



Issued: 5/20/2020

**TOWN PLAN AND ZONING COMMISSION
SPECIAL MEETING
WEDNESDAY, MAY 13, 2020
VIRTUAL MEETING**

DRAFT MINUTES

ATTENDANCE: Chair: Kevin Ahern, Commissioners: Liz Gillette, Alternates: Gordon Binkhorst, Andrea Gomes. Staff: Todd Dumais, Town Planner.

ABSENT: Vice Chair: Kevin Prestage, Commissioners: John O'Donnell, Michele Maresca.

CALL TO ORDER/ROLL CALL: 7:00 P.M.

MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.

Gordon Binkhorst seated for Kevin Prestage and Andrea Gomes seated for Michele Maresca on all items.

MINUTES:

1. None

COMMUNICATIONS:

2.
a. None

NEW BUSINESS:

3. None

OLD BUSINESS:

4. **25 Kane Street** - Application (IWW#1123) of Thomas R. Evans (R.O.), requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area. The applicant is proposing a restoration and enhancement project in response to a Notice of Inland Wetlands & Watercourse Violation issued by the Designated Agent for work

without permits within a regulated area. The proposed activity takes place within wetlands, a watercourse, and adjacent 150' upland review area. (Submitted for IWWA receipt on March 2, 2020. Determined to be potentially significant and set for public hearing on April 6, 2020. Meeting postponed and rescheduled to May 13, 2020.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (4-0)** (Motion/Gomes) (Binkhorst seated for Prestage, Gomes seated for Maresca) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

25 KANE STREET
INLAND WETLAND APPLICATION IWW #1123
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **25 Kane Street** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1123** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.
- [4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.
- [5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;
- [6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.
- [7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and
- [8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **25 Kane Street**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 3.) Weekly inspection reports of the sediment and erosion controls shall be submitted to the Town Planner. Additional erosion and sediment control measures shall be implemented and/or installed throughout the course of construction as/if deemed necessary and directed by the Design Engineer and/or West Hartford Town officials.
- 4.) Prior to the start of any site disturbance, all sediment and erosion controls and tree protection shall be installed. Once installed, but before the commencement of any disturbance, the Town Planner shall be notified and provided the opportunity to inspect.
- 5.) The Agency shall receive copies of all materials, correspondence and permits received from Connecticut Department of Energy and Environmental Protection.
- 6.) A final completion of work report which certifies the removal of invasive species and installation of proposed native plantings as shown on the Planting Plan Sheet C-2.1, prepared by qualified professional, shall be submitted to the Town Planner. Additionally, as offered by the Applicant, biannual inspections reports shall be provided documenting the restoration plan's success for a period of three years.

7.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

5. **1563 Asylum Avenue (Elizabeth Park)** – Application (IWW #1121) of Mary Dehais, To Design, LLC, on behalf of The City of Hartford, (R.O.) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an onsite soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on March 2, 2020. Required public hearing scheduled for April 6, 2020. Meeting postponed and rescheduled to May 13, 2020.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (4-0)** (Motion/Gomes) (Gomes seated for Maresca, Binkhorst seated for Prestage) to **APPROVE** the proposed amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford.

6. **1563 Asylum Avenue (Elizabeth Park)** – Application (IWW #1122) of Mary Dehais, To Design, LLC, on behalf of The City of Hartford, (R.O.) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland regulated area. The applicant is proposing a parking area expansion, including associated site lighting and drainage improvements. The proposed activity takes place within both a wetlands and adjacent 150' upland review area. (Submitted for IWWA receipt on March 2, 2020. Determined to be potentially significant and set for public hearing on April 6, 2020. Meeting postponed and rescheduled to May 13, 2020.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (4-0)** (Motion/Gomes) (Binkhorst seated for Prestage, Gomes seated for Maresca) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

1563 ASYLUM AVENUE
INLAND WETLAND APPLICATION IWW #1122
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **1563 Asylum Avenue** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1122** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **1563 Asylum Avenue**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.

- 3.) Weekly inspection reports of the sediment and erosion controls shall be submitted to the Town Planner. Additional erosion and sediment control measures shall be implemented and/or installed throughout the course of construction as/if deemed necessary and directed by the Design Engineer and/or West Hartford Town officials.
- 4.) Prior to the start of any site disturbance, all sediment and erosion controls and tree protection shall be installed. Once installed, but before the commencement of any disturbance, the Town Planner shall be notified and provided the opportunity to inspect.
- 5.) The Agency shall receive copies of all materials, correspondence and permits received from Connecticut Department of Energy and Environmental Protection.
- 6.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

7. **1563 Asylum Avenue (Elizabeth Park)** – Application (SUP #1355) of Mary Dehais, To Design, LLC, on behalf of The City of Hartford, (R.O.) requesting approval of a Special Use Permit for the expansion of the existing parking area in association with the Visitors Center renovation. Improvements include parking, stormwater management, plantings, and site lighting. (Submitted for TPZ receipt on March 2, 2020. Required public hearing scheduled for April 6, 2020. Meeting postponed and rescheduled to May 13, 2020.)

The TPZ acted by **unanimous vote (4 - 0)** (Motion/Gomes) (Binkhorst seated for Prestage, Gomes seated for Maresca) to **APPROVE** the Special Use Permit application with conditions. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
 - c. The parking, loading, trash and recycling facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. Plans of record are incorporated by reference in this approval as fully set forth herein and modified by the conditions below.
3. The special use permit approval is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.

4. Prior to the start of any site disturbance, all sediment and erosion controls and tree protection shall be installed. Once installed, but before the commencement of any disturbance, the Town Planner shall be notified and provided the opportunity to inspect.
5. The Applicant shall submit to the Town Planner for review and approval by the Town Engineer final as-built plans certifying that all landscaping, grading and stormwater infrastructure and improvements were completed in accordance with the approved plans. Such certification shall be made by a registered professional engineer.
6. The applicant shall perform routine on inspection and maintenance on the existing maintenance yard drain to ensure that it is properly functioning.
7. Parking lot lighting shall be installed with a timer and shut off during overnight hours.
8. The Applicant shall perform additional analysis to see if a connection into the manhole can be made to receive the overland flow from the water quality basin. The additional analysis shall be submitted to the Engineering Division / MDC for review and approval. If flow can be accepted without adversely impacting the drainage system, the Applicant shall make the connection.
9. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by May 2022 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
10. This letter of approval shall be stripped onto the final plan.

TOWN COUNCIL REFERRAL:

8. **1021-1023 Farmington Avenue**– Application on behalf of the Bridge Family Center, Inc. contract purchaser of the property know as 1021-1023 Farmington Avenue, requesting a change of the underlying zone for approximately .21 acres of land on the south side of Farmington Avenue from RM-3 (Multifamily Residence) to RO (Residence-Office) and Special Development District (SDD) designation for the reuse of the existing building for professional office use. (TPZ receipt and initial review on 3/2/20.)
To Recommend Approval. Motion/Gillette; Vote 4-0.

TOWN PLANNER’S REPORT:

9. **None**

INFORMATION ITEMS:

10. **None**

MEETING ADJOURNED: 11:36 P.M.

U: shareddocs/TPZ/Minutes/2020/May 13_Draft