

MEETING NOTICE AND AGENDA

TOWN OF MANSFIELD ■ FOUR CORNERS WATER AND SEWER ADVISORY COMMITTEE

Special Meeting

Wednesday, January 8, 2014 ■ 6:00 PM

or upon completion of the Presentation of the draft Definitive Agreement with the Connecticut Water Company item on the Sustainability Committee Agenda

Audrey P. Beck Municipal Building ■ 4 South Eagleville Road ■ Employee Lounge

1. Call to Order

2. Approval of Minutes:

- a. August 27, 2013 Special Meeting Minutes
- b. November 7, 2013 Meeting Minutes

3. Public Comment

4. Old Business

- a. Sewer Pump Station and Collection System Design Status (Hart/Painter)
- b. Mansfield Tomorrow (Painter)
- c. Water and Wastewater Infrastructure Planning (Painter/Hart)
- d. Other

5. New Business

- a. Committee Comments on the Draft CWC Agreement (Hart/Painter)
- b. 2014 Meeting Schedule (Painter)
- c. Community Update Meeting (Hart)
- d. Other

6. Correspondence and Meeting Reports

7. Future Meetings

- a. Next Meeting Date and Agenda Items

8. Adjourn

TOWN OF MANSFIELD ■ FOUR CORNERS WATER AND SEWER ADVISORY COMMITTEE
Draft Special Meeting Minutes ■ August 27, 2013
Town Council Chambers

Members Present: Rawn (chair), Reich, Hart, Ferrigno, Plante, Schaefer

Staff Present: Painter, Hultgren

The meeting was called to order at 7:03 p.m. by chair Rawn.

Approval of Minutes

June 4, 2013 – Reich MOVED, Ferrigno SECONDED approval of the minutes as written. The motion was passed unanimously; Plante and Schaefer abstained.

Public Comment

- Arthur Smith recommended that the Committee advise the Town Council that there was insufficient information for the Committee to provide meaningful comments on the referral. He noted that the report by the Town’s legal counsel did not address the various consent decrees between the University and various state agencies and whether there are third party entitlements as part of those consent decrees that could be affected by the proposed project, including any rights the Town might have. Mr. Smith also questioned how campus was defined as used in the report and what the Town’s standing would be in any negotiations.
- Betty Wassmundt expressed concern that one or more members of the Committee might have a conflict of interest under the Town’s Ethics Ordinance and suggested that the Town’s Ethics Committee be asked for an official opinion. She also questioned the timeframe for comment identified by the Council, and the role of the town in the project and negotiations.
- Pat Suprenant referenced a section of the CWC proposal that indicates advocacy from the Town would be desired/needed as part of the environmental permitting process. She asked for clarification as to what was meant by that section and questioned whether town approval would be required to move forward. She also recommended that further detail was needed on project costs as it is not clear what the Town’s obligations would be.

Discussion and Recommendations to the Mansfield Town Council concerning the Connecticut Water Company (CWC) Proposal to provide water to Mansfield

Painter distributed the comments of the Conservation Commission and the draft minutes of the PZC Subcommittee on Infrastructure Needs and updated the Committee on the discussions of the Sustainability Committee immediately prior to the meeting. Rawn suggested that the Committee use those documents as a starting point for discussion. The Committee discussed a wide variety of issues with regard to the CWC proposal, including:

- Routing
- Coordination of construction (timing and pipe location) with sewer project
- Distinction between the University’s core campus and outlying properties as well as future land acquisitions
- Need to ensure that sufficient water is available to meet Town needs separate from University
- Impact of new water supply on current wellfields and the potential to reduce groundwater withdrawals during drought periods

- Desire for Connecticut Water to finance as much of the infrastructure for the Four Corners project as possible, including the sewer system
- Status of the sewer system design
- Impact of water lines on property values and the resulting tax implications; need for sewer and water benefit tax districts
- Areas where future water service might be encouraged/discouraged
- Membership and responsibilities of the proposed CWC Advisory Committee
- Location of piping in relation to travel ways
- Concurrence with recommendations of the PZC and Sustainability Committee

Based on discussion, the Committee made the following recommendations to the Town Council:

Reich MOVED, Schaefer SECONDED that the preferred route of the water main be south on Route 195 to Four Corners, west on Route 44 to North Hillside Road and south on North Hillside Road to the University. The motion was approved unanimously.

