



**MINUTES OF THE TOWN OF CHESHIRE
TOWN COUNCIL REGULAR MEETING
7:00 PM, TUESDAY, MARCH 10, 2026
COUNCIL CHAMBERS, 84 SOUTH MAIN ST., CHESHIRE, CT 06410**

Present:

Peter Talbot, Don Walsh, David Veleber, Fiona Pearson, Tricia Cramer, Greg Wolff, Jim Jinks, Lou Todisco, Deb Manke

Staff/Guests: Sean M. Kimball, Town Manager; Andrew Martelli, Assistant Town Manager; Jim Jaskot, Finance Director; Town Attorney Jeffrey Donofrio; Town Engineer Marek Kement; Director of Parks and Recreation John Gawlak; Francisco Perez, NEMBA; Mick Ferraro, NEMBA; Ronald Ing, Director of Human Resources

Absent:

Peter Talbot called the meeting to order at 7:15 p.m.

1. ROLL CALL

Noelle Shepard called the roll, and all the Town Councilors were present.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMUNICATIONS

A. Recognition of the Firefighter and Police Officer of the Year.

Peter Talbot read certificates of recognition for Firefighter of the Year Zachary Schiavi and Police Officer of the Year Mahmoud Kafel.

B. Introduction of new Director of Human Resources Ronald Ing.

Sean Kimball introduced the new Director of Human Resources for the Town of Cheshire, Ronald Ing.

C. Public comments.

Jim McKenney, 272 Beacon Hill Drive, explained that he was elected to the Planning and Zoning Commission in November. He attended meetings, and on the 26th of November, he was asked to leave

when they went into executive session. He has been speaking with the Town Attorney as he believes this was not legal.

Joanna Giddings, 503 Oakridge Drive, discussed care for Bartlem Park and expressed concern that there has not been enough ecological landscaping done. She had two suggestions for enhancement. One is to utilize the retention basin, and the second is to designate the southern end of the park for a habitat that supports birds etc. by creating a butterfly garden on either side of the paved path.

Karen Schnitzer, 18 Currier Place, chair of the Environment Commission, mentioned a possible opportunity to collaborate with the Mill River Watershed Association. Peter Talbot requested that the Environment Commission work with Joanna Giddings to look into this and come back to the Town Council.

Ian Meakin, 233 Patton Drive, inquired if there is a plan going forward for bus shelters. He expressed concern about people out in the cold, rain, sleet.

Peter Talbot explained that the town is currently doing a multimodal transportation study. Sean Kimball updated that they have been working on bus shelters, and it is on the Town Council's list of goals and objectives.

4. APPROVAL OF MINUTES

- A. Minutes of the February 10, 2026 Town Council regular meeting.

Fiona Pearson motioned to approve the minutes of the February 10, 2026 Town Council regular meeting, and Don Walsh seconded the motion. All in favor, the motion passed unanimously, 9-0.

5. CONSENT CALENDAR

- A. Acceptance and appropriation of a \$1,657.50 donation from the Greater Waterbury YMCA to support the Juvenile Review Board program.
- B. Acceptance and appropriation of \$1,800.00 from Coldwell Banker Realty Cares Foundation to the Human Services Gift Account for general purposes.
- C. Acceptance and appropriation of a \$6,605.67 donation from Cheshire Interfaith Housing to the Human Services Gift Account for housing insecurity.
- D. Acceptance and appropriation of a \$2,741.00 from Robert and Donna DeSalle to the Parks and Recreation Gift Account for a memorial bench in honor of Amanda DeSalle VanFleet.
- E. Approval of tax refunds in the amount of \$18,820.21.

Fiona Pearson motioned:

BE IT RESOLVED, That the Town Council approves Resolution #031026-1

CONSENT CALENDAR FOR MARCH 10, 2026

BE IT RESOLVED, that the Town Council approves the Consent Calendar for March 10, 2026, as follows:

- A. Acceptance and appropriation of a \$1,657.50 donation from the Greater Waterbury YMCA to support the Juvenile Review Board program.*
- B. Acceptance and appropriation of \$1,800 from Coldwell Banker Realty Cares Foundation to the Human Services Gift Account for general purposes.*
- C. Acceptance and appropriation of a \$6,605.67 donation from Cheshire Interfaith Housing to the Human Services Gift Account for housing insecurity.*
- D. Acceptance and appropriation of a \$2,741.00 from Robert and Donna DeSalle to the Parks and Recreation Gift Account for a memorial bench in honor of Amanda DeSalle VanFleet.*
- E. Approval of tax refunds in the amount of \$18,820.21.*

The motion was seconded by Don Walsh. All in favor, the motion passed unanimously, 9-0.

