

**SEWER AUTHORITY  
WATER POLLUTION  
CONTROL AUTHORITY**



**TOWN HALL  
238 Danbury Road  
Wilton, CT 06897**

**203-563-0100**

**WATER POLLUTION CONTROL AUTHORITY  
SPECIAL MEETING  
HELD ELECTRONICALLY  
THURSDAY, March 14, 2024**

**PRESENT:** Toni Boucher, Joshua Cole, Basam Nabulsi, Lori Bufano, Kimberley Healy, Ross Tartell

**OTHERS:** Joe Canas of Tighe & Bond (Representing ASML), Erik Lindquist of Tighe & Bond (Representing 64 Danbury Road and 440 Danbury Road), Sam Fuller (Sam Fuller Development LLC), Casey Healy of Gregory & Adams (Representing 20 Westport Road and 21 River Road), Craig Flaherty of Redniss & Mead (Representing 131 Danbury Road & 15 Old Danbury Road), Tom Daly of SLR Consulting, Joe Hammer (Project Attorney for 131 Danbury Road), Nick Brown of Kimco, Christine Kurtz of Wright-Pierce, Town Counsel Pete Gelderman, Frank Smeriglio

**Call to Order**

Ms. Boucher called the meeting to order at 5:03 pm.

**Approve Special Meeting Minutes of February 14, 2024**

Ms. Boucher asked for a motion to approve the Special Meeting Minutes of February 14, 2024. Motion moved by Mr. Tartell, seconded by Ms. Bufano and carried 5-0.

**Public Comment**

None

**Update of Discussion with Norwalk Regarding Interlocal Agreement and Update of Townwide Sewer Flows**

Mr. Smeriglio gave an update on the Discussion to take place with the City of Norwalk regarding the Interlocal Agreement and gave an update on townwide sewer flows (see presentation given at: [wpcapca.org/3-14-24/presentation.pdf](http://wpcapca.org/3-14-24/presentation.pdf)) with Town Counsel Pete Gelderman providing additional input. He noted that he is attempting to coordinate a meeting with the City of Norwalk to discuss existing WPCA applications, flows and additional capacity. We are attempting to set up a meeting within the next week. He noted that consequences of exceeding water capacity limit is not clear under the contract with Norwalk and Smeriglio emphasized the importance of coordinating with Norwalk before the WPCA makes any significant new allocation decisions. He reported that Norwalk officials have been informed of potential new projects in Wilton and requested their input. He reviewed data on capacity and noted that the generally accepted standards of 150 gallons per bedroom per day may be overly conservative, especially when applied to multifamily developments. He indicated that 65 gallons per person was recommended by Wright Peirce Consulting, but that recalculating flows with lower standards as

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low as 55 gallons per bedroom per day could hypothetically yield more capacity. This would be an item to be discussed with Norwalk.

Before applicants presented their requests for capacity, Ms. Boucher asked that applicants give a brief review of their requests as a full review would take place at a future WPCA meeting. She noted that there will be no approvals this evening, as there is a lot of information that is needed before the town can move forward with applications. The board will be awaiting information from the town's meeting with the City of Norwalk on the Town of Wilton's sewer capacity, which currently is approaching or at capacity now. All board members weighed in and agreed on the need of having a meeting with the City of Norwalk before moving forward with any new applications. She also noted that the WPCA at a previous meeting had agreed to establish priorities for the areas where remaining sewer capacity would be allocated, with the transit-oriented district (TOD) surrounding the Wilton train station as top priority, followed by Wilton Center and Danbury Rd. At the February 2024 meeting the board added another layer of priority for the expansion of existing businesses.