Plante MOVED, Reich SECONDED, that the proposed water line be constructed simultaneously with the sewer line in the same trench. The motion was approved unanimously.

Plante MOVED, Reich SECONDED, that the following comments be provided to the Town Council in addition to the two previous motions:

- The agreement should include geographical boundaries of the University's core campus as opposed to its total land holdings and address future land acquisitions
- The agreement should ensure that sufficient water supply is available to meet current and future town needs
- The agreement should include a statement of intent as to how the University wells will operate in the future
- The Town should look to Connecticut Water Company to finance as much infrastructure as possible, including the Four Corners sewer project
- The Town should consider the impact of the water project on property values and tax implications in areas where more intense development is not contemplated
- The agreement should establish an initial Four Corners water service area that is identical to the sewer service area and acknowledge that future service area expansions should be approved by the Planning and Zoning Commission as part of the Plan of Conservation and Development
- The agreement should include the scope of the proposed Advisory Committee including providing input on issues such as major capital improvements, proposed future service areas/system extensions, conservation/water efficiency measures and rate increases. Membership should include regional representation as well as major stakeholders
- The Four Corners committee endorses the recommendations of the PZC with regard to development controls and coordination and the recommendations of the Sustainability Committee with regard to water conservation and best management practices for both CWC and water users

The motion was approved unanimously.

Reich MOVED, Plante SECONDED, that the Committee authorize staff to work with the Chair on finalizing a formal memo to the Town Council summarizing the Committee's recommendations. The motion was approved unanimously.

Other Business

Plante expressed for the record that he did not believe anyone on the Committee had a conflict of interest as was indicated during the public comment portion of the meeting and that the Committee is advisory only and has no decision making authority.

Future Meetings

The Committee agreed by consensus to cancel the regularly scheduled September meeting. Rawn asked Hart to work with the Council to identify what would be needed from the Committee as the water project moves forward. Hultgren expects to have more detail on the sewer system design for Committee discussion in October.

Adjournment

Rawn adjourned the meeting at 8:33 pm.

Respectfully submitted,

Linda M. Painter, AICP
Director of Planning and Development

TOWN OF MANSFIELD ■ FOUR CORNERS WATER AND SEWER ADVISORY COMMITTEE
Draft Regular Meeting Minutes ■ November 7, 2013
Town Council Chambers

Members Present: Rawn (chair), Reich, Hart (by telephone), Plante,

Staff Present: Painter, Hultgren

The meeting was called to order at 7:05 p.m. by chair Rawn.

Approval of Minutes

Due to lack of a quorum, no action was taken on the August 27, 2013 Special Meeting minutes.

Public Comment

There was no public comment

Old Business

- a. **UCONN Water Supply EIE.** Painter noted that the Record of Decision was accepted by OPM; as such, the EIE is completed and will be removed from future agendas.
- b. **Sewer Pump Station and Collection System Design.** Hultgren updated members on the status of the pump station and collection system design. In particular, he indicated that due to the presence of rock, the design options to provide service to one of the properties on the western edge of the service area would increase construction costs by several hundred thousand dollars, which is significantly more than the estimated sewer assessment fee for that property. Hultgren, Painter and the consultant will be meeting with the property owner to explain the design dilemma and discuss the possibility of the owner providing a pump station and pipe to connect into the Town's system. Hultgren also noted that the collection system design is still preliminary. Once it is finalized, a new cost estimate will be prepared; Hultgren anticipates that the new estimate may exceed the \$5.5 million previously estimated.
- c. **Mansfield Tomorrow.** Painter noted that staff and the consultant are preparing the draft Plan of Conservation and Development and hope to circulate it to the Advisory group and committees in the next several weeks.
- d. **Water and Wastewater Infrastructure Planning.** Now that the EIE is completed, this is the agenda item that will cover general water and wastewater infrastructure planning as the CWC project moves forward. Hart and Painter updated the Committee on the status of discussions with CWC, noting that the Letter of Intent had been approved by the Town Council and staff is now working with CWC to develop the definitive agreement. With regard to wastewater, Hultgren indicated that the Committee would need to make a final recommendation on the boundaries of the service area to the WPCA at some point.