6. ITEMS REMOVED FROM CONSENT CALENDAR

7. OLD BUSINESS

- A. School Building Committee update.

Greg Rosenblatt updated that both projects remain on schedule and under budget and presented photos from both schools. For Norton School, sections are projected to be completed between June 15th and July 16th. The demolition of the existing school and parking lot completion is scheduled by November 11th. At Barnum, between June 2nd and July 10th, the building should be complete. He further mentioned that the Committee received feedback about the ceremonial plaques and asked that comments be provided to the Committee. Fiona Pearson inquired about LEED certification and asked if this would be possible for the two new schools. Don Walsh inquired if there was further discussion about the storage shed over at Barnum and what was decided. Greg Rosenblatt explained that it would be an additional expense, still likely but pushing down the road because it is an additional expense. He further mentioned that on May 7th, they are planning a walkthrough for the two new schools.

8. NEW BUSINESS

- A. Call for public hearing for amendment to ordinance Sec. 2-8. - Fee Schedule pertaining to fee for use of a handheld scanner device to copy documents.

Tricia Cramer motioned:

BE IT RESOLVED, That the Town Council approves Resolution #031026-2

BE IT RESOLVED, that the Town Council will hold a public hearing at 7:00 p.m. on Tuesday, April 14, 2026 in Council Chambers, Town Hall, 84 South Main Street, Cheshire, Connecticut, to consider the adoption of the amendment to the Section 2-8 "Fee schedule; copies of public records" as follows:

Sec. 2-8. Fee schedule; copies of public records.

Pursuant to Section 1-15 of the Connecticut General Statutes, the following schedule of fees shall pertain to all copies of public documents generated or transcribed in any manner:

(1) As to all departments

Fee for copy of public document (per page) \$0.50

Certified copies (first page) 1.00

Additional pages 0.50

*Computer printout or transcription (per page) Cost of
..... preparation*

(Copies of voter registration lists shall not exceed \$0.03 per name)

(2) As to the town clerk's office

Survey maps:

1. Large size (2' × 3') 7.50

2. Small size (18" × 24") 5.00

3. Section 1.00

Zoning regulations 15.00

Subdivision regulations 15.00

Inland wetlands regulations 10.00

Zoning/inland wetlands maps

1. Large size (2' × 3') 7.50

Code of Ordinances 65.00

Charter 3.00

Use of handheld scanner device to copy documents \$20.00 per day

(3) As to the public works department

Topographic map (3' × 3½' using blueline paper) 12.00

Street map (3' × 5' using blueline paper) 12.00

As-built map (2' × 3' using blueline paper) 7.50

(4) As to the planning department

Assessor's map (2' × 3') 7.50

Wetlands map (2' × 3') 7.50

(5) As to the assessor.

Assessor's map (24" × 36" black and white) \$12.00

Assessor's map (24" × 36" color) \$20.00

Section of map (8½" × 11" color) \$5.00

Section of map (11" × 17" color) \$8.00

Grand list property data \$50.00

BE IT FURTHER RESOLVED, that the Town Manager shall cause a notice of said public hearing to be posted and published according to law, and

BE IT FURTHER RESOLVED, that the date, time, and place or any further postponements thereof shall be determined by the Town Manager with the approval of the Chair of the Council.

The motion was seconded by Fiona Pearson. The motion passed unanimously, 9-0.

B. Adoption of amendments to ordinance Section 13-32 Regulation of peddlers and solicitors.

Lou Todisco motioned:

BE IT RESOLVED, That the Town Council approves Resolution #031026-3

BE IT RESOLVED, that, pursuant to the recommendation of the Ordinance Review Committee, the Town Council hereby adopts the amendments to the Section 13-32 "Regulation of peddlers and solicitors" ordinance as follows:

Sec. 13-32. Regulation of peddlers and solicitors.

