any new information about the easement to Route 6. Mr. Morosky indicated an appraisal is underway for the parcel owned by United Realty. The appraisal will come with a recommendation of the value of the easement. We have an estimated price from URS to

cross the adjacent property of \$140,000. It would be significantly less costly to cut across the existing empty lot at 28 Stony Hill Road.

Selectman Straiton ask Mr. Morosky if we have a dollar amount of what is left in work to be completed and Mr. Morosky indicated that he did not have up-to-date numbers for the overall project but anticipated that there is roughly \$2 million to \$2.5 million left of work to be complete and we have spent over \$17 million on the project to date. Until a new financial update is complete, it is not possible to say precisely how much more money will be needed to complete the work, perhaps \$1.5 million. If that is the case the Commission would need to go back to the public to authorize spending extra money to complete phase 4.

**Easements for Phase 3:** No new easements have been acquired although some progress has been made.

Discussion took place regarding the proposed easements for the Adams Drive area. Attorney Lawlor distributed two memos regarding the agreements in which he has amended, one for 27 Adams Drive the other for 29 Adams Drive (see attached).

Selectman Straiton made a motion, seconded by Selectman Szatkowski, to approve the amended easement agreements for 27 Adams Drive and 29 Adams Drive . Vote, all in favor, motion unanimously approved.

### **Supervisor's Report**

Mr. Curtis indicated he has two service leaks; one on 23 Midway Drive and the other on 84 Greenwood Ave. Certified letters have been sent out.

Mr. Curtis verified over 90 shut-offs have been completed and they are down to 10 left, some are broken and filled with garbage. Mr. Curtis indicated he only had two problems with shut offs and Mr. Curtis sent them the Rules and Regulations along with a call to the local Police Department.

Route 53 Water Main Extension has been completed and working well. A new hydrant is now available near the railroad bridge.

Mr. Curtis indicated the temporary worker has completed his tenure with the Utilities Department.

Commissioner Valenti posed the questions about the plugged lines on Walnut Hill Road and if anyone taken pictures, Mr. Morosky indicated pictures were taken. Commissioner Valenti wants this added in the Special Meeting and also wants the Town to be reimbursed for the time and material to correct this problem. Also Commissioner Valenti indicated that the manholes are still settling on Payne Road and he would like this added as well. Selectman Straiton would like to know how many inspectors are out in the project inspecting these jobs, Mr. Morosky indicated there are two one from the Town and one from URS.

Selectman Szatkowski questioned Mr. Curtis if there are any hydrant out of service? Mr. Curtis indicated that there is only one on Greenwood on the town side system. Mr. Curtis indicated United Water has changed out five hydrants in the stony hill area.

Selectman Szatkowski posed the question whether the advertisement went out for the replacement in his department. Discussion took place between the commissioners. Add to the Special Meeting.

### **New Business: (No New Business)**

**Adjourn:** As there was no further business on the agenda Selectman Straiton made a motion, seconded by Selectman Szatkowski, to adjourn the meeting at 5:38 p.m. Vote, all in favor, motion approved.

Respectfully submitted,



Tracy Rogalski, Recording Secretary

**From:** MARTIN LAWLOR (martin.j.lawlor@snet.net)  
**To:** mayers1948@sbcglobal.net;  
**Date:** Wed, May 5, 2010 1:15:38 PM  
**Cc:** knickerbockerM@betheltownhall.org; moroskya@betheltownhall.org;  
**Subject:** Bethel PUC/Weinkauf - Sewer Easement

Mr. & Mrs. Weinkauf,

In connection with the above matter, attached is correspondence from myself to you outlining additional terms of understanding. The changes that have been added to the understanding are set forth in red and italicized.

If you have any additional comments, I would appreciate if you could communicate the same to myself prior to the next PUC meeting scheduled for Monday, May 10 at 4:00PM.

Thank you.

Martin J. Lawlor, Jr.  
99 Greenwood Avenue  
Bethel, CT 06801  
(203) 790-9398  
(203) 744-0678 (Fax)

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May 5, 2010

Mr. & Mrs. Ronald Weinkauf  
29 Adams Drive  
Bethel, CT 06801

RE: Bethel Public Utilities Commission  
Easements – 29 Adams Drive

Dear Mr. & Mrs. Weinkauf,

Based on my correspondence of April 9, 2010 and my recent telephone conversation with Mr. Wienkauf, I am presenting to you an amended and updated correspondence representing a proposed agreement between you and the Public Utilities Commission (PUC). I discussed this matter with the Town Engineer, Andrew Morosky, and I believe your recent concerns are incorporated herein. Unfortunately, I discovered that the sewer contractor is not scheduled to move forward with your portion and other aspects of the sewer project for six to eight weeks. I apologize for this delay but it is unavoidable and out of the PUC's control.

In addition, due to the Town Meeting which took place on Monday, May 3rd, the PUC cancelled its meeting and is conducting a special meeting on May 10, 2010 at which time, I will ask them to sign off on this agreement as presented to you.

The one item that is not agreeable with the PUC is a warranty on any aspect of the work and materials to be supplied for more than one year. Most of the work and materials to be done and materials to be supplied will be by outside contractors who will not provide more than a one year warranty. I would expect any problem with the work and/or materials will appear within the year.

The items as set forth below are the original as presented to you in the April 9, 2010 correspondence and added items which were the subject matter of our conversation. In exchange for the easements, I expect the PUC to agree to the following:

1. All new piping and drainage structures will be installed according to the current plan, which has been approved by Inland/Wetlands Commission. ***Any and all disturbed areas will be reseeded.***
2. All new and existing drainage structures within the area will be cleaned out upon completion of the new drainage work.
3. Excess dredged material from previous work down stream of the storm water outlet shall be removed and the area re-seeded. The Inland/Wetlands Commission has already approved dredging for certain areas.
4. All trees to be removed for construction purposes will be removed prior to installation of sewers including tree roots.

