

MEMO

To: Rebecca Augur (Rebecca.augur@ct.gov)

- From: Nisha Patel (Nisha.patel@ct.gov)
- CC: William Ballinger (bill@ballinger225.com); Jim Ericson (ericson@lenard-eng.com); Carlos Esguerra (carlos.esguerra@ct.gov); Anthony Poon (Anthony.poon@ct.gov)

Date: 5/2/2024

Re: Bozrah Sanitary Sewer Extension - Record of Decision

Dear Ms. Augur,

The Department of Energy and Environmental Protection ("DEEP") is hereby submitting materials related to the Environmental Impact Evaluation ("EIE") developed pursuant to the Connecticut Environmental Policy Act ("CEPA") requirements for the above-referenced project for your review and determination of adequacy pursuant to Section 22a-1a-9 of the Regulations of Connecticut State Agencies.

The EIE evaluated the impacts associated with the extension of existing sanitary sewers located at the intersection of Routes 32 and 87 in Franklin, and along Route 87 to Stockhouse Road and the Fitchville village section of Bozrah. Most of the Bozrah's wastewater disposal is performed via on-site sewage disposal systems that were built in the 1980s or earlier. Many of these systems do not meet current public health code requirements and are approaching the end of their design life. Additionally, the Town seeks to be able to support economic growth via the proposed sanitary sewers in those areas where access to public utilities has been deemed appropriate.

The Town of Bozrah plans to enter into an intermunicipal agreement with the Town of Franklin and the City of Norwich to receive its wastewater and ultimately treat it and discharge it to the Thames river. The City of Norwich is a Combined Sewer Overflow community and for this reason, Bozrah will implement design and construction measures to make the system more durable to minimize inflow and infiltration into the new sanitary sewer system.

The CEPA vetting process was as follows: Scoping Notice (published on November 8, 2022), Notice of Time Extension (published on May 16, 2023), Post Scoping Notice (published on November 7, 2023) and Environmental Impact Evaluation (issued on December 5, 2023). The attached Record of Decision ("ROD"), including pertinent supporting materials, was developed to respond to the public comments received during the EIE public review process and to facilitate your evaluation of adequacy pursuant to CEPA requirements.

Please provide written confirmation that the ROD and EIE have satisfied the requirements of the CEPA for the referenced project. Thank you.

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Record of Decision Environmental Impact Evaluation

Bozrah Sanitary Sewer Extension

Town of Bozrah

May of 2024

COMMENT SUMMARY

The Environmental Impact Evaluation (EIE) was published in the Council on Environmental Quality Environmental Monitor on November 21, 2023. A Public notice announcing the availability of this EIE for public review and comment was published in the Norwich Bulletin newspaper once a week for three consecutive weeks (12/7/2023, 12/14/2023, 12/21/2023)

Written Comments (Attachment #A)

- 1. Connecticut Council on Environmental Quality (December 14, 2023 Letter)
- 2. Connecticut Department of Public Health (December 7, 2023 Letter)
- 3. Connecticut Office of Policy Management (January 5, 2024 Letter)
- 4. E-mail from local resident (December 27, 2023)

Response to Comments

This section contains responses to the issues raised in the comments on the EIE in accordance with CEPA requirements. Responses to those comments were provided by Haley Ward in their letter dated March 4, 2024 (attached at the end of this document). DEEP is hereby updating or supplementing those responses as deemed necessary in the paragraphs below

Connecticut Council on Environmental Quality

Comment 1

"Water Supply – The Council questions if the project proponents have quantified how many properties within the project area are serviced by wells and what potential affect the proposed sanitary sewer project might have on these wells, with regard to groundwater recharge and the required regulatory separation distances."

DEEP Response: The entirety of the project area is connected to Norwich Public Utilities (NPU) water mains as their public water access. The nearest public water supply well is 0.4 miles west of the western most extent of the proposed sewer system. However, if any wells are found in the sanitary sewer project area, the construction contract documents will be required to follow the maximum separating distance from wells to sewer lines pursuant to Regulations of CT State Agencies Section 19-13B51(d). DEEP will include this requirement as a condition of the funding agreement.

Comment 2

"Floodplain – The Council questions to what extent the project proponents have assessed the potential impacts (direct, indirect and cumulative) of the proposed project on flooding/floodplains

and what are the measures proposed during construction and operation of the sanitary sewer project to eliminate/mitigate potential adverse impacts."

Sewage pumping stations are located outside the 100-year flood hazard zone and their finished floor elevations will be raised above the 500-year flood hazard zone elevation and therefore a Flood Management Certification will not be necessary for this project. Any induced impacts will be evaluated and permitted by the local planning and zoning commission. In addition, a Stormwater Pollution Control Plan (SWPCP), required by DEEP for regulated construction activity, will be implemented, and implementation of erosion control practices will limit impact to floodplains or surrounding areas.

Comment 3

"Historical/Cultural Resources – The Council questions if the project proponents have considered and assessed if there would be any "disruption or alteration of a historic, archeological, cultural, or recreational building, object district, site or surroundings" and whether the project proponents have or will consult with the SHPO prior to final design or construction."

DEEP's Response: Bozrah has reviewed the SHPO database and there is one historical property within the project area, which is the Bozrah Congregational Church and Parsonage. The area where construction activities are proposed has been disturbed by past development of paved roads and other utility installation. The project should not cause any disruption or alteration of a historic, archeological, cultural, or recreational building, object district, site or surroundings. The construction contract will require the general contractor to contact SHPO if any unexpected artifacts or structures of historic importance are found during the project construction. DEEP will include this requirement as a condition of the funding agreement.

Comment 4

"State and Federally Listed Species – The Council questions if the project proponents will update the assessment of affects upon critical plant and animal species and their habitat."

DEEP's Response: Bozrah will request an updated NDDB determination from DEEP during the final design process and will follow those recommendations. DEEP will include this requirement as a condition of the funding agreement to consult with NDDB and incorporate mitigative measures in the construction contract documents.

Comment 5

"Wetlands and Erosion and Sedimentation Controls – The council questions if the flagging or identification of inland wetlands within the proposed project area has been completed and have any potential temporary or permanent wetland impacts been assessed and quantified. The Council recommends that the Petitioner avoid or minimize the use of E&S control measures that are made of plastic and/or have potential for wildlife entanglement."

