

Issued: 7/7/2020

**TOWN PLAN AND ZONING COMMISSION
VIRTUAL REGULAR MEETING
MONDAY, JULY 6, 2020**

DRAFT MINUTES

ATTENDANCE: Chair: Kevin Ahern, Vice Chair: Kevin Prestage, Commissioners: Liz Gillette, Alternate: Gordon Binkhorst. Staff: Todd Dumais, Town Planner, Robert Gosselin, Planning Technician.

ABSENT: Commissioners: John O'Donnell, Alternate: Andrea Gomes.

CALL TO ORDER/ROLL CALL: 6:00 P.M.

Gordon Binkhorst seated for John O'Donnell on all items.

MINUTES:

1. Approval of Minutes:
 - a. Minutes of the Regular Meeting, Monday, June 1, 2020
Motion/Gillette Approved 4-0

COMMUNICATIONS:

2.
 - a. None

NEW BUSINESS:

3. **562 Fern Street** – Application (IWW# 1126) of Jason Guilmette, representing Aqua Pool & Patio, on behalf of Matthew & Amy Ronkese (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 to install a 450 s.f. in-ground swimming pool with a surrounding 215 s.f. patio. The proposed activity takes place within the 150' upland review area. (Submitted for IWWA receipt on July 6, 2020. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, in accordance with the Town of West Hartford Inland Wetlands and Watercourse Regulations, a motion was made by the IWWA (Motion/Prestage) (Binkhorst seated for O'Donnell) to find the application to be non-significant. By a **vote of (4-0)**, the motion passed and proposed regulated activity was found to be **NON-SIGNIFICANT** and thus conditionally approved the based on the following findings:

562 FERN STREET
INLAND WETLAND APPLICATION IWW #1126
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **562 Fern Street** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1126** 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 **562 Fern 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.) 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.
- 4.) 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.

OLD BUSINESS:

- 4. **9 Tolles Street (Plus One Defense Systems)** – Application (SUP# 1357) of Darin Reisler, (R.O.) requesting approval of a Special Use Permit for an “Indoor recreation or amusement facility” for a mobile indoor shooting range. The application proposes the installation of a mobile gun range, approximately 8’x48’ long, to be docked at the back of the existing building at 9 Tolles Street. (Submitted for TPZ receipt on June 1, 2020. Required public hearing scheduled for July 6, 2020.)

The TPZ acted by **unanimous vote (4 - 0)** (Motion/Gillette) (Binkhorst seated for O’Donnell) 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 Applicant shall comply with all applicable standards of Chapter 123 Noise of the West Hartford Code of Ordinances.
 4. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by Aug 2022 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
 5. This letter of approval shall be stripped onto the final plan.

TOWN COUNCIL REFERRAL:

5. **None**

TOWN PLANNER'S REPORT:

6. **None**

INFORMATION ITEMS:

7. **None**

MEETING ADJOURNED: 7:08 P.M.