(a) Purpose. This section is enacted to protect against criminal activity including fraud and burglary, to minimize the unwelcome disturbance of citizens and the disruption of privacy and to otherwise preserve the public health, safety and welfare by regulating, controlling and licensing solicitors and peddlers.

(b) Definitions. The following definitions shall apply to this section:

Peddler, as used in this section, means any person, whether principal or agent, who goes from town to town or place to place in the town selling, bartering, exposing for sale or barter, or carrying for sale or barter, either privately or publicly, any goods, wares or merchandise, either on foot or from any animal or vehicle. This definition shall not apply to those who sell or barter at a private residence at the invitation of the owner or occupant of said residence in conformity with the zoning laws of the town.

Peddling includes all activities ordinarily performed by a peddler as indicated above.

Person, as used in this section, means a natural person or any firm, corporation, association, club, society or other organization.

Soliciting includes all activities ordinarily performed by a solicitor as indicated below.

Solicitor, as used in this section, means any person who goes upon the premises of any private residence in the town, not having been invited by the occupant thereof, for the purpose of taking or attempting to take orders for the sale of goods, merchandise, wares or other personal property of any nature for future delivery, whether or not deposits or advance payments are collected. This definition also includes any person who, without invitation, goes upon private property to request contributions of funds or anything of value, or sell goods or services for political, charitable, religious or other noncommercial purposes.

This ordinance amendment shall go into effect twenty-one (21) days after publication.

The motion was seconded by Greg Wolff. All in favor, the motion passed unanimously, 9-0.

C. Adoption of amendments to ordinance Section 16-6 Fats, oil, and grease (FOG) management.

Lou Todisco motioned:

BE IT RESOLVED, That the Town Council approves Resolution #031026-4

BE IT RESOLVED, that, pursuant to the recommendation of the Ordinance Review Committee, the Town Council hereby adopts the amendments to the Section 16-6 "Fats, oil, and grease (FOG) management" ordinance as follows: (Motion is attached in full to the minutes.)

The motion was seconded by Jim Jinks. Marek Kement explained that the ordinance was put into place and since then, they have some recommended updates. Don Walsh expressed support for the fee being lowered to every five years. Marek Kement mentioned he will keep track of how the fines go and see if anything needs to be increased. All in favor, the motion passed unanimously, 9-0.

D. Approval of Memorandum of Understanding with CT NEMBA.

Jim Jinks motioned:

BE IT RESOLVED, That the Town Council approves Resolution #031026-5

BE IT RESOLVED, that the Town Council hereby authorizes the execution of a Memorandum of Agreement by and between the Town of Cheshire and The New England Mountain Bike Association, for the proposed development of a mountain bike trail network at the Yankee Expressway Highlands Property as presented, and

BE IT FURTHER RESOLVED, that, pursuant to the recommendation of the Environment Commission, all trail construction shall be limited to the northwest corner of the parcel as depicted on the Appendix A map, and

BE IT FURTHER RESOLVED, that the Town Manager is authorized and directed to execute on behalf of the Town said Agreement in the form and upon the terms and conditions as presented at this meeting.

The motion was seconded by Greg Wolff. John Gawlak provided background that this started almost four years ago. Since then, there have been a lot of meetings, and the map has been changed. He explained that the ERT report will be complete over the next 8-12 months, and then hopefully the entire project can be greenlighted.

Francisco Perez, Cheshire resident for 21 years, treasurer for central CT NEMBA, and Mick Ferraro, Regional Director for the NEMBA, introduced themselves and provided background on CT NEMBA and their current projects around the state.

Karen Schnitzer explained that the Environment Commission has tried to be diligent, and she thanked Andrew for filling out an application for CT ERT to do the environmental analysis of the property.

Don Walsh thanked CT NEMBA for choosing Cheshire. He clarified that the first phase will take about 8-12 months, so the trails will not be available this summer. Mick Ferraro clarified that the entire

project would likely take years, and they usually complete it in zones. Francisco Perez explained the design of the trails. Discussion was had about the location of parking. Greg Wolff inquired what Cheshire residents can do to help. Mick Ferraro answered that individuals can join CT NEMBA and join volunteer days. All in favor, the motion passed unanimously, 9-0.

