

**Water Resource Committee
Special Meeting Minutes
March 20, 2012**

Present: Jane Cable, Jack Collins, George James, Mervin Roberts, Steven Ross.

Absent: Hansen Cummins, Stephen Dix

Chairman Steve Ross called the Special Meeting to order at 5:34 PM. having determined that a quorum was present.

Minutes approved: Motion made by Jack to approve the November 1, 2011 Special Meeting Minutes as submitted. Seconded by Jane and approved by unanimous vote.

The draft language for the proposed Ordinance was discussed. Jack explained that he was able to use much of the state statutes pertaining to the diversion of water and tailor it to Old Lyme. CGS 7-148 deals with the authority of the Town to protect its environment. Also, whatever Town Board or Commission is designated to handle the process and hearings must have statutory authority to do so. After discussion of various existing Boards, it was the consensus that an Aquifer Protection Commission would be appropriate. CGS 22A-354o provides for authority of the Town to create an Aquifer Protection Commission. The role of such a commission could also provide for expansion of other water related issues, such as quality. There might be some overlap with other Boards but that would be acceptable.

Discussion of the exemptions clarified that even when multiple septic tanks, residential and commercial, are pumped and the truck contents combined the exemption applies to be individual tanks, regardless of the cumulative amount. We also concluded that situations that would apply to the proposed Ordinance would be few and that the most probable would involve diversion involving a proposed sewer and a water company. Our goal is to ensure that the Town is notified of such requests made to DEEP and that we have the ability to ensure that appropriate professional study is completed to be confident that no adverse impact will result for the proposed diversion.

An appeal process is also needed and CGS 22A-354o includes one.

Discussion regarding notification and how to ensure that the Town is notified of any application to DEEP for water diversion, including sewers followed. CGS 22A-370 indicates that, if we so request, any application filed for a diversion permit must be sent within 10 days to the Chief Executive Officer of the municipality.

The definition of a municipality as related to chartered beach associations was discussed and it was concluded that they would be considered to be one. However, so is the Town so notification would not exclude the Town even if the application is for a "municipality" that is a beach association.

Jack also found that CGS 22A-371 provides that notice must be given to municipalities, Conservation Commission and Wetlands Commission for any request to divert 50,000 gallons or more of water per day.

Moving forward, Jack will make revisions to the draft based on the above discussion and statutes. Jane will draft a recommendation to the Board of Selectwomen/man for an

Aquifer Protection entity pursuant to CGS 22A-354o. This will include the handling of applications and receiving notices for any diversion requests.

We want to ensure that we act with statutory authority in establishing the proposed Ordinance and processes related to its operation, appeal and enforcement.

It is the goal of this temporary committee to complete its charge with a recommendation to the BoS for an Ordinance and the processes related to it after the next meeting or two. We will meet with Bonnie to explain all aspects of the recommendations before formally submitting to the BoS.

Date of the next special meeting is Tuesday, April 3, 2010 @ 5:30 PM.

The meeting was adjourned by unanimous vote at 6:20 PM.

Submitted by: Steven A, Ross, Chairman