DEEP's Response: Yes, wetlands have been preliminarily identified within the project area. The Town will also request approval with the local Inland Wetlands and Conservation Commission (IWCC) for those project elements in proximity of wetland areas or within the upland review area. Implementation of a SWPCP will aid in limiting potential impacts to wetlands. The construction contract will require the contractor to minimize the use of erosion and

sedimentation control measures that are made of plastic and/or have potential for wildlife entanglement. DEEP will include this requirement as a condition of the funding agreement.

Comment 6

"Air Quality – The Council recommends that the Storm Water Prevention Plan (SWPP) also include provisions for other measures to control dust associated with the proposed construction activities, such as a) anti-tracking pads, b) street sweeping and c) the use of water mist/spray."

DEEP's Response: DEEP will include this requirement as a condition of the funding agreement.

Comment 7

"Fisheries Resources – Because the Yantic River is actively stocked with trout in several locations within the project area, the Council recommends that the project proponents consult with DEEP Fisheries Division to identify and assess any potential adverse effects on fisheries resources."

DEEP's Response: It is important to reiterate that the project will take place within existing roadways. However, DEEP will require consultation with fisheries and incorporation of any best management practices into the construction contract document. This will be required in the funding agreement.

Connecticut Department of Public Health

Comment 1

"Septic System Abandonment: Once a building is connected to public sewer the existing subsurface sewage disposal system shall be pumped out and properly abandoned to eliminate any safety concerns."

DEEP's Response: DEEP acknowledges this comment and in coordination with the Town sanitarian, Bozrah will be asked to follow all safety and regulatory procedures to properly pump out and decommission abandoned septic systems.

Comment 2

"It appears that most of the proposed area is served by public water. However, minimum separation distances must be provided between sewers and any wells that might exist."

DEEP's Response: As previously noted, most of the area is serviced by commercial water, however for any unexpected drinking water wells, minimum separation distance between sanitary sewers and wells will be followed per the Department of Public Health (DPH) regulations.

Comment 3

"All work shall be performed in accordance with Bozrah WPCA regulations, and in line with Growth Management Principles in the current State Plan of Conservation and Development."

DEEP's Response: A portion of the proposed sewer extension area is not located in a Priority Funded Area (PFA), therefore DEEP applied for an exception process on Bozrah's behalf to

allow the sewer extension to be built on a non-PFA area. DEEP followed the guidelines stated in *Subsection (b) of CGS Sec. 16a-35d* in the exception process. DEEP and Bozrah was granted that exception from OPM on April 26, 2024 (included as Attachment B).

The Town deemed the sewer extension project consistent with the 2015 Town of Bozrah's Plan of Conservation and Development (POCD). An excerpt from the POCD states that "According to survey response preference is to promote public sewer/water in the Stockhouse Road— Fitchville area followed by the Salem Turnpike." In a Community Development Goal, it wants to "Promote the enhancement of the existing densely settled village areas of Fitchville and Gilman." Another Community Development Goal desires to "Promote the expansion of public utilities in areas deemed appropriate by this plan." The Future Land Use map in the POCD identifies the Fitchville village area and Stockhouse Road as an "area appropriate for public utility expansion."

The Town deemed the sewer extension project consistent with the State of Connecticut Conservation and Development C&D. Below are justifications to why the project is consistent with the six Growth Management Principles.

<u>Growth Management Principle #1:</u> Redevelop and Revitalize Regional Centers and Areas with Existing or Currently Planned Physical Infrastructure.

1.5 Coordinate the timing of any planned expansion of existing infrastructure to meet state and regional growth objectives.

1.10 Encourage local zoning that allows for a mix of uses "as-of-right" to create vibrant central places where residents can live, work, and meet their daily needs without having to rely on automobiles as the sole means of transport.

Fitchville is an area of planned growth in Bozrah, including multi-family residential uses in keeping with the village atmosphere. Planned growth complements a changing regional demographic and regional economic activity such as hiring at General Dynamics Electric Boat. Industrial and commercial activity along Stockhouse Road is growing and will be further enabled by a sewer extension. Industries in the Stockhouse Road corridor include companies such as Collins & Jewell, which support shipbuilding. The Stockhouse Road corridor is part of a larger industrial corridor proximate to Routes 2 and 32 and Interstate 395 in Franklin, Bozrah, and Norwich, which includes the Stanely Israelite Industrial Park in Norwich. This entire three-town corridor is a regionally significant asset. Fitchville's existing zoning supports mixed uses, a diversity of residential uses, commercial and industrial uses.

<u>Growth Management Principle #2:</u> Expand Housing Opportunities and Design Choices to Accommodate a Variety of Household Types and Needs

2.5 Support local efforts to develop appropriate urban infill housing and neighborhood amenities to make better use of limited urban land.

Sewer extension would enable infill housing in the village of Fitchville, consistent with recommendations of the municipal POCD, Affordable Housing Plan, and as intended by the Village Overlay District in the zoning regulations. Fitchville and Stockhouse Road are located inside of the census-designated Norwich-New London Urban boundary.

<u>Growth Management Principle #3:</u> Concentrate Development around Transportation Nodes and Along Major Transportation Corridors to Support the Viability of Transportation Options

3.1 Promote compact, pedestrian-oriented, mixed use development patterns around existing and planned public transportation stations and other viable locations within transportation corridors and village centers.

Connecticut Route 2 cuts through the village of Fitchville, and there are exits and on-ramps in both east and west bound directions. Route 2 allows commuters and goods to reach Hartford to the west. Fitchville is only three miles along Route 2 from Interstate 395, which allows commuters and goods to access New London and points south (New Haven, New York) and Worcester, MA and points north (Boston). Stockhouse Road is located between Fitchville and Route 32, another major corridor for inter-regional traffic.

<u>Growth Management Principle #4:</u> Conserve and Restore the Natural Environment, Cultural and Historical Resources, and Traditional Rural Lands

4.7 Revitalize rural villages and main streets by promoting the rehabilitation and appropriate reuse of historic facilities, such as former mills, to allow a concentration of higher density or multiple use development where practical and consistent with historic character.

4.14 Rely upon functional capacity of the land, to the extent possible, to provide drinking water and wastewater disposal needs beyond the limits of the existing service area, and comprehensively manage decentralized sewage and water systems to ensure long term viability of sewage disposal and water supply. Support the introduction or expansion of public water and/or sewer services or alternative on-site wastewater treatment systems only when there is a demonstrated environmental, public health, public safety, economic, social, or general welfare concern, and then introduce such services only at a scale which responds to the existing need without serving as an attraction to more extensive development.