New Business

- a. **Future Meeting Schedule.** Due to the lack of a quorum, the schedule could not be adopted. Members present suggested that the first Thursday be used for September and November due to conflicts with the standard first Tuesday date.
- b. **Community Update Meeting.** After discussion, members present indicated that an update meeting should be planned for early 2014.

Correspondence and Meeting Reports

Painter updated the Committee on a recent corridor study application filed with CTDOT by CRCOG on behalf of Tolland, Bolton, Coventry, Mansfield and Windham related to the impacts of the UCONN expansion on Routes 195 and 44. Farmington and Hartford are also part of the application to address the UCONN campuses in those communities.

Future Meetings

The next meeting is scheduled for December 3, 2013.

Adjournment

Rawn adjourned the meeting at 8:10 pm.

Respectfully submitted,

Linda M. Painter, AICP
Director of Planning and Development

TOWN OF MANSFIELD
DEPARTMENT OF PLANNING AND DEVELOPMENT

LINDA M. PAINTER, AICP, DIRECTOR

Memo to: Four Corners Sewer and Water Advisory Committee
From: Linda M. Painter, AICP, Director of Planning and Development
Date: **January 6, 2014**
Subject: **Draft Definitive Agreement between Town and Connecticut Water Company**

In August 2013 the Committee provided a series of comments to the Town Council with regard to issues that should be considered as part of an agreement with the Connecticut Water Company. Subsequent to receipt of those comments, the Town Council approved a non-binding Letter of Intent with CWC that set the framework for negotiation of a Definitive Agreement.

In December 2013, CWC and Town staff presented a draft of a Definitive Agreement to the Council for review (hereinafter the "Agreement"). The Council has referred the Agreement to each of the committees that provided feedback last fall and requested that comments on the Agreement be submitted to the Council by January 13, 2014. A copy of the full Agreement, including Exhibits, can be found on the Town's website (http://www.mansfieldct.gov/filestorage/1904/5366/5402/water_agreement_draft.pdf).

To assist the Committee in its review, I have identified provisions in the Agreement that respond to comments provided by the Committee. The original comment is shown in *italicized text*; a summary of the Agreement provisions is shown in regular text, and in certain areas, emphasis has been added through **bold text** to call attention to specific sections of provisions that address Commission comments/concerns.

- **Recommended Route.** *The Four Corners Sewer and Water Advisory Committee recommends that the following be identified as the Town's preference for routing of the connection between the CWC system in Tolland and the University's water system:*

South on Route 195 to the intersection of Route 44; West on Route 44 to the intersection with the new North Hillside Road, and south on North Hillside Road

This recommendation is based on the fact that the preferred route would serve the majority of the Four Corners Water and Sewer Service Area, minimizing the amount of local distribution pipes that would need to be installed.

Exhibit A to the Agreement identifies the route. A 16" water transmission main will be constructed along Route 195 from Tolland to a location near the intersection of Route 195 and Moulton Road, where a connection will be made to the UCONN water tanks. Additionally, CWC will be constructing a smaller 12" water transmission main on Route 44 between the intersection of Route 195 and the entrance to the Rolling Hills (Jensen's) mobile home community.

