



Issued:2/12/2021

**TOWN PLAN AND ZONING COMMISSION  
VIRTUAL SPECIAL MEETING  
THURSDAY, FEBRUARY 11, 2021**

**DRAFT MINUTES**

**ATTENDANCE:** Chair: Kevin Ahern, Vice Chair: Kevin Prestage, Commissioners: Liz Gillette, Gordon Binkhorst, Andrea Gomes Alternate: P.J. Louis Staff: Todd Dumais, Town Planner, Brian Pudlik, Associate Planner, Robert Gosselin, Planning & Zoning Technician.

**ABSENT:** Alternates: John O'Donnell, Joshua Kaplan.

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

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**MINUTES:**

- 1. Approval of Minutes:
  - a. Minutes of the Regular Meeting, Monday, January 4, 2021  
*Motion/Prestage; Approved 5-0*

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**COMMUNICATIONS:**

- 2.
  - a. **19 Gloucester Lane** – (IWW# 1133), of Jake Kemper, Kemper Associates Architects LLC, on behalf of Peter & Maria Bulkley, (R.O.), is formally withdrawing the Wetlands Map Amendment Application.  
*Motion/Prestage; Received 5-0.*
  - b. **40 Still Road** – Application (IWW#1132), request by Evie Delaney, Juliano’s Pools, on behalf of Jessica Tagliarini, (R.O.), for an extension of time to open the public, pursuant to Conn. Gen. Stat. § 8-7d(b). New public hearing date to be March 1, 2021.  
*Motion/Binkhorst; Received 5-0.*
  - c. **TPZ/ IWWA 2020 Annual Report** – Communication from the TPZ/IWWA on the Draft 2020 Annual Report of activities of the Commission/Agency to the Town Council. (Submitted for TPZ review and action on February 11, 2021.)  
*Motion/Gomes; Adopt the Annual Report and refer to the Town Council 5-0.*

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**NEW BUSINESS:**

3. **7 Waterside Lane** – Application (IWW#1135), of Simi and Kobi Benita, (R.O.), requesting approval of an Inland Wetlands and Watercourse Permit to conduct certain regulated activities which may have an adverse impact on a wetlands regulated area. The applicant is proposing to construct a new addition, deck and patio to the existing home. The proposed work is within the 150 ft. upland review area of Woodridge Lake, no direct wetlands impacts are proposed. (Submitted for IWWA receipt on February 1, 2021. Meeting postponed due to inclement weather to February 11, 2021. 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/Binkhorst) to find the application to be non-significant. By a **vote of (5-0)**, the motion passed and proposed regulated activity was found to be **NON-SIGNIFICANT** and thus conditionally approved based on the following findings:

**7 WATERSIDE LANE**  
**INLAND WETLAND APPLICATION IWW #1135**  
**COMPLIANCE WITH SECTION 10.2 and 10.4**  
**STANDARDS AND CRITERIA FOR DECISION**

The request to conduct certain regulated activities at **7 Waterside Lane** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1135** 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 **7 Waterside 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.) Prior to the start of any site disturbance, all sediment and erosion controls 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.

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- 4. **831 Farmington Avenue –Butterfly Restaurant** - Application (SUP#1361), of Keith Pang, on behalf of Wang of Connecticut, Inc. , (R.O.), requesting approval of a Special Use Permit for outdoor dining. Outdoor dining area to include 60 seats, an 800 SF tent, and plantings. (Submitted for TPZ receipt on February 1, 2021. Meeting postponed due to inclement weather to February 11, 2021 Suggest required public hearing be scheduled for March 1, 2021.)

The TPZ acted by **unanimous vote (5 - 0)** (Motion/Binkhorst) to schedule this matter for public hearing at the regularly scheduled meeting on **Monday, March 1, 2021 at 6:15 P.M. as a virtual meeting.**

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**OLD BUSINESS/ PUBLIC HEARING:**

5. **23R Greenridge Lane** – Application (IWW# 1134), of Daniel & Martha FitzMaurice, (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 January 4, 2021. Required public hearing scheduled for February 1, 2021. Public Hearing postponed due to inclement weather to February 11, 2021)

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 **APPROVE** the proposed amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford.

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**TOWN COUNCIL REFERRAL:**

6. **511 New Park Avenue** - Application filed on behalf of ALDI, owner of property located at 511 New Park Avenue, also known as West Hartford Place, located within Special Development District (SDD) #94. The application seeks permission to amend the previously approved conditions of approval to eliminate the restriction which prohibits the sale of liquor within the SDD. ***To Recommend Approval. Motion/Prestage; Vote 5-0***

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**TOWN PLANNER’S REPORT:**

7. **Draft Strategic Plan of the Plan of Conversation and development Implementation:**  
Review and discussion of draft Strategic Implementation Plan for POCD.  
***Mr. Dumais provided the TPZ an update on a future Housing Task Force, ADUs and TOD Zoning initiative. No Formal Action Taken.***

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**INFORMATION ITEMS:**

8. **None**

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**MEETING ADJOURNED: 7:25 P.M. Motion/Binkhorst; Vote 5-0**