- E. Acceptance of Regional Water Authority public drinking water station located on a portion of the Farmington Canal Heritage State Park Trail.

Fiona Pearson motioned:

BE IT RESOLVED, That the Town Council approves Resolution #031026-6

BE IT RESOLVED, that the Town Council hereby approves the terms listed in the draft Water Line Easement and Agreement by and between the State of Connecticut and the South Central Connecticut Regional Water Authority in relation to the installation of a public drinking water station by the South Central Connecticut Regional Water Authority at the Farmington Canal Heritage Trail, and

BE IT FURTHER RESOLVED, that the Town agrees to inspect, maintain, repair, and replace said drinking water station apparatus as needed.

The motion was seconded by Jim Jinks. Sean Kimball explained that the Regional Water Authority is extending water mains to Stonebridge Crossing. They have offered to install a water fountain for people and pets to use on the Farmington Canal Heritage Trail with the Town accepting future maintenance responsibilities. All in favor, the motion passed unanimously, 9-0.

9. TOWN MANAGER REPORT AND COMMUNICATIONS

- A. Monthly Status Report.

Sean Kimball mentioned that the second edition of the Town Square newsletter has been released. He reviewed the launching of a ClearGov digital budget book.

- B. Department Status Reports: Police, Fire, Economic Development.

10. REPORTS OF COMMITTEES OF THE COUNCIL

- A. Chairman's Report.

Fiona Pearson updated that the budget season starts tomorrow. Lou Todisco updated that the Ordinance Review Committee will be having another meeting on the demolition delay ordinance.

- B. Miscellaneous.

- C. Liaison Reports.

Tricia Cramer explained that the Environment Commission has been very active, and are currently discussing the beekeeper's lease, mountain biking, and the Plan of Conservation and Development.

Greg Wolff updated that Arts Day has been scheduled for March 15th and will be held at the Youth Center.

Jim Jinks updated that the Economic Development Commission discussed the TIF and status of the TIF district. Deb Manke updated that Youth & Human Services Committee met with the Western CT Coalition to discuss the priority report. Lou Todisco mentioned that the Public Safety Commission will be making an appropriation request this year for Stop the Bleed. Don Walsh updated that the Cheshire Housing Authority is taking pre-applications for Beachport.

11. APPOINTMENTS

Greg Wolff motioned to correct the appointment of:

- *Tony Falcone, U, Historic District Commission alternate, new appointment replacing Kevin Daly, term of 3/10/2026-1/31/2029.*

David Veleber seconded the motion. All in favor, the motion passed unanimously, 9-0.

12. TOWN ATTORNEY REPORT AND COMMUNICATIONS

13. COUNCIL COMMUNICATIONS

A. Letters to Council.

B. Miscellaneous.

14. ITEMS FOR EXECUTIVE SESSION

A. Upon 2/3 vote, convene in executive session pursuant to Conn. Gen. Stat. Sec. 1-200(6)(D) for a discussion of the potential purchase of an interest in real estate by the Town.

David Veleber motioned to go into executive session pursuant to Conn. Gen. Stat. Sec. 1-200(6)(D) for a discussion of the potential purchase of an interest in real estate by the Town to include Town Manager Kimball, Assistant Town Manager Andrew Martelli, Management Specialist Noelle Shepard, and Bill Cunningham. Lou Todisco seconded the motion. All in favor, the motion passed unanimously, 9-0. The Town Council entered executive session at 8:53 p.m.

15. ADJOURNMENT

The Town Council exited executive session at 9:32 p.m.

Don Walsh motioned to adjourn the meeting, and Deb Manke seconded the motion. All in favor, the

motion passed unanimously, 9-0. The meeting adjourned at 9:32 p.m.