While the proposed route does not use the proposed North Hillside Road extension as the connection to the UCONN system, the Four Corners area will still be served by the transmission main extended west from the intersection of Routes 195 and 44.

- **Coordination with Sewer System Construction.** *The Agreement should require that the water project be constructed simultaneously with the Four Corners sewer project and the lines should be placed in the same trench.*

Section 5.7 addresses coordination with sewer system construction: “The Parties agree to use Reasonable Efforts to coordinate the planning and timing of new water main construction with sewer installation or other Town road work planned for the same area.”

- **University Service Area.** *The Committee believes that any agreement between CWC and the University should include a more specific definition of what is considered to be on-campus versus off-campus. Specifically, the Committee notes that the University’s core campus area is very different from a description of campus that might include all properties owned by the University. Given the extensive land holdings of the University and the remote location of some of these properties, the Committee is concerned that future extension of water service to these areas could induce development pressure in those areas. Furthermore, any Agreement should also differentiate between existing core campus properties and future land acquisitions by the University.*

As the Agreement is between the Town and CWC, this issue is not addressed. However, Section 3.1(h) of the UCONN agreement executed in December 2013 addresses extension of service to future property acquisitions that are not adjacent to campus: “Upon UConn’s request, and notwithstanding any condition precedent to connection which CWC is otherwise obligated by the Town of Mansfield to satisfy in the case of other non-UCONN customers, CWC shall make Reasonable Efforts to connect and supply Potable Water to those off-campus UCONN facilities acquired by UCONN after the date of this Agreement that do not abut the UConn campus at the time of acquisition, provided that: i) a water service connection to such facilities is consistent with the state plan of conservation and development prepared pursuant to C.G.S. Section 16a-24 et seq., and ii) such connection conforms to PURA regulations for the extension of water mains and CWC’s PURA approved Main Extension Agreement. Water supplied to such properties by CWC shall be subject to the CWC Public Authority rate and not the SICR.”

- **Water Allocation.** *The Agreement should specify a minimum amount of water to be provided to Town customers to ensure that sufficient water is available to meet current and future Town needs. This minimum allocation could be established through a minimum number of gallons per day that would need to be available or as a percentage of water made available to the University.*

Section 2.1 of the Agreement addresses water supply service. Section 2.1(a) specifies that “Subject to the terms and condition of this Agreement, beginning on the Completion Date, CWC shall have and agrees to sell and supply to Customers in Mansfield on a 24 hour per day and 365 day per year basis **all Potable Water required to meet their demands**. CWC shall fulfill its obligation set forth in this Section in strict conformance with the Law.”

Furthermore, Section 3.2 addresses water supply planning and information sharing:

- Section 3.2(a): The Parties agree to cooperate in the timely exchange of reasonably available information including projected water supply and demand data, and related operations information to facilitate required water supply planning efforts, and to minimize over-estimation or under-estimation of infrastructure capacity needs by either Party.
- Section 3.2(b): The Parties agree to reasonably cooperate to provide information to facilitate the periodic revision of water supply plans, to give timely notice and information concerning anticipated capital projects likely to affect water supply or demand volumes, and to timely provide other information regarding identified changes to the water supply or demand characteristics that may affect the operations that are the subject of this Agreement.

- **University Water Supply.** *The Agreement should include a statement of intent as to how the current University water supply will be used once this new source is on-line. It is our understanding that the CWC will only be supplementing the current supply, not replacing it. Given previous stream flow concerns during dry periods, the Agreement should identify whether the CWC supply will be used during low stream flow periods to allow for decreased water production at the current wellfields.*

As the Agreement is only between the Town and CWC, there are no provisions related to use of the University Water Supply. However, the UCONN Agreement clearly states within the recitals that the University is seeking a supplementary source of water. The UCONN Agreement does not specify whether the CWC supply will be used during low stream-flow periods.