- a. In addition, the PUC shall remove all existing brush piles and all construction material will be removed promptly upon completion of the sewer installation.
  - b. All construction material will be removed promptly upon completion of the storm drainage installation and inspection.
5. ***There are trees that are not located within the construction area that will be removed prior to installation of sewers including tree roots. Some of the trees to be removed are already marked on the Plan. The Town Engineer will walk the property with the homeowner to locate and mark all trees to be removed prior to construction commencement.***
6. The PUC will replace any tree removed to facilitate the sewer installation on the properties. Each tree to be replaced must have a trunk diameter greater than six (6") inches (measured five (5') feet above the ground). In the alternative, the land owner may receive payment in lieu of the same for each tree. Payment will be based upon the PUC's cost to furnish a six (6') foot tall to eight (8') foot tall trees similar to the type removed. The trees will be warranted for one (1) year.
7. The PUC will waive the sewer connection fee. The PUC or its contractor will connect your home to the municipal sewer system which will include the proper abandonment of your septic tank. The connection to the municipal sewer system will be by laterals connected to your existing soil pipe from the home to the septic tank. If the new lateral connection cannot be made to the existing soil pipe, the lateral connection to the municipal sewer system will be made from the interior of the home. A one (1) year warranty will be applicable, materials and workmanship for the same. ***Prior to commencement of construction, the Town Engineer and/or one of the sewer project engineers will review the current landowner's septic system and potential hook up to the sanitary sewer system with the homeowner, in order to insure proper installation of the sanitary sewer system with a minimum amount of disturbance to the homeowner.***
  - a. The homeowner agrees and understands that no lateral connection will be made until the newly installed sewer main has been properly tested.
8. All black top from your shared driveway and your house driveway will be completely removed. ***The driveway will contain a proper base from the existing driveway material to be ground or a new base of the same or better suitable material applied*** and the driveway areas graded to drain properly. The same shall be repaved ***in the spring or early summer of 2011 but in no event beyond June 1, 2011*** with three (3") inches of new blacktop to be compressed. A one (1) year warranty will be applicable, materials and workmanship for the same ***from the date the blacktop is completed.***
9. In the event of any damage to existing utilities or property, the PUC and/or its contractors shall be responsible for the same and prior to beginning of any work, a certificate of insurance shall be presented to the landowners.
10. In the event any oil residue is found in the work area beyond regulatory limits from road deposits and/or the community oil system which once serviced the Stony Hill area, the PUC and/or its contractor shall remediate the same.

11. ***The current drainage pipe shown on the plan positioned to and from Adams Drive will not be utilized and will be removed at the time the drainage construction commences. It is anticipated that this change will be made on the plan prior to construction.***
12. The following if not set forth on the plan will be provided for your benefit:
  - a. There will be two (2) manholes, one located in the center of the common driveway at the base of the hill and the second one to be buried with a solid cover located in the catch basin area at the beginning of next door neighbor Riley's driveway.
  - b. The drainage grate will be aluminum to allow it to be removed for cleaning purposes, etc.
  - c. Yard drains are to be maintained as shown on the plan with the exception of the drain/piping that is to be abandoned.
  - d. Current 30" x 19" drain shall be removed and replaced by two (2) 24" drains. The capacity to remove water should be at least double what the original drain capacity was.
  - e. The easements for 31 Adams Drive, 33 Adams Drive and 30 Budd Drive have been noted on the plan.
13. ***The formal easement documents to be recorded in the land records shall contain a provision that any disturbance of the easement areas in the future by the Bethel PUC/Town of Bethel, including the driveway areas shall be restored as nearly to its present condition as possible.***
14. Assuming that this agreement is accepted by you, it is expected that the sanitary sewer installation will begin on ***or before July 12, 2010*** and the drainage work will be installed during the dryer autumn, on or about October 1, 2010.

Your neighbors, the Rileys, requested that No. 13 be added to their agreement despite the fact that all easements such as these contain a provision in all of my standard easement agreements. Since I know there have been discussions with your neighbors concerning these easements, I thought it best that the same language be placed in your agreement as well.

I expect to receive the PUC's approval on May 10, 2010 and I will notify you of the same as soon as possible thereafter. If you are in agreement, I will prepare a simple agreement incorporating the above to be executed by you and the PUC. I will then prepare the actual easements which should be completed and executed by you prior to the commencement of construction.

If you have any questions or comments, please contact me as soon as possible. Thank you.

Regards,

Martin J. Lawlor, Jr.

MJLJR:cjb

cc: Matthew Knickerbocker, First Selectman  
Chairman, Bethel PUC  
Andrew Morosky, Public Works Director

**From:** MARTIN LAWLOR (martin.j.lawlor@snet.net)  
**To:** tjriley@tcors.com;  
**Date:** Wed, May 5, 2010 1:16:33 PM  
**Cc:** knickerbockerM@betheltownhall.org; moroskya@betheltownhall.org;  
**Subject:** Bethel PUC/Riley-Sewer Easement

Attorney Riley,

In connection with the above matter, attached is correspondence from myself to you outlining additional terms of understanding. The changes that have been added to the understanding are set forth in red and italicized.

If you have any additional comments, I would appreciate if you could communicate the same to myself prior to the next PUC meeting scheduled for Monday, May 10 at 4:00PM.

Thank you.