4.17 Protect, maintain, and restore the chemical, physical, and biological integrity of ground and surface waters to ensure that existing and designated uses are maintained.

Fitchville's existing zoning supports mixed uses and a diversity of residential uses, commercial and industrial uses. The zoning is specifically designed to incentivize, by allowing additional density, to developments that specially retain a New England village character. Zoning is poised to preserve the historical assets of Fitchville and its State-designated historic district. Sewer will aid in this preservation effort by allowing additional investment and adaptive-reuse of properties. Water quality of Fitchville Pond and the Yantic River will be impacted positively by addition of sewers in such a historically dense area. Fitchville is home to rows of duplex housing associated with a former mill, as well as other intensive users of water on subsurface disposal systems, such as a general store/restaurant and Fields Memorial School. Addition of sewer would enable adaptive reuse of properties and encourage reinvestment by property owners. This is expected to benefit the numerous renters in Fitchville, providing not only an economic but a social benefit as well.

<u>Growth Management Principle #5:</u> Protect and ensure the integrity of Environmental Assets Critical to Public Health and Safety

Water quality of Fitchville Pond and the Yantic river will be impacted positively by addition of sewers in such a historically dense area. Fitchville is home to rows of duplex housing associated with a former mill, as well as other intensive users of water on subsurface disposal systems, such as a general store/restaurant and Fields Memorial School.

<u>Growth Management Principle #6:</u> Promote Integrated Planning across all Levels of Government to Address Issues on a Statewide, Regional, and Local Basis

Bozrah is expecting a commitment under the Local Transportation Capital Improvement Program (LOTCIP) for sidewalks in Fitchville. Together with the sidewalk project, sewer infrastructure will make Fitchville a very livable place and attractive place for growth consistent with smart growth principles. Viewed together, the proposed sewer extension project and planned sidewalk project, are cross-governmental efforts in place-making and improving the social, environmental, and economic integrity of a small town's village center.

Connecticut Office of Policy Management

Comment 1a

"OPM recommends proactive planning, in anticipation of this project, for potential infill development in the area to be sewered, as well as zoning changes necessary to facilitate the desired development. The planning should consider the action plan of the Town's Affordable Housing Plan."

DEEP's Response: Agreed. Bozrah will update zoning zones as necessary to reflect the availability of public sewers and will use the Town's Affordable Housing Plan when updating the zones.

Comment 1b

"Another OPM comment focused on the economics of providing sewer service, with the life cycle analysis completed indicating an annual cost of \$200,000 for the first 20 years, spread across a potential of 160 sewer connections, which may occur over time."

DEEP's Response: Bozrah is aware of these costs. An increase in the grand list due to enhanced development within the sewer service area will help to offset these potential recurring operational costs. Operational costs will also be built into a billing rate for Bozrah wastewater being discharged into the Franklin/Norwich receiving sewers.

Comment 2

"Previous Haley Ward comments indicated Bozrah's sewer regulations do not allow sump pump, roof leader or any extraneous sources of water other than sanitary sewage to be discharged into the sewer system. When considering the adequacy of these regulations for meeting the expectations of the CEPA review, OPM encourages DEEP to consider national best

practices for such regulations and for ensuring such discharges are not added following construction."

DEEP's Response: Bozrah will follow national best practices and implement measures in the sewer use ordinance aimed at restricting extraneous sources of water (other than sanitary sewage) from discharging into the sanitary sewer system following construction. Bozrah has agreed to use a higher-grade pipe material for the wastewater collection system which should make this system more durable and less vulnerable to infiltration and inflow. DEEP acknowledges the importance of implementing measures aimed at ensuring that communities minimize infiltration and inflow sources from adversely impacting sanitary sewer collection systems. In fact, DEEP is currently in the process of drafting a General Permit regulating sanitary sewers in communities such as Bozrah to require the implementation of infiltration/inflow (I/I) mitigative measures. It is anticipated that this general permit will be issued in late 2024 or early 2025.

Comment 3

"A significant portion of the proposed sewer main passes through areas not identified as Priority Funding Area on the CT Locational Guide Map. The project is a "growth related project" as defined in CGS Chapter 297a, and DEEP must follow the exception process specified in Subsection (b) of CGS Sec. 16a-35d to allow the funding of such a project outside a priority funding area.

DEEP's Response: DEEP filed an exception letter to the Secretary of Office and Policy Management and received an exception from OPM to allow funding of such a project outside a priority funding area dated April 26, 2024, which was received via email by DEP on April 24, 2024 (Attachment B).

E-mail from local resident

E-mail from Mr. Orr and Mrs. Orr dated December 27, 2023

Mr. Orr and Mrs. Orr asked the following questions:

- 1. Do you have tentative dates for Gifford Ln?
- 2. What is the Homeowners Cost for this?
- 3. Do we lose the right to use our well?
- 4. Will we be required to have town/city water also installed?

Town's response:

- 1. There is no tentative date for Gifford Ln currently.
- 2. Since this project will not impact your property, there is no additional homeowner cost for you.
- 3. You do not lose the right to use your well since the project does not impact your property.
- 4. You will not be required to have Town water installed since the project does not impact your property.

Attachments:

- A. Written Comments to EIE
 - 1. Connecticut Council on Environmental Quality (December 14, 2023 Letter)
 - 2. Connecticut Department of Public Health (December 7, 2023 Letter)
 - 3. Connecticut Office of Policy Management (January 5, 2024 Letter)
 - 4. E-mail from local resident (December 27, 2023)
- B. OPM Exception Approval Letter dated 5/26/24 (received via email 5/24/24)
- C. EIE publications

Attachment A

Written Comments to EIE

- 1. Connecticut Council on Environmental Quality (December 14, 2023 Letter)
- 2. Connecticut Department of Public Health (December 7, 2023 Letter)
- 3. Connecticut Office of Policy Management (January 5, 2024 Letter)
- 4. E-mail from local resident (December 27, 2023)



Keith Ainsworth Acting Chair

Alicea Charamut

Christopher Donnelly

David Kalafa

Kip Kolesinskas

Matthew Reiser

Denise Rodosevich

Charles Vidich

William Warzecha

Paul Aresta Executive Director

STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

VIA ELECTRONIC MAIL

December 14, 2023

Anthony Poon Department of Energy and Environmental Protection (DEEP) 79 Elm Street Hartford, CT 06106 Anthony.Poon@ct.gov

Dear Mr. Poon,

The Council on Environmental Quality (Council) offers the following comments regarding the Environmental Impact Evaluation (EIE) and responses to the issues identified through scoping for Bozrah's Sanitary Sewer Extension.