- **Financing.** *The Town should look to CWC to finance as much infrastructure as possible, including the local water distribution system for Four Corners and the Four Corners sewer system.*

Section 5.4 of the Agreement addresses Infrastructure Development Costs: “CWC shall be solely responsible for all fees, capital costs and expenses related to the performance of the Capital Improvements obligations under the terms of this Agreement except the UCONN Campus Spur without imposing an assessment on the Town or any Customer in Mansfield for the construction of that infrastructure. The Town shall be solely responsible for its own legal and professional costs and expenses related to its opportunity for review of System Improvements under this Section 5.”

As noted under the proposed route, the project includes the bulk of the Four Corners area.

- **Local Land Use and Tax Policy.** *The Council should consider the impact of the water line on property values and the associated tax implications in areas where more intense development is not contemplated. While the Four Corners is identified as redevelopment area where higher property values are anticipated based on availability of infrastructure and development potential, the proposed pipeline does extend through areas that are intended to remain more rural in character. The Committee is concerned that property values may escalate in these areas due to the presence of a water main, even if land use and zoning policies preclude more intense development. Escalating land values and the associated property tax increases could force property sales or increase development pressure in areas where it is not desired.*

This issue is not related to the draft Agreement; however, it remains relevant and could be resubmitted to the Council.

- **Water Service Area.** *The initial Four Corners water service area should have the same boundaries as the Four Corners sewer service area. Future expansions of the water service area should be planned and approved by the Planning and Zoning Commission as part of the Plan of Conservation and Development.*

While the Agreement does not identify a specific service area, it does include provisions related to approval of service connections and main extensions:

- Section 2.2(a): CWC shall not permit any customer connections to the System that would violate any connection restriction set forth in the ROD (Record of Decision) except as ordered or directed by PURA pursuant to C.G.S. Section 16-20 and with timely notice of initiation of such PURA proceeding being given by CWC to the Connecticut Office of Policy and Management, UConn and the Town.
- Section 2.2(b): CWC shall notify an applicant, upon request, of the availability of water supply but shall not permit any connection to the CWC System unless the New Customer to be served by such connection first obtains any required Government Approvals.
- Section 2.2(c): CWC shall notify the Town Director of Planning and Development of any Person seeking to connect to the System and shall allow the connections as authorized by this Agreement.
 - Section 2.2(c)(i): Connection to the CWC System in Mansfield for properties that do not require a main extension shall be permitted, where such uses are consistent with zoning regulations in effect at the time of the request, after providing notice to the Director of Planning and Development, and the applicant has demonstrated that any required local approvals for building or public health or as otherwise required are secured.
 - Section 2.2 (c)(ii): Connection to the system for properties that do not require a main extension shall be permitted to allow for the existing use of properties, after providing notice to the Director of Planning and Development.
 - Section 2.2(c)(iii): Connections to the CWC System in Mansfield, whether a new use or change to existing use that require a change in zoning or approval by a local land use commission shall be permitted after (a) providing notice to the Director of Planning and Development; (b) allowing for review by the Advisory Group, and (c) demonstration by the applicant that all required approvals are secured.
 - Section 2.2(c)(iv): Any extension of the CWC system in Mansfield after the Completion Date shall be undertaken in consultation with the Advisory Board established pursuant to Section 9.5 hereof and permitted if the applicant has demonstrated to CWC that all required approvals have been secured and such extension complies with the CWC Main Extension Agreement as applicable.
- **CWC Advisory Committee.** *The specific scope and membership of the proposed CWC Advisory Committee should be identified in the Agreement. Areas of focus should include major capital improvements such as system extensions and identification of possible future service areas, conservation measures, and feedback on proposed rates. Composition of the Committee should include regional representation as well as other major stakeholders.*

Section 9.4 addresses the creation of an Advisory Committee:

CWC shall commit to the establishment of a Water System Advisory Committee (“Advisory Committee”) to provide local input and ensure communication and collaboration relating to the water system.