Attest: _____
Noelle Shepard, Management Specialist

BE IT RESOLVED, That the Town Council approves Resolution #031026-4

BE IT RESOLVED, that, pursuant to the recommendation of the Ordinance Review Committee, the Town Council hereby adopts the amendments to the Section 16-6 “Fats, oil, and grease (FOG) management” ordinance as follows:

Sec. 16-6. Fats, Oil, and Grease (FOG) Management

- (a) *Purpose.* The purpose of this section of the Sewer Ordinance is to aid in preventing the accumulation of fats, oils, and grease into the Town of Cheshire sanitary sewer system thus reducing the potential for sanitary sewer overflows. This Sewer Ordinance outlines the wastewater pretreatment requirements for food service establishments and other commercial facilities that have potential to discharge FOG in their wastewater flow. All new and existing facilities that discharge FOG in their wastewater are applicable to this program. This section of the Sewer Ordinance is an integral part of Cheshire’s Ordinances in the application, administration, and enforcement thereof.
- (b) *Definitions.* For the purpose of this section, the following terms shall be defined as follows:

Fats, Oils and Grease (FOG): Any fats, oils and grease from the food preparation process as identified per the most current EPA method as listed in 40 CFR 136.3, as amended.

Food Service Establishment (FSE): Food service establishment means a Class II, Class III or Class IV food service establishment as defined by section 19-13-B42 of the State of Connecticut Public Health Code, Class 2,3 or 4 food establishments as defined by the FDA food code adopted by Connecticut Public Act limits in Section 5(c) (1) and (2) of the State of CT General Permit for the Discharge of Wastewater associated with FSE such as but not limited to, restaurants, hotel kitchens, hospital kitchens, school kitchens, bars, factory cafeterias, retail bakeries and clubs.

General Permit for the Discharge of Wastewater Associated with Food Service Establishments: The state of Connecticut Department of Energy and Environmental Protection General permit for the Discharge of Wastewater associated with Food Service Establishments issued October 5, 2016, and its subsequent updates. The general permit was formerly titled general permit for the discharge of wastewater associated with Food preparation establishments.

Active Grease Recovery Unit (AGRU): Active Grease Recovery Unit means an interior grease interceptor that separates grease from wastewater by active mechanical or electrical means as described in the general permit or discharge of wastewater associated with FSE issued October 5, 2016.

Super Capacity Grease Interceptor (SCGI): Super Capacity Grease Interceptor means an indoor passive unit, third party certified to retain more than four times the amount of pounds of grease than the flow rating in gallons per minute and is designed to separate FOG from wastewater while allowing water to flow through and meets specifications defined by section 5 (b)(3) of the general permit.

Grease trap/FOG interceptor: Grease trap/FOG interceptor means a minimum of 1,000 gallon outdoor, in-ground passive unit designed to separate fats, oils and grease from wastewater while

allowing water to flow through and meets specifications defined in section 5(b)(1) of the general permit and the Town of Cheshire sewer Ordinance.

FOG Management Equipment: FOG management equipment means properly designed, installed, and operated equipment including AGRU, grease trap/FOG interceptors, SCGI, as approved by Cheshire, designed to meet the effluent limits defined in section 5(b)(1) of the general permit.

Connecticut Department of Energy and Environmental Protection (CT DEEP): CT DEEP is a state organization that oversees the operation of all potentially hazardous facilities in Connecticut. They are also the governing body that drafts policies and gives procedures and best practices for the construction, maintenance, and operation of Food Service Establishments (FSEs).

- (c) *Rules and Requirements.* FSE discharging wastewater into the Town of Cheshire collection system are subject to the following requirements which shall constitute the Town's FOG program.
1. Compliance with the general permit for discharge of wastewater associated with food service establishments.
 2. Every five (5) years, FSE's shall complete FOG registration or variance application forms supplied by Cheshire. All registrations and variances are non-transferable and must be submitted to the Town of Cheshire after any change in ownership or significant menu/facility change.
 3. Inspections performed by the Town of Cheshire to verify compliance with these requirements and those requirements of the general permit for the discharge of wastewater associated with FSE.
 4. Payment of any fees associated with this registration, variances, fines or violations, and reimbursement for costs associated with any emergency services provided by the Town of Cheshire.
 5. No FSE shall introduce any additives, including but not limited to, enzymes or surfactants as grease emulsifiers or degradation agents, into the FOG management equipment unless given prior approval by the Town of Cheshire.
- (d) *Fines and Fees.* Any fees associated with the Town of Cheshire's FOG Management Program shall be due and payable within thirty (30) days of the date of issue, and the Town is authorized but not required to approve an extension of time of the due date up to seven (7) days after the end of the billing period. One percent (1%) interest will be applied monthly to the unpaid balance, including previously applied interest, of all bills outstanding beyond thirty (30) days from issuance.
1. *Registration Fee.* A Registration Fee of one hundred fifty dollars (\$150.00) upon initial registration and every five years thereafter on renewal date will be due and payable for each FOG Class II, Class III or Class IV (or FDA Class 2, 3, and 4) FSE's. This will also include the review and approval of the Facility Registration Form and all required inspections.
 2. *Inspections Violation Fees.* The Town of Cheshire will perform inspections of the FSE to determine compliance with the Connecticut Department of Energy and Environmental Protection (CT DEEP) General Permit for the Discharge of Wastewater Associated with Food Service Establishments. Each day that a violation continues shall be a separate occurrence of the violation.