1. Water Supply

The EIE notes that the "take no action" option was determined to not be acceptable due, in part, to the large number of parcels with private wells and that "private wells located near the proposed sewer will be shown on the project construction plans." The Council questions if the project proponents have quantified how many properties within the project area are serviced by wells and what the potential affect the proposed sanitary sewer project might be on those water supply wells, with regard to groundwater recharge and the required separation distances required pursuant to the Regulations of Connecticut State Agencies (RCSA) Section 19-13-B51(d).

2. Floodplain

The EIE Figure 3, "FEMA FLOOPLAINS AND NWI WETLANDS" depicts portions of the proposed project area within a flood hazard area. Further, the EIE notes that the full extent of the impacts of the current extension project to floodplains will be evaluated during the DEEP Flood Management Certification process. Since the EIE states that "mitigation measures will be required to minimize the impacts" to floodplains, the Council questions to what extent the project proponents have assessed the potential impacts (direct, indirect, and cumulative) of the proposed project on flooding/floodplains and what are the measures proposed during construction and operation of the proposed sanitary sewer project to eliminate/mitigate potential adverse impacts.

3. Historic/Cultural Resources

The EIE notes that one location, the Bozrah Congregational Church and Parsonage, located at 17 and 23 Bozrah Street, is listed on the State Historic Preservation Office (SHPO) database of Connecticut properties designated as National Historic Landmarks and that other historic properties located in the Town of Bozrah are identified in Table 4. While the EIE has identified these historic properties, the Council questions if the project proponents have considered and assessed if there would be any "disruption or alteration of an historic, archeological, cultural, or recreational building, object, district, site or its surroundings" and whether the project proponents have or will consult with the SHPO prior to final design and construction.

4. State and Federally Listed Species

The EIE states that "the current extension project area and associated service areas slightly overlap with DEEP mapped Natural Diversity Data Base (NDDB) areas in the southwest corner of the proposed sewer extension project." The EIE also notes that NDDB did respond and identified one state-listed species, the wood turtle (Glyptemys insculpta), as being documented nearby and may occur in the work areas. However, that NDDB determination expired on September 16, 2022, well before the scoping of the proposed project. The Council also notes that the United State Fish and Wildlife Service (USFWS) Information for Planning and Conservation (IPaC) system identified the Northern Long-eared Bat (NLEB) (Myotis septentrionalis), a federally listed "Endangered" species, as a species that may potentially occur in the project area. The Council questions if the project proponents will update the assessment of effects upon critical plant and animal species and their habitat.

5. Wetlands and Erosion & Sedimentation (E&S) Controls

The EIE notes that the Stormwater Pollution Prevention Plan (SWPPP) will not be finalized until the wetlands flagging is complete. The Council questions if the flagging or identification of the inland wetlands within the proposed project area has been completed, and have any potential temporary and permanent wetland impacts (direct, indirect, and cumulative) been assessed and quantified? The EIE also notes that adherence to a SWPPP, "which will implement the use of erosion control devices such as silt fence, hay bales and catch basin silt sacks, will limit impact to wetlands" and water quality. The Council notes that certain E&S control products has been found to entangle wildlife, including reptiles, amphibians, birds and small mammals. Given the potential presence of wood turtle in the project area, the Council recommends that the Petitioner avoid/minimize the use of E&S control measures that are made of plastic and/or have the potential for wildlife entanglement.

6. Air Quality

The EIE notes that air quality impacts during construction would be limited to short term increases in fugitive dust, particulates, and localized pollutant emissions from construction vehicles and equipment while excavating. While the EIE notes that erosion control devices such as silt fencing, hay bales, and catch basin silt sacks would be used to limit the presence of fugitive dust, the Council recommends that the SWPPP also include provisions for other measures to control dust associated with the proposed construction activities, such as a) anti-tracking pads at locations where machinery or equipment are stored, as appropriate, b) street sweeping, and 3) the use of water mist/spray.

7. Fisheries Recourses

The Council notes that Fitchville Road at the Yantic River and two other locations along Stockhouse Road, near the Yantic River, which are all within the proposed project area, are active DEEP Trout stocking sites. Consequently, the Council recommends that the project proponents consult with DEEP's Fisheries Division to identify and assess any potential adverse impacts on fisheries resources.

Thank you for your consideration of the Council's comments.

Sincerely,

Paul Aresta Executive Director



Manisha Juthani, MD Commissioner



Ned Lamont Governor Susan Bysiewicz Lt. Governor

via E-mail Anthony.Poon@ct.gov

ENVIRONMENTAL HEALTH SECTION

Date: December 7, 2023

- To: Anthony Poon, Environmental Engineer I Water Planning and Management Division Bureau of Water Protection & Land Reuse Department of Energy and Environmental Protection 79 Elm Street, Hartford, CT 06106-5127
- From: Matt Pawlik, PE, RS, Supervising Environmental Engineer Environmental Engineering Program
 Department of Public Health
 410 Capitol Avenue, Hartford, CT 06134-0308

RE: Comments from DPH Regarding Bozrah Expansion Plan

Thank you for giving us the opportunity to provide comments on the above referenced matter. The Uncas Health District has noted that the proposed expansion of public sewers to the area in Bozrah (identified in the EIE) would be beneficial due to the age of the existing subsurface sewage disposal systems, small lots sizes, and limited space available for future repairs. Additionally, many of the properties are located in close proximity to the Fitchville Pond and Yantic River. Therefore, we would support the project with the following comments:

- 1. Once a building is connected to public sewer, the existing subsurface sewage disposal system components shall be pumped out and properly abandoned to eliminate any safety concerns.
- It appears that the majority of the proposed area is served by public water. However, minimum separation distances must be provided between the proposed sewer lines and any wells that may exist. Plans should be submitted to Uncas Health District for review of well locations relevant to the proposed sewer lines.
- 3. All work should be performed in accordance with the Bozrah WPCA regulations, and in line with the Growth Management Principles listed in the current State Plan of Conservation and Development.

Should you have any questions, please feel free to contact me at 860-930-2531 or by email at matthew.pawlik@ct.gov.



