



Issued: 11/6/2020

**TOWN PLAN AND ZONING COMMISSION
VIRTUAL REGULAR MEETING
WEDNESDAY, NOVEMBER 4, 2020**

DRAFT MINUTES

ATTENDANCE: Chair: Kevin Ahern, Vice Chair: Kevin Prestage, Commissioners: Liz Gillette, Gordon Binkhorst, Andrea Gomes Alternates: Staff: Todd Dumais, Town Planner, Robert Gosselin, Planning & Zoning Technician.

ABSENT: Alternate: John O'Donnell, Joshua Kaplan, P.J. Louis .

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

MINUTES:

- 1. Approval of Minutes:
 - a. Minutes of the Regular Meeting, Monday, October 5, 2020
Motion/Binkhorst Approved 5-0

COMMUNICATIONS:

- 2.
 - a. **2021 TPZ Meeting and Filing Dates – Annual Calendar**
Received. Motion/Gomes; Vote 5-0.
 - b. **1340-1344 New Britain Avenue & 8-16 Berkshire Road** – Notification of proposed minor modification of approved IWW permit #1084. *Received and modification determined not to require formal application. Motion/Prestage; Vote 5-0.*

NEW BUSINESS:

- 3. **1341 New Britain Avenue - Wolcott Park** – Application (IWW# 1128), of Helen Rubino-Turco, Director of Leisure Services, of the Town of West 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 November 4, 2020. Suggest required public hearing be scheduled for December 7, 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/Gomes) to schedule this matter for public hearing on **Monday, December 7, 2020 at 6:15 P.M. as a virtual meeting.**

4. **1341 New Britain Avenue - Wolcott Park** – Application (IWW# 1130), of Helen Rubino-Turco, Director of Leisure Services, of the Town of West Hartford, (R.O.) requesting approval of an Inland Wetlands and Watercourse Permit to conduct certain regulated activities which may have an adverse impact on a wetland area. The applicant is proposing to reconfigure and expand the existing western parking lot and make associated site improvements. The proposed work is within the 150 ft. upland review area. (Submitted for IWWA receipt on November 4, 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/Gomes) to find the application to be potentially significant and set for public hearing. By a **vote of (1-4)**, the motion was denied and proposed regulated activity was found to be **NON-SIGNIFICANT** and thus conditionally approved based on the following findings:

1341 NEW BRITAIN AVENUE – WOLCOTT PARK
INLAND WETLAND APPLICATION IWW #1130
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **1341 New Britain Avenue – Wolcott Park** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1130** 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 **1341 New Britain Avenue – Wolcott Park.**

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.

5. **4 Banbury Lane** – Application (IWW#1129), of Regina O’Brien, Threshold Landscape Architecture LLC, on behalf of Nancy and Don Hunt, (R.O.), requesting approval of an Inland Wetlands and Watercourse Permit to conduct certain regulated activities which may have an adverse impact on a watercourse. The applicant is proposing to install an in ground pool and build associated site improvements including, terraces, landscape walls, steps and paths. The proposed work is within the 150 ft. upland review area. (Submitted for IWWA receipt on November 4, 2020. Presented for determination of significance.)

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/Gillette) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Monday, December 7, 2020 at 6:15 P.M. as a virtual meeting.**

OLD BUSINESS/ PUBLIC HEARING:

6. **Fern Street – Fern Street Bridge – Town of West Hartford** – Application (IWW# 1127), of the Engineering Division of the Town of West Hartford, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland area. The applicant is proposing to replace the Fern Street Bridge including a realignment of the West Branch Trout Brook for approximately 200 feet upstream of the bridge. The proposed work is within both a watercourse and 150 ft. upland review area. (Submitted for IWWA receipt on October 5, 2020. Determined to be potentially significant and set for public hearing on November 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) 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:

FERN STREET – FERN STREET BRIDGE
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 **Fern Street – Fern Street Bridge** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1127** 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 **Fern Street – Fern Street Bridge**

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.) Bi-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 and the United States Environmental Protection Agency or any other State or Federal Agency with potential jurisdiction over this project.
- 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:

7. **1340-1344 New Britain Avenue & 8-16 Berkshire Road** - Application filed on behalf of 47 Pratt Street, LLC, owner of 1340 and 1344 New Britain Avenue and 8-16 Berkshire Road. The stated purpose of the application is to request a change of the underlying zone for 1.7 acres at the northeast corner of the intersection of New Britain Avenue and Berkshire Road from R-6 (One-Family Residence District) to RM-2 (Multifamily Residence District) and requests a Special Development District designation for a proposed twenty-six unit multifamily development along with associated site improvements including parking, drainage and landscaping. *To Recommend Approval. Motion/Prestage; Vote 5-0*

8. **TOD Zoning Moratorium** – An Ordinance Establishing a Nine (9) Month Moratorium on Certain Uses Not Supportive of Transit-Oriented Development. *To Recommend Approval. Motion/Prestage; Vote 5-0*

TOWN PLANNER’S REPORT:

9. **Draft Strategic Plan of the Plan of Conversation and development Implementation:** Review and discussion of draft Strategic Implementation Plan for POCD. *No Formal Action Taken*

INFORMATION ITEMS:

10. **None**

MEETING ADJOURNED: 9:31 P.M. Motion/Gomes; Vote 5-0

U: shareddocs/TPZ/Minutes//2020/November 4_Draft