



MIDDLEBURY WATER POLLUTION CONTROL AUTHORITY

1212 Whittemore Road • Middlebury, CT 06762

MINUTES

Meeting of the Water Pollution Control Authority
Tuesday, September 21, 2021- 7:30 p.m.
Shepardson Community Center – Room 26

Present: Robert Smith, Chairman
Paul Phillips
Dan Civitello

Also Present: Attorney Jennifer Yoxall

Absent: Ted Mannello
Noa Miller

Call to Order

The meeting was called to order by the Chairman at 7:00 p.m.

Approval of June, 2021 Meeting Minutes

Mr. Smith MOTIONED to approve the minutes from the June 15, 2021 meeting;
SECONDED by Mr. Phillips. Unanimous approval.

Long Meadow Farms (The Ridge, The Commons & The Glen) Sewer Agreement

Jeff Respler, Middlebury Estates, LLC purchased Longmeadow Farm. There were three phases that were established in 2002. Before this, Nathan Kahn made an agreement with the WPCA on how the sewers would be established. The infrastructure is all in place, but some of it is not operative. Jeff Respler purchased everything in the Ridge and then he had rights to what MLA had.

Met with the First Selectman in 2017 to discuss the t-lots and the taxes owed. They came to an agreement with the Town to pick up what had to be removed to benefit the town. Jeff Respler purchased the liens and paid off the loans. There are some parts of the Commons that Jeff has not been able to purchase. Flamigetti picked up contracts from Nathan Kahn. Presented a letter with modifications from original letter on figures (attached).

24 units were approved, but the map was not filed. Now there is a recorded map. For the commons, everything was done, but nothing was recorded, but now it is a different project, it is smaller. There will be a total number of 57 units, and a total of 205 bedrooms. They have no interest in moving forward with The Glen. They know there

is a time limit, but Jeff has done things in good faith with the Town in moving forward, but the pandemic also slowed progress.

They have not gone to any of the other boards and commissions because they need sewers. Before they start any work, they felt they should come to the WPCA first. They want to confirm what they have allocation wise. It has been awhile, and the price for the sewer ties was \$8,500 per unit many years ago, so they want to make sure they have this allocation figure correct. Mr. Smith said that they need to submit a capacity application and more detail on how many phases and how many units will be built. They will review the history to see what was done and what has changed. The agreement was breached by Nathan Kahn's people and the Town and the WPCA had to put in a lot of money. Respler is looking for new terms so that everything can be transparent.

There are no restrictions on the approvals. It is PRD, the maximum was adopted which is 145 units. Mr. Smith will have Mike Angieri investigate and the Attorney research the history. The WPCA will meet in October and November and will not meet in December.

WPCA Contract with Naugatuck

No update.

West Shore

No update.

Monthly Expenses

Bills have been signed.

Staff Discussion

Ed Bailly said that the gas pipe on Benson Road has been completed. In February they are going to start additional work. They have had a busy week or two because of the rain. Before the rain came they were scheduled for cleaning of Shadduck Road and Longmeadow Road. The grinder creates a barrier of grease and it has to be cleaned out, that did not happen because of the rain, all of the grease and fat came up. They are working on right-of-ways.

Mr. Civitello MOTIONED to ADJOURN, SECONDED by Mr. Phillips. Unanimous approval.

These minutes are submitted subject to approval.

Respectfully submitted,

Barbara J. Whitaker

Recording Clerk