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STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

Intergovernmental Policy & Planning Division

January 5, 2024

Mr. Anthony Poon Department of Energy & Environmental Protection Bureau of Water Protection & Land Reuse 79 Elm St Hartford, CT 06106

Re: Environmental Impact Evaluation for Bozrah Sanitary Sewer Extension

Dear Anthony -

The Office of Policy and Management (OPM) has reviewed the Environmental Impact Evaluation for the proposed Bozrah sanitary sewer extension and submits the following comments:

1. As described in Bozrah's zoning regulations, current zoning in some of the area proposed to be sewered is based in part on the lot size and spacing needs of onsite wastewater disposal systems. Such zoning prevents the level of density enabled by the introduction of wastewater infrastructure and does not support the housing opportunities envisioned for that area in the Town's 2022 Affordable Housing Plan or the state's general interest in expanding housing opportunities.

As OPM previously noted in scoping comments, OPM recommends proactive planning, in anticipation of this project, for potential infill development in the area to be served by the new sewer system, as well as the zoning changes necessary to facilitate the desired development. That planning should consider the action plan of the Town's Affordable Housing Plan.

Another OPM comment focused on the economics of providing sewer service and recommended a life-cycle cost analysis. The analysis provided with DEEP's post-scoping notice estimated the proposed system will have an annual cost of \$200,000 for the first 20 years, with that cost spread across a potential 160 service connections. Even if all 160 connections materialize and do so immediately, which the town does not expect, the average cost per connection would apparently be \$1,250 per year, more than \$100 per month per connection. That estimate, furthermore, does not appear to cover Norwich Public Utilities' charges to receive the wastewater, debt service on the USDA loan, or funding of a capital account in anticipation of future capital costs. The long-term cost to provide sewer service can be prohibitive if the density of development served by that infrastructure is inadequate. Proactive planning to enable the level of density necessary to support that system is important to the long-term viability of the project.

2. The 10/17/2023 letter DEEP received from Jim Ericson of Haley Ward said Bozrah's sewer regulations for an area having a separate connection to Norwich's system "do not allow sump pump, roof leader or any extraneous sources of water other than sanitary sewage to be discharged into the sewer system" and that those regulations will be reviewed and upgraded if deemed necessary. When considering the adequacy of those regulations for meeting the expectations of this CEPA review, OPM encourages DEEP to consider national best practices for such regulations and for ensuring such discharges are not added following construction.

3. A significant portion of the proposed sewer main passes through areas not identified as Priority Funding Areas on the <u>CT Locational Guide Map</u>. The project is a "growth related project", as defined in <u>CGS Chapter 297a</u>, and DEEP must follow the exception process specified in Subsec. (b) of <u>CGS Sec. 16a-35d</u> to allow the funding of such a project outside of a priority funding area.

Thank you for the opportunity to respond to this Environmental Impact Evaluation and please feel free to contact me if you have any questions.

Sincerely:

Bruce Wittchen Office of Policy & Management 450 Capitol Ave, MS# 54ORG, Hartford, CT 06106 (860) 418-6323, <u>bruce.wittchen@ct.gov</u>

From:	Richard A Orr
То:	Poon, Anthony
Subject:	Bozrah Sanitary Sewer Extension Project Information
Date:	Wednesday, December 27, 2023 6:32:12 PM

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EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Bozrah Sanitary Sewer Extension Project Information <u>*Homeowner*</u> My Name and Address: <u>*Richard*</u> and Linda Orr 131 Gifford Ln, Bozrah, CT 06334-1318 email: <u>cttimber@gmail.com</u>

Questions I sent to <u>Anthony.poon@ct.gov</u> ...

1) Do you have tentative dates for Gifford Ln?

2) What is the Homeowners Cost for this?

a: This home is owned by myself and my sister. She and her family live in the main house and myself and my wife live in the adjoining apartment over the garage.

3) Do we lose the right to use our well?

4) Will we be required to have town/city water also installed?

<u>*Homeowner*</u> My Sister and Address: <u>*Patti*</u> and William Duerrler 131 Gifford Ln, Bozrah, CT 06334-1318

Attachment B

OPM Exception Approval Letter dated 5/26/24 (received via email 5/24/24)



April 26, 2024

Deputy Commissioner Emma Cimino Department of Energy and Environmental Protection 79 Elm Street Hartford CT 06106

RE: 2022 Grant-In-Aid from Bond Commission / Bozrah Sanitary Sewer Extension

Dear Deputy Commissioner Cimino,

Thank you for your letter dated April 4, 2024, regarding the proposed extension of sewer service to the village of Fitchville in Bozrah. For purposes related to CGS Chapter 297a, this is considered to be a growth-related project located outside of a priority funding area. You have requested this exception under CGS Sec. 16a-35d(b) so that DEEP may proceed with administering this grant award.

I concur with DEEP's assessment that the proposed project is consistent with Bozrah's 2015 Plan of Conservation and Development, and that it satisfies CGS Sec. 16a-35d(b)'s requirements for OPM to issue the requested exception. Therefore, I hereby issue this exception, in accordance with CGS Sec. 16a-35d(b), so that DEEP may proceed with funding the Bozrah Sanitary Sewer Extension, subject to any requirements arising from the ongoing review under the Connecticut Environmental Policies Act.

If there are any questions regarding this finding, please contact Bruce Wittchen at Bruce.Wittchen@ct.gov or 860-418-6323.

Sincerely,

Becklany

Jeffrey R. Beckham Secretary

Attachment C

Bozrah EIE Publications

Post-Scoping Notice

A Post-Scoping Notice is the determination by a sponsoring agency, after publication of a Scoping Notice and consideration of comments received, whether an <u>Environmental</u> <u>Impact Evaluation (EIE) (https://www.cga.ct.gov/current/pub/chap_439.htm#sec_22a-1b)</u> needs to be prepared for a proposed State action. (<u>https://portal.ct.gov/CEQ/Environmental-Monitor/CEPA-Regulations)Read More (https://portal.ct.gov/CEQ/Environmental-Monitor/CEPA-Regulations#22a-1a-7)</u>

No Post Scoping Notice has been submitted for publication in this edition.

EIE Notice

After Scoping, an agency that wishes to undertake an action that could significantly affect the environment must produce, for public review and comment, a detailed written evaluation of the expected environmental impacts. This is called an <u>Environmental Impact Evaluation (EIE) (https://www.cga.ct.gov/current/pub/chap_439.htm#sec_22a-1b)</u>. <u>Read More (https://portal.ct.gov/CEQ/Environmental-Monitor/CEPA-Regulations#22a-1a-8)</u>

The following EIE Notice has been submitted for publication in this edition.

