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Mr. Gordon F. Joseloff
First Selectman
110 Myrtle Avenue
Westport, CT 06880

**Re: Sanitary Sewer Extension Request
"The Red Barn Restaurant"
292 Wilton Road
Assessor Map #B13, Tax Lot #027
Frank J. Nistico, et als - Owners**

Dear Mr. Joseloff:

This office is in receipt of correspondence dated September 26, 2008 to Mr. Gordon F. Joseloff, First Selectman, requesting an approval to connect that commercial property known as #292 Wilton Road (The Red Barn Restaurant) to the public sanitary sewer system. Accompanying this letter is a report entitled "Preliminary Engineering Report Wastewater Disposal Facilities" prepared for The Red Barn Restaurant, by Nathan L. Jacobson & Associates, Inc. dated September 2008. This report identifies that the existing septic system servicing the Red Barn Restaurant has serious problems, necessitating their request to access the public sewer system. The subject commercial property lies outside of the "Limit of Future Sewer Service Area" (Blue Line) identified in the 2002 "Wastewater Facilities Report".

It is the policy of the Department of Public Works not to support the provision of sewer access outside of the designated "Service Area" without clear need or justification. Such need for access to the public sewer has been supported, with documentation, by the Conservation Department and the Westport/Weston Health District. If it is determined by the Authority that sufficient need for the sewer exists, the applicant would need to submit to the Planning and Zoning Commission for an 8-24 review for a "Private Sanitary Sewer Main-Line Extension" (this procedure is in accordance with the Section 8-24, Municipal Improvements, of the Connecticut General State Statutes). Upon obtaining a positive 8-24 report the proposal would have to be submitted to the Department of Environmental Protection for a modification of the sewer service area as identified in the Facility Plan.

If all necessary approvals are obtained and the Facility Plan is modified it would be the recommendation of this office that the Authority enter into a "Permit Agreement" for the private sewer extension and approve the connection, subject to the following stipulations:

- 2) All engineering design plans and installation shall be subject to approval by this office and must be in accordance with the current Town of Westport Water Pollution Control Authority Regulations, except as otherwise waived by the Authority.
- 3) A certified estimate of cost for construction shall be submitted to this office for review and approval. A bond shall be posted by the applicant in the amount of the estimated cost of the construction, as approved by this office, prior to execution of the "Permit Agreement" by the Town of Westport.
- 4) In accordance with the "Inflow and Infiltration (I&I) Abatement Policy" dated January 1, 2006, the property shall be subject to payment in the amount of \$2,734.20 per each equivalent unit of flow. A unit being determined by multiplying the property's average daily flow (6000gpd) times three-hundred and sixty-five (365) days in a year to establish an average yearly flow (2,190,000gpy). This value is then divided by a single unit yearly flow (99,800gpy). Therefore it is recommended that the twenty-two (22) additional units, be billed an I&I Abatement Fee, in the amount of \$60,152.40. The abatement fee shall be paid to the Town Sewer Reserve Account for I&I Abatement prior to the issuance of a "Sanitary Sewer Connection Permit".
- 5) If the "Permit Agreement" is not executed within one (1) year after initial approval by the Authority, said approval shall become null and void.
- 6) A Sanitary Sewer Connection Permit shall be obtained from the Town of Westport Department of Public Works for the restaurant. "Road Opening Permits" shall also be obtained from the Town of Westport and the Connecticut Department of Transportation for work within the limits of local and state public roadways.
- 7) Property shall be subject to a sanitary sewer benefit assessment by the Town of Westport as if they were included under Sanitary Sewer Contract No. 1, amounting to \$312.00 for each unit assessed. It is the recommendation of this office that a total of twenty-two (22) units be assessed for the total amount of \$6,864.00. Given the nominal size of the assessment, it is also the recommendation of this office that the total amount be assessed under one billing rather than amortized over the usual nineteen year period.

account in the name of the Town of Westport that shall be available to reimburse the Town for any potential emergency repairs or expenses which the Town may be required to undertake. The size of the escrow account, and the format under which it shall be established, accessed and replenished, shall be subject to determination and approval by the Town Engineer and the Town Attorney.

- 9) There shall be no credits to the owners.
- 10) A charge of \$250.00 per shall be levied against the property should the owners subsequently wish to rescind the sanitary sewer extension approval granted by the Authority.

Respectfully,



Bryan H. Thompson
Engineer I, WPCA Coordinator

CC: Stephen J. Edwards, Director of Public Works
Gail Kelly, Assistant Town Attorney
Larry Bradley, Director of Planning & Zoning
Alicia Mozian, Director of Conservation
Mark A.R. Cooper, Director of the Westport/Weston Health District