Martin J. Lawlor, Jr.  
99 Greenwood Avenue  
Bethel, CT 06801  
(203) 790-9398  
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MARTIN J. LAWLOR, JR.  
Attorney at Law

99 GREENWOOD AVENUE  
Bethel, Connecticut 06801  
Telephone (203) 790-9398  
Facsimile (203) 744-0678

May 5, 2010

Thomas J. Riley, Esq.  
Tobin, Carberry, O'Malley, Riley & Selinger  
43 Broad Street  
P.O. Box 58  
New London, CT 06320-0058

RE: Mr. & Mrs. John B. Riley  
27 Adams Drive  
Bethel, CT 06801  
Bethel Public Utilities Commission/Easements

Dear Attorney Riley,

Based on my correspondence of April 9, 2010, your email of April 22, 2010 and my recent discussions with the Town Engineer, Andrew Morosky, I am presenting to you an amended and updated correspondence representing a proposed agreement between your clients and the Public Utilities Commission (PUC). With one exception, I believe your clients' recent concerns are incorporated herein. Unfortunately, I discovered that the sewer contractor is not scheduled to move forward with this portion and other aspects of the sewer project for six to eight weeks. I apologize for this delay but it is unavoidable and out of the PUC's control.

In addition, due to the Town Meeting which took place on Monday, May 3rd, the PUC cancelled its meeting and is conducting a special meeting on May 10, 2010 at which time, I will ask them to sign off on this agreement as presented to you on behalf of your clients.

The one item that is not agreeable with the PUC is a three year warranty on any aspect of the work and materials to be supplied. Most of the work and materials to be done and materials to be supplied will be by outside contractors who will not provide more than a one year warranty. I would expect any problem with the work and/or materials will appear within the year.

The items as set forth below are the originals as presented to you in my April 9, 2010 correspondence and added items which were the subject matter of your email and my conversations with the Town Engineer. In exchange for the easements, I expect the PUC to agree to the following:

I. Prior to commencement of any work or final agreement, your clients shall engage an appraiser, **Jennifer O'Neill of Alliance Appraisers, 5 Boat Road, Danbury, CT 06811** to inspect and create a summary appraisal for the landowners' current land and improvements as compared to the planned changes and improvements made pursuant to the plan. **The appraiser shall bill the Bethel PUC directly for the same but in no event shall the expense be greater than \$475.00.**

If the summary appraisal indicates that the proposed easements on the property will result in a negative impact on the value of the premises, the parties will discuss terms of compensation or other matters in which to satisfy your clients.

In the event that no agreement is reached, the PUC shall be free to move forward with condemnation proceedings.

II. Assuming that there is no disagreement in regards to the appraisal *or the parties resolve any appraisal issues*, the PUC and your clients would agree as follows:

1. Piping and drainage structures will be installed according to the plan including new pipe to be installed to carry water flow from Autumn Drive along the adjacent property line of 11 Autumn Drive to main drainage pipes located in the rear of the subject property. This is conditioned upon the PUC obtaining an approval from the Inland/Wetlands Commission, otherwise, the installation of a pipe will be installed only on that portion of the landowner's property at a length to be determined in the field, which does not require Inland/Wetlands approval. ***Any and all disturbed areas will be reseeded.***
2. All new and existing drainage structures within the area will be cleaned out upon completion of the new drainage work. The PUC will also seal existing drainage pipes that run diagonally across the length of the front lawn of your client.
3. Excess dredged material from previous work down stream of the storm water outlet shall be removed and the area reseeded, included to be removed are existing piles of wood debris that are in or adjacent to the work area involved.
4. Dredging will be limited to areas approved by the Inland/Wetlands Commission which has been obtained.
5. All trees to be removed for construction purposes will be removed prior to installation of sewers including tree roots.
  - a. In addition, the PUC shall remove all existing brush piles and all construction material will be removed promptly upon completion and inspection of the sewer installation.
  - b. All construction material will be removed promptly upon completion of the storm ***drainage installation and inspection.***
6. The PUC will restore all disturbed areas and replace any tree taken down on the property ***in the areas to be re-graded*** with each tree to be replaced having a trunk diameter greater than six (6") inches (measured five (5') feet above the ground). A landscaping plan has been prepared and incorporated into the overall plans. ***Most of the trees to be replaced are already marked on the Plan. However, the Town Engineer will walk the property with the landowners to locate and mark the area where new trees are to be planted prior to commencement of construction.*** The new trees will be warranted for one (1) year.
7. The PUC will waive the sewer connection fee. The PUC or its contractor will connect your clients' home to the municipal sewer system which will include the proper abandonment of your clients' septic tank. The connection to the municipal sewer system will be by laterals connected to your clients' existing soil pipe from the home to the septic tank. If the new lateral connection cannot be made to the existing soil pipe, the lateral connection to the municipal sewer system will

be made from the interior of the home. A one (1) year warranty will be applicable, materials and workmanship for the same.

- a. Your client agrees and understands that no lateral connection will be made until the newly installed sewer main has been properly tested.
8. All black top from your shared driveway and house driveway of your clients' will be completely removed. ***The driveway will contain a proper base from the existing driveway material to be ground or a new base of the same or better suitable material applied*** and the driveway areas graded to drain properly. The same shall be repaved ***in the spring or early summer of 2011 but in no event beyond June 1, 2011*** with three (3") inches of new blacktop to be compressed. A one (1) year warranty will be applicable, materials and workmanship for the same ***from the date the blacktop is completed.***
9. In the event of any damage to existing utilities or property, the PUC and/or contractors shall be responsible for the same and prior to beginning of any work, a certificate of insurance shall be presented to the your clients.
10. In the event any oil residue is found in the work area beyond regulatory limits from road deposits and/or the community oil system which once serviced the Stony Hill area, the PUC and/or its contractor shall remediate the same.
11. While in the field, the PUC will review and remediate any ground water/storm water issues near your clients' residence which includes the runoff of the adjacent property at 25 Adams Drive.
12. The PUC will remove certain trees outside of the work area, they are three (3) trees near the driveway, two (2) in the back near the residence and two (2) in the side yard all as shown on said plan. ***In order to insure that the proper trees are to be removed, the Town Engineer will walk the property with the landowners to locate and mark the trees to be removed prior to commencement of construction.***
13. ***The formal easement documents to be recorded in the land records shall contain a provision that any disturbance of the easement areas in the future by the Bethel PUC/Town of Bethel, including the driveway areas shall be restored as nearly to its present condition as possible.***
14. Assuming that this agreement is acceptable by your clients, it is expected that the sanitary sewer installation will begin on ***or before July 12, 2010*** and the drainage work will be installed during the dryer autumn, on or about October 1, 2010.