See the following tables for violation descriptions and their corresponding fines:

Violation	Fine Amount (\$)
Failure to Submit Registration or Variance Applications	\$500
Disallow Inspection	\$250
Revisit FSE for Re-inspection	\$100
No FOG or Non-Compliant FOG Management Equipment Installed	\$200
Failure to Maintain Grease Trap Cleaning, Inspection, and Maintenance Records	\$100
Failure to Maintain FOG Equipment in Proper Working Order	\$200
Failure to Clean FOG Management Equipment Quarterly or when 25% of the Depth of the Trap is Filled with Food Solids and FOG, Whichever Comes First	\$200
Failure to Properly Dispose of Brown and/or Yellow Grease	\$200
Source of Sewer Blockage	\$1000
Source of Sanitary Sewer Overflow (Minimum) – Actual Costs Will be Billed to the Facility for the Time and Materials Related to the Overflow	\$1000

3. The Town of Cheshire can perform emergency services to relieve grease blockages that result in sewer backups. If the Town determines that the blockage was caused by the business, the business will be billed for the work done to relieve it.

- (e) *Equipment Requirements.* Wastewater generated from an FSE shall be treated at the point of discharge to remove FOG using approved FOG Management equipment to meet the requirements of the general permit.

The FOG management equipment shall be connected to those fixtures or drains that would allow FOG to be discharged. This includes, but is not limited to pot sinks, pre-rinse sinks, soup kettles or similar devices, workstations, floor drains, automatic hood washing units, and any other fixture or drain that are likely to allow FOG to be discharged into the sewer infrastructure.

All FOG Class II, Class III or Class IV (or FDA Class 2, 3, and 4 FSEs) are required to install an Active Grease Recovery Unit (AGRU), Super Capacity Grease Interceptor (SCGI), or a minimum 1,000 gallon outdoor in-ground passive grease interceptor. Specifications for this equipment are outlined in the FOG General Permit.

1. *Active Grease Recovery Units (AGRUs).* AGRUs are a relatively small pretreatment unit located inside of a kitchen to remove grease at the source. These units allow FOG to accumulate locally, which is then moved with pumps (or skimmers) to another tank for disposal by a third-party.

All AGRUs shall be maintained in accordance with the manufacturer's instructions. These typically include a complete cleaning of the system on a quarterly basis, of which the contents shall be placed in a container specifically for grease trap waste, commonly referred to as "brown grease". A written log and proof of all maintenance operations for the unit is required to be kept on site and readily available for review by town staff.

2. *Super Capacity Grease Interceptors (SCGIs)*. SCGIs are passive units that are certified to retain more FOG material than an AGRU, and are typically used in large, commercial kitchens. These SCGIs shall conform to the specifications set in the FOG general permit.

All SCGIs shall be maintained in accordance with the manufacturer's instructions. These typically include a complete cleaning of the system on a quarterly basis, of which the contents shall be placed in a container specifically for grease trap waste, commonly referred to as "brown grease". A written log and proof of all maintenance operations for the unit is required to be kept on site and readily available for review by town staff.

3. *Outdoor In-Ground Grease Interceptors*. An outdoor in-ground grease trap is required to be emptied every 3 months (quarterly), or whenever 25% of the operating depth is occupied by grease and/or settled solids, whichever is more frequent. Following a minimum of one (1) year, the facility may request to extend cleaning beyond the quarterly period if the operating depth is not reached. The facility shall maintain a written log and receipts of any maintenance done to the system.

