

Town of Chester
WPCA
203 Middlesex Avenue
Chester, CT 06412



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Chester Water Pollution Control Authority
Regular meeting: March 21, 2017

Call to Order

The Chester Water Pollution Control Authority held its regular meeting on Tuesday, March 21, 2017 at the Chester Town Hall, lobby, 203 Middlesex Avenue, Chester, CT. In attendance were Chairman Bert Armington, Sam Chorches, Felise Cressman, Jim Pease, and Ed Ward. Chairman Armington called the meeting to order at 7:02 PM.

Audience of Citizens – Carlisle Schaeffer.

Old business:

Minutes of the October 18, 2016 meeting were reviewed; motion to approve those minutes by **Chorches**, seconded by **Cressman**. Minutes were unanimously approved.

Minutes of February 21, 2017 were reviewed; **Ward** requested that reference to DEEP definition of a brewery as an industrial activity be included. That reference was from the *General Permit for Miscellaneous Discharges of Sewer Compatible Wastewater*, CT Department of Energy & Environmental Protection (Oct. 25, 2013) Appendix A: *definitions* which refers to the 2017 NAICS definition of 11 different brewing activities classified as Industry 312120 Breweries. Motion to accept those minutes with addition of DEEP information by **Cressman**, seconded by **Ward**. Minutes were unanimously approved as amended.

Old business: **Armington** explained the WPCA position on Mr. Schaeffer's proposed micro-brewery. Before Chester connected to the Deep River Wastewater Treatment plant, there was considerable opposition in town, and fear that a sewer connection would lead to runaway expansion of business activity in Chester Center. **Armington** quoted from the *2009 Plan of Conservation & Development*, which was prepared by the Chester Planning and Zoning Commission, page 7-7: "*In October of 2007, the voters of Chester approved construction of a limited sewer collection system for a portion of Chester Center, discharging to the Deep River sewage treatment plant through a force main which is to run down Route 154. The proposed sewer system was controversial, with some residents advocating for an alternative community septic system, fearing that sewers would lead to increased development in the village area. The Water Pollution Control Authority reduced the sewer service area from that originally planned, with the intent of addressing only existing septage disposal problems. The Planning and Zoning Commission, in supporting the Deep River connection, agreed to examine their zoning regulations for the Center to assure that incompatible development would not be allowed due to increased sewer capacity. Both the Authority and the Commission acknowledged the need to work together to have a coordinated approach toward only that growth which was appropriate for the Center.*"

For that reason, among others, all industry was written out of our regulations. Consequently, a brewery, which is defined as an industry by both the 2017 North American Industry Classification System of the U.S. Census Bureau, and the General Permit for Miscellaneous Discharges of

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Sewer Compatible Wastewater; CT Department of Energy & Environmental Protection (Oct. 25, 2013) Appendix A: *definitions* is not allowed by our WPCA regulations which were approved and voted on by the Town of Chester. You can, however install a tank and can count on the technical assistance of Mr. Gonyea from the DEEP, which would allow you to continue with your plans and still conform to the regulations of the WPCA in Chester.

Cressman pointed out that it is our responsibility to enforce these regulations, and if we permit a prohibited activity, the town could be sued. If there is a problem with our equipment due to a chemical imbalance, everyone on the system must pay for those repairs. With only 131 EDU's to share the costs, a small problem gets to be expensive for everybody.

Carlisle Schaeffer then addressed the commission. He stated that he realized that this situation had gotten out of hand. He thanked us for taking the time to listen to him and read his statement.

"First, I'd just like to thank you all for taking the time to review my appeal. My name is Carlisle Schaeffer, and I grew up here in Chester. After graduating college in 2014, I moved back home and started to explore my dream of opening a small microbrewery.

From conversations with various other residents and officials, I understand that I've caused a bit of a stir with this Appeal: that was never my intention. Nor was it my intention to try and subvert any rules or regulations. I assumed that the WPCA Appeal process worked in the same manner as the Planning and Zoning appeal process: it has only been in the past few days, and even hours, that I've learned what a complicated and arduous ordeal it really is.

Blame it on my ignorance and inexperience of the Chester bureaucracy, but my goal of this appeal was as much to open up a conversation with the WPCA, as it was to find a way to directly discharge my future brewery's wastewater to the sewer system. I was unaware that my application was going to be discussed at your last meeting: had I known, I would have certainly attended and provided you with much of the information you now have: I'd like to belatedly apologize for my absence.

I'd like to state, for the record, that I fully understand that you are bound to follow your regulations. In addition, I'd like to state that I intend to fully comply with your final decision on this matter and look forward to continuing to work with you on this matter. I have been researching holding tanks for the last few weeks, and am hopeful that I will be able to find one that will work at the current proposed location for my brewery. I'd like to thank you for your hard work on finding a solution to allow me to move forwards, and again, I'd like to apologize for causing so much trouble.

In closing, I'd like to formally withdraw my appeal, now that I fully understand the circumstances. Thank you again for your time."

There was discussion about the possibility of revising our regulations at some future time to permit some currently prohibited activities, but that needs to be undertaken with the guidance of someone familiar with the entire spectrum of industrial activity and knowledge of how any newly permitted activity could affect our sewer system the Deep River treatment facility, and the very nature of Chester center. The first step in any changes would have to be based on the revisions of the *Plan*

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for Growth and Development which will be undertaken next year.

Ed **Ward** commented that he was somewhat taken aback by Jon Lavy's email of March 19, 2017, which indicated that WPCA was throwing roadblocks in front of Mr. Schaeffer. Mr. Lavy, chairman of Planning and Zoning said:

"What if he applied as a restaurant as his primary use? Would the WPCA reject his application?"

What if an existing restaurant started brewing their own beer? Would you shut them down?

Let's try to help with definitions **instead of throwing roadblocks.**"

Ward: "Indeed, we were absolutely not throwing roadblocks, we are merely assuring that our regulations are being adhered to. If a restaurant started a brewery we certainly wouldn't shut them down. As a restaurant, they would have to comply with the WPCA F.O.G. requirements, but as a brewery, they would have to divert their brew wastewater from our sewer, the same as we are requiring you to do."

Mr. **Schaeffer** asked if the wastewater from the tasting room would need to be included in the waste removed by tank; WPCA agreed that is simply sanitary waste as described in our regulations, and could be discharged into the sanitary sewer system. **Chorches** suggested that once Mr. Schaeffer's system is in place, WPCA would appreciate notification and drawings so that we will be apprised of his procedure. That way, if someone questions us, we have an appropriate documentation.

On another subject, **Armington** reported that the agreement with Chester Village West was delivered to the Town Attorney for his review and possible action. This is not the same type of situation as Aaron Manor because Aaron Manor does not have two residential buildings connected to the same sewer system.

Armington reported that WPCA received a connection application from Dennis Kranyak of Centreville, VA. For the property at 89 Main Street. Motion to approve the application contingent on approval by Inland Wetlands by **Armington**, seconded by **Chorches**; approved unanimously.

Motion by **Cressman**, seconded by **Pease** to adjourn. Meeting adjourned at 7:45 PM.

Next meeting: April 15, 2017, Town Hall Conference Room C, 7:00.

Respectfully Submitted,

Bert Armington

Chairman, Chester WPCA