Your clients' next door neighbors, the Weinkaufs, requested that the final blacktop for the driveway not be installed until the following spring. The idea being to let the area settle before blacktopping the same.

In addition, if your clients' appraiser commences her appraisal within the next week, (please wait until I have formal approval from the PUC expected on May 10th), we will have the appraisal in plenty of time before the work commences to work out any final details or agreements.

If your clients are in agreement, I will prepare a simple agreement incorporating the above to be executed by your clients and the PUC. I will then prepare the actual easements which should be completed and executed by your clients prior to the commencement of construction.

If you have any questions or comments, please contact me as soon as possible. Thank you.

Regards,

Martin J. Lawlor, Jr.

MJLJR:cjb

cc: Matthew Knickerbocker, First Selectman

Chairman, Bethel PUC

Andrew Morosky, Public Works Director



# PLANNING & ZONING COMMISSION

Clifford J. Hurgin Municipal Center  
1 School Street  
Bethel, Connecticut 06801

February 11, 2010

Abigail Adams  
CCA Engineering, LLC  
40 Old New Milford Road  
Brookfield, CT 06804

**RE: 42 Vail Road, Vail Crest Subdivision  
Modification of Subdivision**

Dear Ms. Adams,

At a meeting on February 9, 2010, the Planning & Zoning Commission resolved to unanimously APPROVE a modification to the 9-lot subdivision approved on property located at 42 Vail Road. The modification will permit Lot-2 within the subdivision to install a septic system for sewage disposal where the original subdivision approval required that each lot be connected to the Town's sewer system. This approval will only permit a private septic system on Lot-2 at this time. Subsequent lots will be evaluated on a lot by lot basis by both the Health Department and this Commission.

- This approval is subject to comments in a report from the Bethel Health Department dated February 9, 2010.

Reasons:

The Commission acknowledges that while the property is within Phase 4 of the Bethel Sewer Expansion Project, Phase 4 has not been started. Furthermore, according to the Town Engineer, funding for construction of Phase 4 is not available and is questionable for the foreseeable future. In light of this development, and with an approval by the Bethel Health Department for a private on-site septic system for Lot-2, the Commission believes that the change is in accordance with the subdivision regulations and will not be detrimental to the surrounding area.

Please contact Beth Cavagna, the Assistant Planning & Zoning Official, with any questions regarding the procedure for the partial release of the bond.

Sincerely,

  
Patricia A. Rist  
Chairman

H:\WordDocs\P&Z Resolutions\vail rd 42 septic mod 2-9-10.doc

phone: (203) 794-8578 • fax (203) 794-8595 • web: bethelct.org • email: landuse@betheltownhall.org

Richard W. Howard, Jr., P.E.  
Russell T. Posthauer, Jr., P.E.  
Michael J. Lillis, P.E.  
Richard A. Bunnell, R.L.S.  
Ronald J. George, P.E., R.L.S.  
Steven C. Sullivan, P.E.  
Ralph A. Klass, P.E., L.E.P.  
Paul J. Connelly, L.E.P.  
Roderick E. Cameron, R.L.A., AICP  
Abigail Adams, R.L.A., LEED, AP



received  
3-10-10 LHP

40 Old New Milford Road  
Brookfield, CT 06804  
(203) 775-6207  
Fax (203) 775-3628  
Email: mail@ccaengineering.com  
33 Village Green Drive  
Litchfield, CT 06759  
(860) 567-3179  
Fax (860) 567-1716  
Email: cca\_litchfield@snet.net

March 4, 2010

Bethel Public Utilities Commission  
Bethel Municipal Center  
1 School Street  
Bethel, NY 06801

RE: Vail's Crest Subdivision

To Whom It May Concern:

Back in March 2007, the Bethel Planning Commission approved the 11 lot subdivision referenced above. Clients of ours, two very conscientious developers purchased the ten (10) vacant residential lots adjacent to Capelleros Grove with the intention of developing an attractive high quality subdivision several months after the approval. During our planning of the project we were informed by the Town that the Town had approved a large sewer project and that this property was in Phase 4 and scheduled for construction in Spring of 2008. Based on those statements we proceeded with the subdivision assuming sewers would be installed shortly and the Town approved the subdivision with the condition that sewers would be installed.

For the last few years we have attempted to encourage the town to include the sewer line in Vail Road in Phase 3. Unfortunately this never happened and it is our understanding that the Vail Road sewer is still in Phase 4. We have asked Andrew Moroski on numerous occasions as to the status of the sewer project. Due to no fault of his own, responses have gone from soon to we don't know when and we can no longer provide estimates, since the project schedule is uncertain.

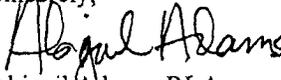
Our clients have waited a couple of years since the sewers were originally slated for completion to begin construction. However, in order to get the development moving, on February 11, 2010, the Planning & Zoning Commission graciously approved a modification to the subdivision allowing the installation of a septic system on Lot 2, with each subsequent lot to be evaluated on a lot by lot basis. Please see the attached approval letter. Our clients' position is that they would prefer sewers but will reluctantly install a septic system in order to be able to sell the house currently under construction.

In order for our clients to determine the best way to move forward with the development of their subdivision, we hereby request that the Public Utilities Commission provide guidance as to the status of Phase 4 sewer improvements on Vail Road. We greatly appreciate you reviewing this information and thank you in advance for any assistance you may be able to provide.

On behalf of our clients, Cirignano Limited Partnership #3, LLC & Minino Homes, we hereby request that this project be placed on the agenda for the next P.U.C. meeting.

