



Issued: 5/5/2020

**TOWN PLAN AND ZONING COMMISSION  
REGULAR MEETING  
MONDAY, MAY 4, 2020  
VIRTUAL MEETING**

**DRAFT MINUTES**

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

**ABSENT:** Commissioners: John O'Donnell.

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

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

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**MINUTES:**

- 1. Approval of Minutes:
  - a. Minutes of the Regular Meeting, Monday, March 2, 2020  
*Motion/Prestage; Vote 4-0. (Binkhorst seated for O'Donnell; Maresca and Gomes Abstained)*

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**COMMUNICATIONS:**

- 2.
  - a. **61 Kane Street** – Carvana application withdrawn by applicant.  
*No action taken*
  - b. **847 South Quaker Lane (Beachland Park)** – Public written comments sent in.  
*No action taken*

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**NEW BUSINESS:**

- 3. **61 Kane Street** – Application (IWW #1124) of Brian W. Blaesser, Esq., Dinsmore & Shohl LLP, representing Carvana, LLC, 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 the redevelopment of the subject parcel to construct a new Carvana fulfillment center with associated site

grading, drainage, landscaping and parking improvements. Much of the proposed activity takes place within a wetlands 150' upland review area. No direct wetlands or watercourse impact is proposed. (Submitted for IWWA receipt on May 4, 2020. Presented for determination of significance.) *Withdrawn by Applicant.*

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**OLD BUSINESS:**

4. **847 South Quaker Lane (Beachland Park)** - Application (IWW #1120) of the Town of West Hartford, (Helen Rubino-Turco, Director of Leisure Services) 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 to remove accumulated sediment from a silt pond and restore a drainage ditch located within Beachland Park. 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 4, 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 (5-0)** (Motion/Prestage) (Binkhorst seated for O'Donnell) 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:

**847 SOUTH QUAKER LANE**  
**INLAND WETLAND APPLICATION IWW #1120**  
**COMPLIANCE WITH SECTION 10.2 and 10.4**  
**STANDARDS AND CRITERIA FOR DECISION**

The request to conduct certain regulated activities at **847 South Quaker Lane** in West Hartford, Connecticut pursuant to an Inland Wetlands and Watercourses application **IWW #1120** 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 Watercourses 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 **847 South Quaker Lane**.

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 Applicant shall submit an annual inspection report to the IWWA. The report shall detail the findings of the inspection and provide notice of the need for any sediment removal. Sediment removal as part of any maintenance activity shall not exceed the design depth of the silt pond.
- 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.

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**TOWN COUNCIL REFERRAL:**

- 5. **Trout Brook Trail Maintenance Agreement** – Resolution authorizing the execution of a permanent maintenance easement and agreement with the State of Connecticut to support the construction of the Trout Brook Trail.  
*To Recommend Approval. Motion/Prestage; Vote 5-0 (Gomes seated for O'Donnell).*

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**TOWN PLANNER'S REPORT:**

- 6. **None**

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**INFORMATION ITEMS:**

- 7. **None**

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**MEETING ADJOURNED: 8:40 P.M.**