1. Notice of an Environmental Impact Evaluation (EIE) for Bozrah's Sanitary Sewer Extension

Addresses of Possible Project Locations: The project is located along Fitchville Road, Stockhouse Road, River Road, Rachel Drive, Commerce Park Road, and State Route 87 in Bozrah, and in State Routes 87 and 32 in Franklin. It will connect to the Town of Franklin sewer system on Route 32.

Municipalities where proposed action is to be located: Bozrah and Franklin

Project Description: The proposed project consists of installing wastewater collection systems in the village section of Bozrah and ultimately connect via Stockhouse Road and Route 87 to the existing Norwich Public Utilities (NPU) sewer on Route 32 in Franklin. The proposed action includes constructing approximately 15,050 linear feet of gravity sanitary sewer, 4 pumping stations, and approximately 3,610 feet of sanitary sewer force main in the Town of Bozrah. The type of construction work required to install sanitary sewer pipes in the road consist of cutting into the roadway, soil excavation and backfilling, and pavement restoration. The Town of Bozrah plans to enter into an intermunicipal agreement with the Town of Franklin to discharge wastewater into the NPU's collection system. NPU owns and maintains a Combined Sewer Overflow system and Bozrah proposes to discharge up to 200,000 gallons per day design flows from the proposed sanitary sewer service area.

The proposed sanitary sewer service area contains residential areas, as well as areas zoned commercial and industrial that could support potential economic growth consistent with Local and State Plans of Conservation and Development. Additionally, the majority of the Town of Bozrah relies on on-site septic systems for wastewater management and most of these systems were built in the 1980s or earlier. In the Fitchville Village section many of the septic systems are over 60 years old and some serve multi-family housing. Small lot sizes, among other constraints, make most of the Village septic systems impracticable, if not impossible, to repair to meet public health code requirements.

The estimated cost of the project is around 15 million dollars. The Town of Bozrah is awarded with a 5-million-dollar grant-in-aid approved by the State's bond commission on March 31, 2022, and a low interest 40-year USDA loan that will be taken out to fund the remaining 10 million dollars.

Project Map: <u>Click here</u> to view a map of the project area.

Scoping Notice and Post Scoping Notice: The DEEP published a Scoping Notice on <u>(http://https//portal.ct.gov/CEQ/Environmental-Monitor/Environmental-Monitor/Environmental-Monitor/Environmental-Monitor-Archives/2022/November-8-2022)November 8, 2022 (https://portal.ct.gov/CEQ/Environmental-Monitor/Environmental-Monitor-Archives/2022/November-8-2022) and a Post-Scoping Notice on <u>November 7, 2023 (https://portal.ct.gov/CEQ/Environmental-Monitor/Environmental-Monitor/Environmental-Monitor/Environmental-Monitor/Environmental-Monitor/Environmental-Monitor/Environmental-Monitor-Archives/2022/November-8-2022) and a Post-Scoping Notice on <u>November 7, 2023 (https://portal.ct.gov/CEQ/Environmental-Monitor/Environmental-Monito</u></u></u>

Comments on this EIE will be accepted until the close of business on: January 5, 2024.

The public can view a copy of the EIE here

If a public hearing is requested by twenty-five or more persons, or by an association having not less than twenty-five persons, the sponsoring agency will schedule a public hearing on the EIE. Such requests for a public hearing must be made by contacting the DEEP identified below by **December 1, 2023**.

Other information: Attached here are the comments made during the Scoping Notice

Written comments and questions about this EIE should be sent to:

Name: Anthony Poon Agency: Department of Energy and Environmental Protection Address: 79 Elm Street, Hartford, CT 06106 E-Mail: <u>Anthony.Poon@ct.gov (mailto:Anthony.Poon@ct.gov)</u> If you have questions about this EIE, or to request a public hearing, please contact: Name: Anthony Poon Agency: Department of Energy and Environmental Protection Address: 79 Elm Street, Hartford, CT 06106 Phone: 860-424-3605 E-Mail: <u>Anthony.Poon@ct.gov (mailto:Anthony.Poon@ct.gov)</u> Inquiries and requests to view and or copy documents, pursuant to the Freedom of Information Act, must be submitted to the sponsoring state agency: Name: Anthony Poon Agency: Department of Energy and Environmental Protection Address: 79 Elm Street, Hartford, CT 06106 E-Mail: <u>Anthony.Poon@ct.gov (mailto:Anthony.Poon@ct.gov)</u>

What happens next: The DEEP will review the comments received and may conduct further environmental study and analysis or amend the evaluation. The DEEP will prepare responses to the substantive issues raised in review of and comment on the EIE and any supplemental materials or amendments. Those responses and all supplemental materials and comments shall be made available in a "Record of Decision", which will appear in the *Environmental Monitor* for public inspection.

Agency Record of Decision

After an Environmental Impact Evaluation (EIE) (https://www.cga.ct.gov/current/pub/chap_439.htm#sec_22a-1b) is developed, an agency will prepare a concise public record of decision, which takes into consideration the agency's findings in the EIE, and any comments received on that evaluation. Read More (https://portal.ct.gov/CEQ/Environmental-Monitor/CEPA-Regulations#22a-1a-10)

No Record of Decision Notice has been submitted for publication in this edition.

OPM's Determination of Adequacy

After an <u>Environmental Impact Evaluation (https://www.cga.ct.gov/current/pub/chap_439.htm#sec_22a-1b)</u> (EIE) and record of decision are developed, the Office of Policy and Management (OPM) will determine if the EIE and the associated process are adequate. If not, OPM will specify the areas of inadequacy with reference to CEPA or the CEPA regulations and specify the corrective action required. <u>Read More (https://portal.ct.gov/CEQ/Environmental-Monitor/CEPA-Regulations#22a-1a-10)</u>

No Determination of Adequacy Notice has been submitted for publication in this edition.

State Land Transfer Notice

Connecticut General Statutes <u>Section 4b-47 (https://www.cga.ct.gov/current/pub/chap_059.htm#sec_4b-47)</u> requires public notice of most proposed sales and transfers of stateowned lands. The public has an opportunity to comment on any such proposed transfer. Each notice includes an address where comments should be sent. <u>Read more about the</u> <u>process (https://portal.ct.gov/CEQ/Environmental-Monitor/State-Lands-Transfer-Process)</u>.