If you have any questions or comments, please feel free to contact me.

Sincerely,

  
Abigail Adams, R.L.A.  
Project Manager

Enclosure

cc: Cirignano Limited Partnership #3, LLC & Minio Homes  
Ms. Patricia Rist, Chair, Planning & Zoning Commission  
Steve Palmer, Town Planner

# Bethel Rail Station Transit Oriented Development Feasibility Study

Prepared For: Bethel Station Area, Wallingford, Connecticut



Prepared By:

Harrall-Michalowski Associates  
a Milone & MacBroom, Inc. company  
Branford, Connecticut

March 2010



# TOWN OF BETHEL

## PLANNING & ZONING DEPARTMENT

Clifford J. Hurgin Municipal Center  
1 School Street, Bethel, Connecticut 06801

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### MEMORANDUM

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**To:** Planning & Zoning Commission, Board of Selectmen, Board of Finance, Public Utilities Commission, Inland Wetlands Commission, Economic Development Commission, Public Works Director, Building Official, Health Director, Tax Assessor, Tax Collector

**From:** Steven Palmer, Town Planner

**Re:** Transit Oriented Development Study of Downtown Industrial Zoned Property

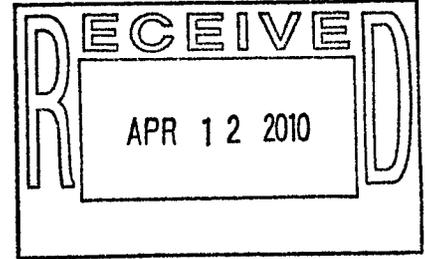
**Date:** April 23, 2010

In 2009, the Housatonic Valley Council of Elected Officials commissioned a study of an area surrounding the Metro North train station for possible transformation from Industrial zoning to Transit Oriented Development (TOD). The planning firm of Harrall-Michalowski Associates was selected to prepare the study and completed it in March of this year.

The study was intended to build upon the Planning & Zoning Commissions recommendations in the 2007 Bethel Plan of Conservation and Development that the Town identify appropriate areas for compact, transit accessible, pedestrian-oriented, mixed use development, i.e. TOD. It further recommended that regulations be developed for areas appropriate for TOD.

A public information meeting has been scheduled for **June 7<sup>th</sup>** to review the study's findings with Town stakeholders and the general public. It will be held at **7PM** at the **Bethel Municipal Center in the General Purpose Room**. I have attached the study and encourage you to read through it and hopefully attend the meeting to learn what planning is being done to promote economic development in the downtown center. A planning initiative like this could have wide reaching effects and your participation would be appreciated. If you cannot attend the meeting or if you would like to speak with me about the study please feel free to stop by the Land Use Department or call me at 794-8578.

Tariq S. Wasti  
7 Wine Sap Run  
Bethel, CT 06801  
Home (203) 794-0315  
Cell (203) 942-8919



Mr. Knickerbocker  
First Selectman  
Bethel Municipal Center 1 School Street  
Bethel, CT 06801

April 9<sup>th</sup> 2010

Reference: Sewer line extension

Dear Mr. Knickerbocker

Thank you for taking the time to talk to me a few weeks ago in your office.

As discussed I would like to request that the sewer line be extended to my house. You asked me to provide a short note and any backup information that may pertain to the subject for your review. I would appreciate any assistance you may be able to give me in this matter.

Please see attached:

Email dated: June 24, 2009  
Public Utilities Commission letter dated: December 15, 2004  
Fax dated, December 7<sup>th</sup> 2004  
Email dated: December 3, 2004  
URS Corporation letter dated: November 12, 2004  
Letter dated: November 11, 2004  
Letter dated: November 14, 2003  
Letter dated: November 3, 2003  
Bethel Health Department permit application dated August 10, 1998 (Septic system permit drawings were returned by the Health Department when the sewer line construction was approved by public vote)  
Sewer system evaluation of septic system and well records presented at public sewer meetings

Respectfully yours,

  
Tariq Wasti



**Extension request of public sewer**

Wednesday, June 24, 2009 3:36 PM

**From:** "Tariq Wasti" <twasti@krjda.com>

**To:** PublicWorks@betheltownhall.org, wastico@sbcglobal.net, ruby.wasti@boehringer-  
ingelheim.com

Tariq Wasti  
7 Wine Sap Run  
Bethel, CT 06801  
cell. 942-8919

June 24, 2009

Public Works  
Mr. Andrew Morosky

I was informed in the past that short extensions to the public sewer system were possible by special request or hearing. I was asked to wait a few years before requesting such an extension to my house. It has been a long time and I would like to follow up as to the procedures in submitting such a request. Currently the sewer system stops at my neighbors house and to the best of my knowledge it is about 8'-0" +/- below grade at the last manhole. It is also my understanding that my current house drain can gravity fed into the as built sewer line.

Your help in this matter would be greatly appreciated.

Respectfully yours,  
Tariq



# PUBLIC UTILITIES COMMISSION

CLIFFORD J. HURGIN MUNICIPAL CENTER  
1 SCHOOL STREET, BETHEL, CONNECTICUT 06801 TELEPHONE: (203) 794-8501

Mr. Tariq Wasti  
7 Wine Sap Run  
Bethel, CT 06801

December 15, 2004

Re: Chimney Heights Sanitary Sewer Project

Dear Mr. Wasti:

Thank you for your interest in the sanitary sewer project in the Chimney Heights portion of Bethel. In response to your recent inquiry, we understand that you and some of your neighbors are interested in an expansion of the current project to include your properties. The Commission wanted to reply to your inquiry and keep you informed of the current status of the project.

