



Issued: 9/10/2020

**TOWN PLAN AND ZONING COMMISSION
VIRTUAL REGULAR MEETING
WEDNESDAY, SEPTEMBER 9, 2020**

DRAFT MINUTES

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

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

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

Joshua Kaplan seated for Andrea Gomes on all items.

MINUTES:

- 1. Approval of Minutes:
 - a. Minutes of the Regular Meeting, Monday, August 3, 2020
Motion/Ahern Approved 4-0 (Kaplan Abstained)

COMMUNICATIONS:

- 2.
 - a. None

NEW BUSINESS:

- 3. None

OLD BUSINESS:

- 4. **37 Buena Vista Road** – Application (IWW# 1126) of the Town of West Hartford, (Julie Viera, P.E., Civil Engineer II, Engineering Division) 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 application seeks permission to dredge and restore a portion of the Trout Brook located at the Buena Vista Recreation Facility to improve and restore its floodflow alteration function and value. The proposed activity takes place within wetlands, a watercourse, and adjacent 150’ upland review area. (Submitted for IWWA receipt on August

3, 2020. Determined to be potentially significant and set for public hearing on September 9, 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) (Kaplan seated for Gomes) 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:

37 BUENA VISTA ROAD
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 **37 Buena Vista Road** 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 **37 Buena Vista Road**.

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.

TOWN COUNCIL REFERRAL:

- 5. **1553-1559 New Britain Avenue** – Application on behalf of Newington Westfarms TMC, LLC, owner of 1553-1559 New Britain Avenue, also known as Newington Westfarms Center, located within Special Development District (SDD) # 103. The application seeks permission to amend the recently approved but yet to be constructed landscape plan. No other site or architectural changes are proposed.

To Recommend Approval. Motion/Prestage; Vote 5-0

TOWN PLANNER'S REPORT:

6. **None**

INFORMATION ITEMS:

7. **None**

MEETING ADJOURNED: 7:01 P.M.

U: shareddocs/TPZ/Minutes//2020/September 9_Draft