No State Land Transfer Notice has been submitted for publication in this edition.

CEPA Project Inventory

The Office of Policy and Management (OPM) maintains a list of projects that have entered the CEPA process. It shows each project's status. The inventory can be found here

CEQ Contact Information

All inquiries and requests of the Council should be sent electronically to: ceq@ct.gov (mailto:ceq@ct.gov).

Invoice

Invoice No. 214409-857916

Date: March 11, 2024

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55 Merritt Boulevard Trumbull, CT 06611 Tel: 203.549.0060 Accounting Fax: 203.502-8876 Email: AccountingDept@GraystoneAdv.com Federal ID# 06-1422266

CT Dept. of Energy and Environmental Protection Attn: Janet Aikins Water Planning and Management Division 79 Elm Street, 3rd Floor Bureau of Water Protection and Land Reuse Hartford, CT 06106-5127

Order No: PO 66361	Blanket Order No:
Contact: Janet Aikins	Job No: 214409

Ad Title: Public Notice for Bozrah's Sanitary Sewer Extension

	Insert Date	Size	Description		Amount	
Norwich Bulletin	12/7/2023	2 x 24.3	In Column	\$	1,206.74	
			Affidavit charge	+\$	25.00	
			10.00% Admin Fee	+\$	123.17	
					Ad Subtotal	\$1,354.91
Norwich Bulletin	12/14/2023	2 x 24.3	In Column	\$	1,206.74	
			Affidavit charge	+\$	25.00	
			10.00% Admin Fee	+\$	123.17	
					Ad Subtotal	\$1,354.91
Norwich Bulletin	12/21/2023	2 x 24.3	In Column	\$	1,206.74	
			Affidavit charge	+\$	25.00	
			10.00% Admin Fee	+\$	123.17	
					Ad Subtotal	\$1,354.91
				INVC	DICE TOTAL	\$4,064.74
Payment Terms: Strictly 30 days. Due Date: 4/10/2024Finance Charges of 1.50% per month if not paid within terms.Amount Due if paid after due date:\$4,125.71						
Graystone Group provides quality advertising services at very close margins therefore prompt processing of this invoice would be appreciated!						

Affidavit of Publication

State of Connecticut County of <u>Fairfield</u>

I, <u>Lisa Tuliano</u>, a billing representative of Graystone Group Advertising, 55 Merritt Blvd., Trumbull, CT 06611, do solemnly swear that on:

Date:	Dec. 7, 2023
Ad Title:	CT DEEP
	Legal Notice
	Environmental Impact Evaluation Notice
	Notice of an Environmental Impact Evaluation (EIE) for Bozrah's Sanitary
	Sewer Extension
Appeared in:	Norwich Bulletin
Job #:	214409

publication and the newspaper extracts, hereto annexed were clipped from the above named issue of said newspaper.

Signature of Billing Representative	
-------------------------------------	--

Subscribed to and sworn to before me, this day of	, 2024.
---	---------

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Scoping Notice: https://portal.ct.gov/CEQ/Environmental-Monitor/Environmental-Monitor-Archives/2022/November-8-2022

Post Scoping Notic https://portal.ct.gov/CEQ/Environmental-Monitor/Environ-mental-Monitor-Archives/2023/November-7-2023 Notice:

Comments on this EIE will be accepted until the close of business on: January 5, 2024

The public can view a copy of this EIE at this website: https://portal.ct.gov/CEQ/Environmental-Monitor/Environ-mental-Monitor/-/media/485C6D423DF64BD692DA47F18EC-C7D23.ashx

Other information: The link below are the comments made during the Scoping Notice https://portal.ct.gov/CEQ/Environmental-Monitor/Environ-mental-Monitor/-/media/DEEP/Public Notice Attach-ments/Bozrah-Combined-Post-Scoping-Notice-Document.pdf

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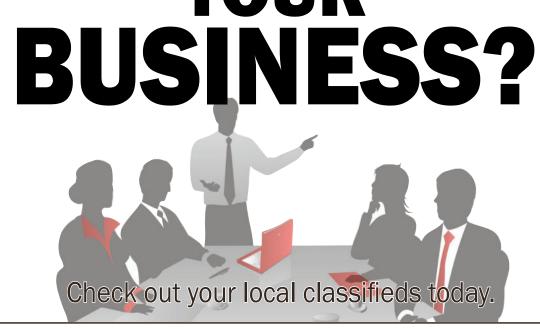
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Send your written comments about this EIE to: Name: Anthony Poon Agency: Department of Energy and Environmental Protec-Address: 79 Elm Street, Hartford CT 06106 E-Mail: Anthony.poon@ct.gov

If you have questions about this EIE, or similar matters, please contact: Name: Anthony Poon Agency: Department of Energy and Environmental Protec-Address: 79 Elm Street, Hartford CT 06106 Phone: 860-424-3605 E-Mail: <u>Anthony.poon@ct.gov</u>

What happens next: The Department of Energy and Environmental Protection will review the comments received and may conduct further environmental study and analysis or amend the evaluation. The Department of Energy and Envi-ronmental Protection will prepare responses to the substantive issues raised in review of and comment on the EIE and any supplemental materials or amendments. Those responses and all supplemental materials and comments shall be made available in a "Record of Decision" which will appear in the Environmental Monitor for public inspection.

#9600297 NB 12/7, 12/14, 12/21/23

THERAPY, SAFETY AND INDEPENDENCE

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Remember when...

Think about the things you loved to do that are difficult today — going for a walk or just sitting comfortably while reading a book. And remember the last time you got a great night's sleep? As we get older, health issues or even everyday aches, pains and stress can prevent us from enjoying life.

So what's keeping you from having a better quality of life?

Check all the conditions that apply to vou.

Personal Checklist:

□ Arthritis □ Dry Skin □ Insomnia □ Anxiety □ Diabetes □ Mobility Issues □ Lower Back □Poor Pain Circulation

increase mobility,

Then read on to learn how a Safe Step Walk-In Tub can help.

Feel better, sleep better, live better

A Safe Step Walk-In Tub lets you indulge in a warm, relaxing bath that can help relieve life's aches, pains and worries.