As you may already know, the Town went through a lengthy public process to identify the scope of the proposed work and that is what is reflected in the current four-stage design process. Generally, the goal of the project was to include all the properties in the R-20 and R-30 zones in the Chimney Heights area. The voters of the Town of Bethel approved an appropriation not to exceed \$19,760,000 based upon a specific Project Plan for a sewer project in the Stony Hill area. The Project Plan for the Stony Hill Sewer Project encompassed over 5 miles of sewers and has taken a considerable effort to design. In developing this project, engineering consultants prepared preliminary designs for a sewer system and estimated the cost of the project. This is the project that was put before the voters (and approved) back in October 2003. In addition, negotiations with the City of Danbury were based on the projected flows from the project that was put before the voters. In accordance with the Town of Bethel Charter, the town votes on a specific appropriation, in the case of this project, up to \$19,760,000. If the project area were expanded at this time, this would increase the cost of the project and would require an additional appropriation and another vote. Therefore, no action will be taken at this time on your request, although, as construction gets underway next year and the true cost of the project becomes apparent, the Commission may consider expanding the scope of the work.

At this time, there is neither the financial ability nor engineered plans to provide sewers to any properties that are not included in the original plan. However, please be advised our engineers designed the system in such a manner as to have the capability of expanding the project area in the future.

In closing, we ask that you remain patient and watch for the start of construction next year. You are invited to keep in touch with us as the work progresses and we will be happy to keep you informed accordingly.

If you have any questions, feel free to give me a call.

Very truly yours,

Andrew M. Morosky, P.E.  
Town Engineer

Cc: Alice M. Hutchinson, Chairman, Bethel Public Utilities Commission  
Laura Vasile, Bethel Public Health  
Beth Cavagna, Bethel Inland Wetlands  
Peter Sammis, URS Greiner, Inc.

To Mr. Ken Kemp  
URS Corporation AES

FAX (860) 529-3991 12/7/04

FROM  
TARID WASTI  
7 WINE SAP RUN  
BETHEL CT 06801

Care of  
Wendy  
Bethel Town Hall

December 3rd 2004

Reference: Chimney height sewer system.

Wendy copy of email as you requested. Please forward to Mr. Ken Kemp as I do not know Mr. Kemp's email address and thank you for all your help in this regard.

I do not know exactly where the proposed sewer line on Wine Sap Run ends but from the areal photo maps that I saw at Town Hall it ends at or very near to my house at 7 Wine Sap run. My house is approximately at the crest of the hill of Wine Sap Run. I understand from my discussions with Wendy that the none gravity fed houses to the sewer line will require grinder pumps in their basements. When I walked the street asking my neighbors to sign the petition for the sewer line down Wine Sap Run everyone down hill from the street was informed that they would have to put in grinder pumps before they signed the petition. I also did a huge mailing with my own funds to get out the vote for the sewer system referendum. Copy of mailing was sent to Town Hall.

Please note that my septic system had been filed for replacement prior to the sewer lines coming in. I had been given the option of holding off on its replacement if the sewers came through the area as the director of the health department was pushing for. From what I was told by the director and heard again at the sewer line meetings in town were that sewers are the way to go. My understanding as an architect is that the health department would most likely be one of the governing bodies of the sewer line project and all the work would have to be coordinated through them. The health department sent me a letter along with a returned check stating that I would no longer need to file for my septic system replacement as the sewer line will be coming to my house. So I was very surprised to get your letter stating that my house was not included in the sewer system.

I realize that my neighbors were expecting to pay for the sewer system at some time when they signed the petition requesting it but if it requires expensive pumps in every house that may be a hard sell given the potential costs to each homeowner. But to be fair to them I would like to request a copy of your email explaining the potential costs and present it to my neighbors.

Should that fail in terms of a sales pitch I would like to request a partial extension of the sewer line down Wine Sap Run up to number 7. For your reference according to the survey that I have by Mr. John M. Farnsworth Associates, P.C. (860) 354-1251 there is a bench mark mag. nail on CL&P pole # 2314 with an assumed elevation of 100.00 to the left of my driveway. My driveway starts at about elevation 102 sloping up to elevation 116.6 with the house finish floor elevation of 117.9. The existing septic lateral is 5'-7 1/2" (per my measurement including sub floor) below the finish floor elevation or an invert of approximately 112.3. Please note the sketch that I faxed earlier showed the sewer lateral leaving the property at approximately elevation 90 street grade and you will probably want to move that up hill and closer to my driveway if you like. I hope that the above elevations are helpful in figuring out if the sewer line can be extended at least a house or two.

Please note I am willing to pay for my appraised sewer cost based on lot size and street frontage (as a triangle shaped property my longest property line is the street frontage) up front if I have to. My first choice however will be to work with the Town of Bethel and their sewer bond payment plan as I have found them to always be very helpful. Selling the idea of extending the sewer one or two house should not be too hard as I believe both house owners involved signed the petition already.

Please let me know where the existing sewer end is so that I can talk to the people involved?

Please let me know if extending the sewer partly down Wine Sap Run is feasible and about how much it may cost?

Please let me know if the Town of Bethel is willing to participate in extending the sewer line?

Respectfully yours,



**Sewer line question**

Friday, December 3, 2004 6:39 AM

**From:** "WASTICO LLC" <wastico@sbcglobal.net>

**To:** wendy@betheltownhall.org

To Mr. Ken Kemp  
URS Corporation AES

Care of  
Wendy  
Bethel Town Hall

December 3rd 2004

Reference: Chimney height sewer system.

Wendy copy of email as you requested. Please forward to Mr. Ken Kemp as I do not know Mr. Kemp's email address and thank you for all your help in this regard.

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existing septic lateral is 5'-7 1/2" (per my measurement including sub floor) below the finish floor elevation or an invert of approximately 112.3. Please note the sketch that I faxed earlier showed the sewer lateral leaving the property at approximately elevation 90 street grade and you will probably want to move that up hill and closer to my driveway if you like. I hope that the above elevations are helpful in figuring out if the sewer line can be extended at least a house or two.