(f) *Variances*. The following are outlines for qualifying variances.

1. *Equipment Variances*. If an FSE has limited potential for discharging FOG into the sewer infrastructure, the establishment may request a variance for required equipment by contacting the Department of Engineering. If the variance is approved, it is valid for a total of five (5) years.
2. *Treatment Variances*. The Town of Cheshire may grant a variance of treatment requirements for a period of five (5) years. This variance will serve as a waiver to the treatment requirements of Section 5(b)3 of the CT DEEP General Permit and will be granted to FSEs that demonstrate a limited potential for FOG discharge. All requests for treatment variances shall be made to the Department of Engineering for approval.
3. *Reapplication for Variance*. An FSE shall be required to reapply for a variance thirty (30) days prior to the following events: the expiration date of the current variance (5 years after the approval date), any significant menu change, FOG or FDA reclassification, or a change in ownership. All variances are subject to approval by the Department of Engineering.

(g) *Inspections*. FSEs shall be subject to inspection by the Town of Cheshire on a regular basis to determine whether the requirements set forth in this ordinance and the CT DEEP General Permit are being met. Inspection may include but are not limited to: inspections of FOG management equipment, food preparation activities, review of records for the quarterly inspections, grease storage, and review of cleaning and maintenance logs.

(h) *Discharge Limits*. No FSE shall discharge or cause to be discharges any wastewater with a FOG concentration in excess of one hundred milligrams per liter (100 mg/L), as determined by the currently approved test for recoverable fats and grease. Which is outlined by the Code of Federal Regulations 40 CFR 136.6, as amended.

(i) *Violations*. In the event the FSE fails to meet the recordkeeping, installation, maintenance and/or operational requirements or discharge limits, the Town of Cheshire will issue a written notice of

violation for the non-compliant condition(s). The FSE shall take immediate steps to bring the establishment into compliance. Each day that a violation continues shall be considered a separate occurrence. The Town of Cheshire reserves the right to notify Connecticut DEEP of any establishment that is non-compliant with the FOG Management Program.

Any violation of the town of Cheshire FOG Management Program shall become compliant within the timeframes of the following table. A seventy-five dollar (\$75) daily fee will be issued if an FSE does not reach compliance in the allotted time:

Violation	Correction Time
Equipment Not Registered	7 days
No Grease Trap Installed or Non-Compliant Grease Trap Installed	30 days
FOG Management Equipment in Need of Repair or Cleaning	7 days
Failure to Maintain Written Records of FOG Management Equipment Cleaning and Inspection	7 days
Disallow an Inspection – Inspection Must be Rescheduled Within 7 Days of Initial Inspection Date	7 days
Failure to Clean and Maintain FOG Management Equipment as Required	7 days
Source of Sewer Blockage	24 hours
Source of Sanitary Sewer Overflow	24 hours

- (j) *Sewer Stoppages and Maintenance.* In the event of a sewer stoppage or blockage caused by any FOG discharge from a FSE, the Town of Cheshire shall notify said establishment in writing and said establishment shall reimburse the Town any expenses incurred by the Town as a result of the sewer stoppage or blockage. The expenses may include, but are not limited to, the cost of the services of Town employees or contractors for any work or inspection necessary to relieve such stoppage or blockage, and damage to any other properties affected.

If any FOG related stoppage requires emergency action on the part of the Town, the FSE shall be charged a minimum penalty fee per event in addition to the cost of service of the Town's employees or contractors. An emergency is defined as any event which requires power rodding, snaking, jetting, or any other work required to clear the stoppage. In the event the collection system needs to be cleaned out due to the excess FOG discharged by a FSE, the establishment shall pay to the Town the expense incurred by the Town to clean the sewer or appurtenance, therefore.

- (k) This Sewer Ordinance is subject to modification based on changes in the applicable laws (including the Connecticut General Statutes and Regulations of State Agencies) of the State of Connecticut and modifications approved by the Town Council.

This ordinance amendment shall go into effect twenty-one (21) days after publication.