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- Heated Seat Providing soothing warmth from start to finish.
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Govt Public Notices

NOTICE OF DECISION Town of Lisbon Planning and Zoning Commission

At the regular meeting of the Town of Lisbon Planning and Zoning Commission held on Tuesday, December 5, 2023, the following action was taken:

1. Application by Town of Lisbon Planning and Zoning Commission, 1 Newent Road.



Environmental Impact Evaluation Notice Notice of an Environmental Impact Evaluation (EIE) for Bozrah's Sanitary Sewer Extension

Public Notices

Addresses of Possible Project Locations: The project is located along Fitchville Road, Stockhouse Road, River Road, Rachel Drive, Commerce Park Road on State Route 87 in Bozrah, and in State Routes 87 and 32 in Franklin. It will connect to the Town of Franklin sewer system on Route 32.

Municipalities where proposed action is to be located: Bozrah and Franklin

Project Description: The proposed project consists of installing wastewater collection systems in the village section of Bozrah and ultimately connect via Stockhouse Road and Route 87 to the existing Norwich Public Utilities (NPU) sewer on Route 32 in Franklin. The proposed action includes constructing approximately 15,050 linear feet of gravity sanitary sewer, 4 pumping stations, and approximately 3,610 feet of sanitary sewer force main in the Town of Bozrah. The type of construction work required to install sanitary sewer pipes in the road consist of cutting into the roadway, soil eccavation and backfilling, and pavement restoration. The Town of Bozrah plans to enter into an intermunicipal agreement with the Town of Franklin to discharge wastewater into the NPU's collection system. NPU owns and maintains a Combined Sewer Overflow system and Bozrah proposes to discharge up to 200,000 gallons per day design flows from the proposed sanitary sewer service area.

The proposed sanitary sewer service area contains residential areas, as well as areas zoned commercial and industrial that could support potential economic growth consistent with Local and State Plans of Conservation and Development. Additionally, the majority of the Town of Bozrah relies on onsite septic systems for wastewater management and most of these systems were built in the 1980s or earlier. In the Fitchville Village section many of the septic systems are over 60 years old and some serve multi-family housing. Small lot sizes, among other restraints, make most of the Village septic systems impracticable, if not impossible to repair to meet public health code requirements.

The estimated cost of the project is around 15 million dollars. The Town of Bozrah is awarded with a 5-million-dollar grantin-aid approved by the State's bond commission on March 31, 2022 and a low interest 40-year USDA loan that will be taken out to fund the remaining 10 million dollars.

Project Map: Visit this website to view a map of the project area.

https://portal.ct.gov/CEQ/Environmental-Monitor/Environmental-Monitor/-/media/141F241BC3C9481A8AD44F2A70735-CA7.ashx

Scoping Notice and Post Scoping Notice: The Department of Energy and Environmental Protection published a Scoping Notice on November 8th, 2022 and a Post-Scoping Notice on November 7th, 2023 for the proposed Sanitary Sewer Extension in the Environmental Monitor. It can be viewed from the links below.

Scoping Notice: <u>https://portal.ct.gov/CEQ/Environmental-Monitor/Environmental-Monitor-Archives/2022/November-8-</u>2022

Post <u>Scoping Notice:</u> https://portal.ct.gov/CEQ/Environmental-Monitor/Environmental-Monitor-Archives/2023/November-7-2023

Comments on this EIE will be accepted until the close of business on: January 5, 2024

The public can view a copy of this EIE at this website: <u>https://portal.ct.gov/CEQ/Environmental-Monitor/Environ-</u> <u>mental-Monitor/-/media/485C6D423DF64BD692DA47F18EC-</u> <u>C7D23.ashx</u>

Other information: The link below are the comments made during the Scoping Notice

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So what's keeping you from having a better quality of life?

Check all the conditions that apply to you.

Safe Step includes more standard therapeutic and safety features than any other tub on the market, plus the best warranty in the industry:



Free Shower Package - shower while seated or standing.

Personal Checklist: Arthritis Dry Skin Insomnia Anxiety

Diabetes	□ Mobility Issues
Lower Back	□Poor
Pain	Circulation

Then read on to learn how a Safe Step Walk-In Tub can help.

Feel better, sleep better, live better

A Safe Step Walk-In Tub lets you indulge in a warm, relaxing bath that can help relieve life's aches, pains and worries.



can help increase mobility, boost energy and improve sleep.

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for Zoning Regulation Text Changes within Sections 3, 6, 7, 8, 10 and 15 to update zoning districts, Industrial designations, and free-standing sign standards. <u>ADOPTED WITH EFFEC-TIVE DATE: JANUARY 1,</u> 2024

2. Application by Town of Lisbon Planning and Zoning Commission, 1 Newent Road, to adopt a revised Zoning Map. <u>ADOPTED WITH EFFECTIVE DATE: JANU-ARY 1, 2024</u> 3. Application by Town of Lisbon Planning and Zoning Commission 1 Newent Road

3. Application by lown of Lisbon Planning and Zoning Commission, 1 Newent Road, for Zoning Regulation Text Changes within Sections 2, 4, 5, 5B, 6, 7, 10 and 19 for the regulation of Cannabis establishments. ADOPTED WITH EFFECTIVE DATE: JANU-ARY 1, 2024

Dated at Lisbon, Connecticut this 11th day of December, 2023.

Robert D. Adams, Chairman Lisbon Planning and Zoning Commission

#9623634 Norwich Bulletin 12/14/23 https://portal.ct.gov/CEQ/Environmental-Monitor/Environmental-Monitor/-/media/DEEP/Public Notice Attachments/Bozrah-Combined-Post-Scoping-Notice-Document.pdf Send your written comments about this EIE to: Name: Anthony Poon Agency: Department of Energy and Environmental Protection Address: 79 Elm Street, Hartford CT 06106 E-Mail: Anthony.poon@ct.gov If you have questions about this EIE, or similar matters, please contact: Name: Anthony Poon Agency: Department of Energy and Environmental Protec-

tion Address: 79 Elm Street, Hartford CT 06106 Phone: 860-424-3605 E-Mail: <u>Anthony.poon@ct.gov</u>

What happens next: The Department of Energy and Environmental Protection will review the comments received and may conduct further environmental study and analysis or amend the evaluation. The Department of Energy and Environmental Protection will prepare responses to the substantive issues raised in review of and comment on the EIE and any supplemental materials or amendments. Those responses and all supplemental materials and comments shall be made available in a "Record of Decision" which will appear in the *Environmental Monitor* for public inspection.

#9600297 NB 12/7, 12/14, 12/21/23



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