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Please let me know where the existing sewer end is so that I can talk to the people involved?

Please let me know if extending the sewer partly down Wine Sap Run is feasible and about how much it may cost?

Please let me know if the Town of Bethel is willing to participate in extending the sewer line?

Respectfully yours,

Tariq Wasti  
7 Wine Sap Run  
Bethel, CT 06801  
(203) 794-0549  
email: [wastico@sbcglobal.net](mailto:wastico@sbcglobal.net)

---

To : Tariq Wasti  
From : Ken Kemp, URS Corporation  
Re: Bethel Sewers  
Date: November 12, 2004

Thank you for your letter and sketch.  
The Town of Bethel inadvertently sent the request letter to your address, as your property is located outside the scope of this project.  
Sorry for the inconvenience this might have caused.

Ken Kemp

Tariq S. Wasti  
7 Wine Sap Run  
Bethel, CT 06801  
Work ph. (203) 777-7251 ex.5067  
Home (203) 794-0315

11-11-04

Fax: (860) 529-3991

Pages 3

To,

Mr. Ken Kemp

URS Corporation AES

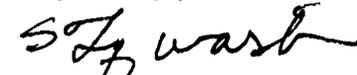
500 Enterprise Drive,

Suite 3B

Rocky Hill, CT 06067

Reference: First Selectman's office letter and the Bethel Sewer system. Attached is the sketch requested of our property.

Respectfully yours,



Tariq Wasti

Property Owner's Name

RUBY WASTI

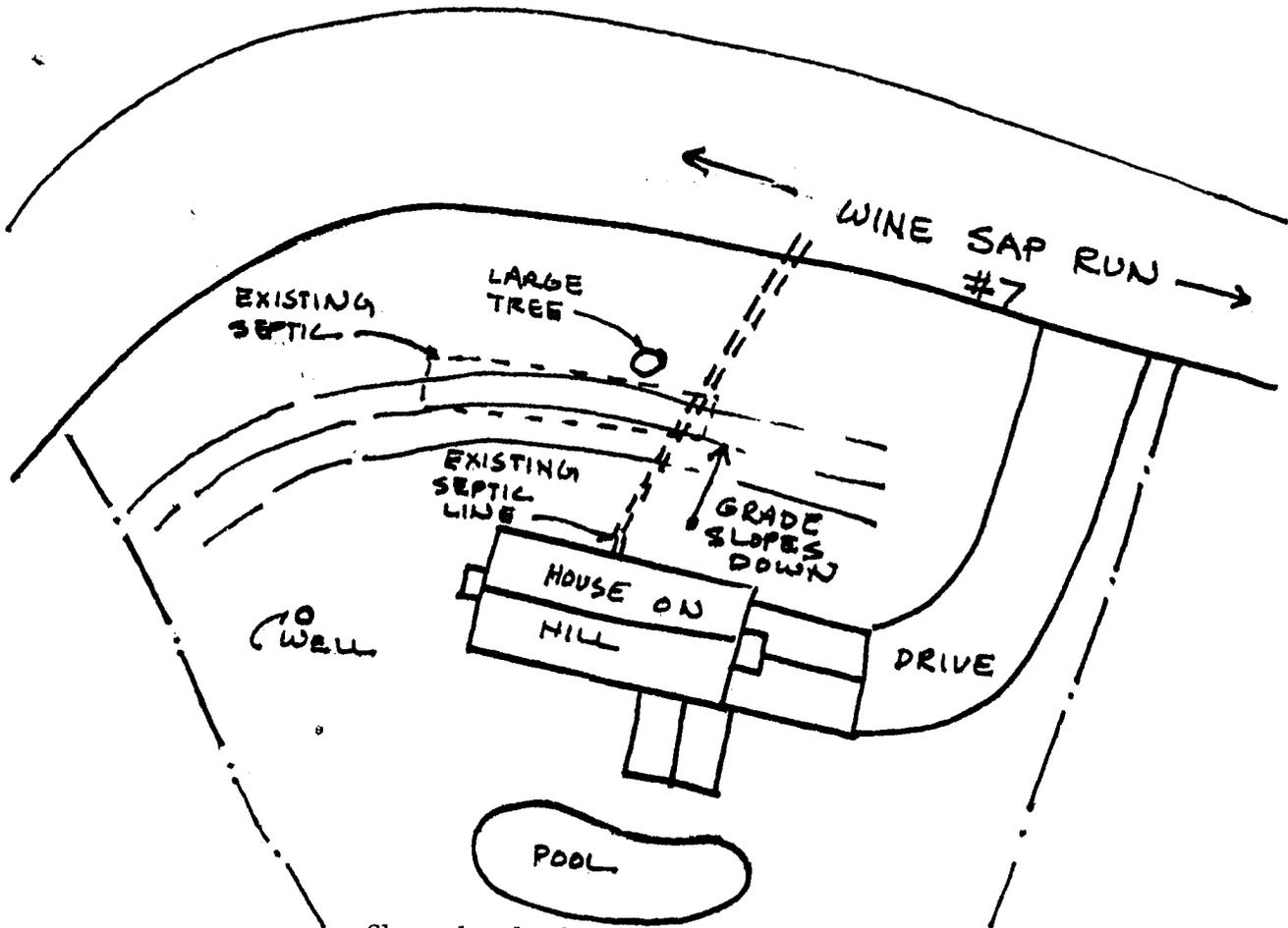
Street Address

7 WINE SAP RUN

Telephone #

H - 203 794-0315

WORK - TARIQ (203) 777-7251 Ex 5067  
WASTI



Show sketch of proposed lateral location above

Comments by property owner:

1. CAN WATER AND ELECTRICITY COME IN BELOW GRADE TO ?
- 2.
- 3.



# FIRST SELECTMAN'S OFFICE

Bethel Municipal Center, 1 School Street, Bethel, CT 06801  
Telephone: 203-794-8501, Fax: 203-794-8552