### **131 Danbury Road-131 Danbury Wilton Dev AMS-Request for Additional Capacity**

Ms. Bufano recused herself from the discussion on 131 Danbury Road. Mr. Smeriglio began the review of 131 Danbury Road's request for additional capacity. Craig Flaherty of Redniss & Mead and Joe Hammer-Project Attorney, Patrick O'Leary and Tom Daly of SLR spoke in favor of moving forward with the request for additional capacity. Mr. Flaherty noted that the applicant has agreed to an extension of his application until the next WPCA meeting and reviewed all that has been presented to the WPCA since the February 14, 2024 WPCA Meeting. Various data was forwarded to Mr. Smeriglio by the applicant to help in his analysis on sewer capacity to support the 55-gallon per bedroom per day for rental properties. Both Mr. Flaherty and Mr. Hammer spoke to process of fairness in approving applications regarding ASML's formal application submission relative to 131 Danbury Road formal application submission. Mr. Smeriglio reviewed the submissions and clarified that as part of past practice – WPCA staff reviewed development plans as part of the P&Z process. Typically, once the plans were near approval level, it was then presented to WPCA Commission for their approval. ASML followed that same practice while applicant for 131 Danbury Road was afforded the opportunity to submit a formal WPCA application prior to their P&Z submission. That's the reason 131 Danbury Rd formal WPCA application was submitted prior to ASML's formal WPCA application. .

### **64 Danbury Road – Spinnaker – Request for Additional Capacity**

Erik Lindquist of Tighe & Bond and Sam Fuller of Sam Fuller Development LLC (Spinnaker) gave a review of their request for additional capacity for 64 Danbury Road. Erik Lindquist indicated extra time is needed to determine their opinion of potential flow from the proposed development and existing flows. Mr. Fuller indicated that he supports obtaining additional flow capacity from the City of Norwalk versus trying to analyze 55 gallons versus 65 gallons.

### **20 Westport Road –ASML – B20 Cleanroom Expansion & 3<sup>rd</sup> Wing Expansion - Request for Additional Capacity**

Joe Canas of Tighe and Bond and Casey Healy of Gregory & Adams gave a review of their request for additional capacity for 20 Westport Road that would generate 1072 gallons per day. Mr. Healy noted that they have received all other approvals for this project and is just awaiting approval from the WPCA to move forward. Mr. Canas and Mr. Healy then reviewed Part B of their request for 48,000 GPD for a 3<sup>rd</sup> Wing Expansion, application to come in early 2025.

### **15 Old Danbury Road – Toll Brothers Apartment Living – Request for Additional Capacity**

Craig Flaherty of Redniss Mead representing Toll Brothers who is interested in developing 15 Old Danbury Road (the old Common Fund Building). He reviewed request for additional capacity for 15 Old Danbury Road.

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### **21 River Road - Kimco – Wilton Center Development – Request for Additional Capacity**

Casey Healy of Gregory & Adams, Nick Brown of Kimco and Mark Grocki & Catelyn Iannotti of VHB reviewed the request for additional Capacity for 21 River Road. Data was received from Wright Pierce and a study received from Redniss and Mead. The applicant stated that they are leaning towards the 65 gallons per day based on actual bedroom counts. .

### **440 Danbury Road – Marc Gueron – Request to Connect, Request for Sewer Lateral**

Erik Lindquist of Tighe & Bond reviewed the request for 440 Danbury to connect, request for sewer lateral. Mr. Smeriglio gave the board background on 440 Danbury Road. He noted that board is being asked whether to refer to Planning & Zoning as an 824 referral. Town Counsel Pete Gelderman further clarified with the board. After review and discussion, Mr. Nabulsi moved referral to Planning & Zoning as an 824 referral, motion seconded by Mr. Cole and carried 6-0.

### **Public Comment**

- Barbara L. Geddis of Cannon Rd commented on capacity to meet the goals outlined in the POCD and also on town priorities. She noted that she supports orderly, harmonious growth and vitality in the town. She posed a question to Town Counsel Gelderman “Is there any action on sewer that will ultimately or legally require town to go to a town meeting vote”. Ms. Boucher asked Mr. Gelderman to respond to the question posed.

Ms. Boucher asked Mr. Gelderman to elaborate on the priorities that have been set and the WPCA’s ability to prioritize. She reviewed the priorities. During discussion, Mr. Nabulsi suggested that the WPCA put the priorities back on a WPCA meeting for discussion.

### **Adjournment**

There being no further business, motion to adjourn made by Ms. Healy, seconded by Mr. Cole, and carried 6-0. Meeting adjourned at 7:27p.m.

Jacqueline Rochester  
Recording Secretary  
(taken from video)