- (a) The Advisory Committee shall be comprised of representatives of the Town, UConn, local health officials, representatives of adjacent towns including Coventry, Tolland and Windham, and other stakeholders as agreed upon by the Parties to this Agreement.
 - (b) The Advisory Committee shall advise CWC in connection with the supply of Potable Water and the operation, expansion and integration of the CWC System. The Advisory Committee shall provide information regarding plans and regulations of local land use commissions, consistency of proposals with the Plan of Conservation and Development, and future water supply needs that should be considered in the CWC Water Supply Plan.
 - (c) The Advisory Committee shall also make recommendations of best management practices, including but not limited to water conservation programs, and CWC shall work cooperatively with the Advisory Committee in the implementation thereof.
 - (d) The Committee shall serve in an advisory role and shall not approve or deny specific projects or otherwise limit CWC’s ability to perform their obligations under the Agreement with the Town or the University or to comply with other statutes or regulations.
 - (e) The Parties shall establish the Advisory Committee with provisions governing membership and identifying the stakeholders to be represented through a Memorandum of Agreement to be completed and executed within one hundred and twenty (120) days from the execution of this Agreement.
- ***Other Commission/Committee Recommendations.*** *The Committee endorses the recommendations of the PZC with regard to development controls and coordination, as well as the recommendations of the Sustainability Committee with regard to use of Best Management Practices and water conservation/efficiency.*

The provisions listed above related to service connections and extensions respond to the development control concerns identified by the PZC. With regard to Best Management Practices, Section 9.5 of the Agreement specifies specific BMPs that have been agreed to in addition to any recommendations of the Advisory Committee:

- Section 9.5(a): During non-emergency phases of the CWC Emergency Contingency Plan, such as a water supply advisory, watch or warning, the Town would work cooperatively with CWC to encourage Customers to reduce water use consistent with the CWC Emergency Contingency Plan.
- Section 9.5(b): CWC shall support and assist the Town in implementing any zoning, wetland and other similar development plans to mitigate development pressures in areas identified by the Town and consistent with the ROD, provided that such support and assistance can be harmonized with CWC’s obligation under C.G.S. §16-20.

- Section 9.5(c): CWC shall support efforts to employ water conservation practices using water flow reducers and aerators, shutoff valves, leak detection systems, water reuse and reclamation and other practices.
- Section 9.5(d): In consultation with the Advisory Committee, CWC shall make recommendations in connection with the provision of customer education programs and related financial incentives to encourage water consumption reduction.

SUMMARY/RECOMMENDATION

If the Committee is satisfied that the Agreement has adequately responded to the concerns outlined by the Committee in the fall of 2013, the following motion would be in order:

_____ MOVES, _____ seconds to authorize the Chair to report to the Town Council that the terms contained in the draft Definitive Agreement between Connecticut Water Company and the Town of Mansfield sufficiently address the concerns raised by the Committee in its August 2013 memo.

Alternatively, if the Committee feels that changes to the Agreement are needed, the following motion would be in order:

_____ MOVES, _____ seconds to authorize the Chair to report to the Town Council that the terms contained in the draft Definitive Agreement between Connecticut Water Company and the Town of Mansfield sufficiently address the concerns raised by the Committee in its September 2013 memo provided the following issues are addressed:

- **(Itemize issues to be addressed)**

Mansfield Four Corners Sewer and Water Advisory Committee 2014 Meeting Schedule

The Mansfield Sewer and Water Advisory Committee generally meet on the 1st Tuesday of the month at 7:00 p.m. in Council Chambers unless otherwise noted. The following are specific meeting dates for 2014. Agendas will be posted 24 hours before the meeting. This schedule is subject to change.

- February 4, 2014
- March 4, 2014
- April 4, 2014
- May 6, 2014
- June 3, 2014
- July 1, 2014
- August 5, 2014
- September 4, 2014 (1st Thursday)
- October 7, 2014
- November 6, 2014 (1st Thursday)
- December 2, 2014