*Alice M. Hutchinson, First Selectman*  
*Patrick T. Wild, Selectman*  
*Judith A. Novachek, Selectman*

*Wendy Smith, Office Administrator*  
*Ryan Holmes, Assistant to the First Selectman*

## NOTICE TO PROPERTY OWNER - STONY HILL SANITARY SEWERS

Prior to the installation of new mainline sanitary sewers in your area, the Contractor will need to know your preferred location for the service lateral to your property. In general, the downstream side of your property (as it relates to the slope of the mainline sewer and road surface) is most desirable, since it allows for sanitary sewer service to lower plumbing fixtures in your residence. The end of the service lateral will be capped at the street line, marked and its position recorded. Once the Town of Bethel has accepted the mainline sanitary sewer system, notice will be given that homeowner hookups from the service lateral to your plumbing system by your contracted plumber/drain layer can then proceed.

Every effort will be made to accommodate your request however, it is possible that an alternative location may be necessary due to the close proximity of your well (if applicable), the slope of the mainline sewer or other factors. You may wish to consult with your plumber or other sources to determine the best location for your service lateral based on how your hook-up will be routed. By design, some homes are intended be serviced from a mainline in an acquired right-of-way rather than in the street.

Please provide to our Consultants a simple sketch plan on the attached sheet showing your street, dwelling, driveway and other notable features, and indicating the preferred service lateral location in relation to those features.

Please mail your sketch and any comments you may have to our sewer Consultant:

Mr. Ken Kemp, URS Corporation AES  
500 Enterprise Drive, Suite 3B, Rocky Hill, CT 06067  
Office:(860) 529-8882 Fax: (860) 529-3991

Thank you for your cooperation.

Very truly yours,

*Alice Hutchinson*  
Alice Hutchinson, First Selectman

Tariq S. Wasti  
7 Wine Sap Run  
Bethel, CT 06801

Mrs. Judy Novachek  
First Selectwoman  
Bethel Municipal Center

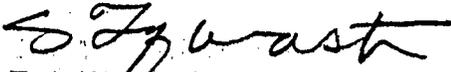
November 14, 2003

Fax: (203) 794-8552

Pages: 1

I would like to thank you and your staff for being so helpful. I called on the 12<sup>th</sup> to see what the schedule was for the next public works sewer meeting. I was asked what street I live on. To my surprise I was informed that the petition that I had faxed over on November 3<sup>rd</sup> had already been forwarded to the sewer engineers and they were working on the street plan and they would probably have a response within a couple of weeks.

Respectfully yours,



Tariq Wasti

Tariq S. Wasti  
7 Wine Sap Run  
Bethel, CT 06801

Mrs. Judy Novachek  
First Selectman  
Bethel Municipal Center 1 School Street  
Bethel, CT 06801

November 3, 2003

Fax (203) 794-8552  
Pages 2

Reference: Sewer project

Thank you for talking to me on the 30<sup>th</sup> and suggesting that I start a petition to request the sewer system is extended down Wine Sap Run which I did this weekend. I started from the houses that did not seem to be on the map and walked down Wine Sap. Most of the residents that I met were surprised to discover that they were not on the current sewer map they had been assuming that they were on the map.

I will be trying to come to the Engineers meeting tonight at 5:00pm as you suggested I attend. I am not sure where it will be held and will call during the day to find out its location. I will bring the original petition with me but in the mean time here is a copy. Once again thank you for your help in this matter.

Respectfully yours,



Tariq S. Wasti



(203) 438-0310



BETHEL HEALTH DEPARTMENT
Bethel Municipal Center, 1 School Street, Bethel, Connecticut 06801
(203) 794-8539
FAX (203) 794-8595

APPLICATION FOR SUBSURFACE SEWAGE DISPOSAL PLAN REVIEW & SOIL TESTING

ADDRESS OF PROPERTY 7 Wine Sap Run, Bethel, CT 06801
OWNER OF RECORD Tang & Ruby Wasti PHONE NO. (203) 794-0315
OWNER'S MAILING ADDRESS 7 Wine Sap Run, Bethel, CT 06801
ZONE R-40 ACRES 1.00 ASSESSOR'S MAP 62 BLOCK 7B LOT 34
WATER SUPPLY: PUBLIC PRIVATE WELL
SUBDIVISION NAME N.A. NO OF LOTS 1
APPLICANT'S NAME TARIR WASTI PHONE NO 203 794 0549
APPLICANT'S MAILING ADDRESS 7 WINE SAP RUN BETHEL
APPLICANT'S SIGNATURE [Signature] DATE 9-10-98

PLEASE CHECK:

OFFICE USE ONLY

Table with 5 columns: Check box, Item No., Description, Permit #, and Fee. Includes items like 'New system plan review' (\$35.00), 'Lot Testing' (\$50.00), 'New residential septic' (\$100.00), etc.

NOTE: FEE MUST BE PAID AT TIME OF APPLICATION

AMOUNT PAID: \$

DATE:

EFFECTIVE MAY 25, 1996

per  
A

# Summary of Public Files Sewage Disposal Records

TAX EXEMPT FINANCING  
1.6% interest  
\$71.00 per quarter of sewer bill  
\$281 year

- Appletree Road
- Adams Drive
- Brookview Court
- Buff Lane
- Budd Drive
- Castle Hill Drive
- Colonial Drive
- Far Horizons Drive
- Hollyberry Drive
- Green Pasture Road
- Meckauer Circle
- Partridge Drive
- Payne Road
- Quaker Ridge Road
- Wine Sap Run
- February 11, 2003

11/1/2000





A1B

(Joins sheet 23)

HKB

420 000 FEET

2 000

1 000

Scale 1:15 840

(Joins sheet 17)

5 000 Feet

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(Joins sheet 14) ChC

DANBURY

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