



Issued: 8/13/2021

**TOWN PLAN AND ZONING COMMISSION
SPECIAL MEETING
THURSDAY, AUGUST 12, 2021
ROOM 217
TOWN HALL, WEST HARTFORD, CT 06107**

DRAFT MINUTES

ATTENDANCE: Chair: Kevin Ahern, Vice Chair: Gordon Binkhorst, Commissioners:, Liz Gillette; Alternates: Joshua Kaplan Town Staff: Todd Dumais, Town Planner, Brian Pudlik, Associate Planner

ABSENT: Commissioners: Kevin Prestage, Andrea Gomes; Alternates: P.J. Louis, John O'Donnell

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

Kaplan seated for Gomes on all items.

MINUTES:

- 1. Approval of Minutes:
 - a. Minutes of the Special Meeting, Wednesday, July 14, 2021
Motion/Gillette; Second/Binkhorst; Approved 3-0 (Kaplan Abstained)

COMMUNICATIONS:

- 2.
 - a. None

NEW BUSINESS:

- 3. **11 Pine Brook Lane** – Application (IWW# 1149) of Jon Hooker on behalf of Jonathon Pickard, (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 August 2, 2021, postponed until August 12, 2021. Suggest required public hearing to be scheduled for September 8, 2021.)

The TPZ, also acting as the IWWA acted by **unanimous vote (4-0)** (Motion/Binkhorst; Second Kaplan) to schedule this matter for public hearing on **Wednesday, September 8, 2021.**

- 4. **1563 Asylum Avenue – Elizabeth Park** – Application (SUP #1334-LB-21) of Mary Dehais, To Design, LLC, on behalf of The City of Hartford, (R.O.), requesting TPZ review and look-back of compliance with the conditions of SUP #1334. Originally approved March 4, 2019 for a performance stage. (Submitted for TPZ receipt on August 2, 2021, postponed until August 12, 2021. Suggest required public hearing to be scheduled for September 8, 2021.)

The TPZ acted by **unanimous vote (4-0)** (Motion/Gillette; Second/Binkhrost) to schedule this matter for public hearing at the regularly scheduled meeting on **Wednesday, September 8, 2021**.

- 5. **1563 Asylum Avenue – Elizabeth Park** – Application (SUP #1343-LB-21) of Mary Dehais, To Design, LLC, on behalf of The City of Hartford, (R.O.), requesting TPZ review and look-back of compliance with the conditions of SUP #1343. Originally approved September 4, 2019 for a new pedestrian gateway and walk off of Fern Street. (Submitted for TPZ receipt on August 2, 2021, postponed until August 12, 2021. Suggest required public hearing to be scheduled for September 8, 2021.)

The TPZ acted by **unanimous vote (4-0)** (Motion/Binkhorst; Second/Kaplan) to schedule this matter for public hearing at the regularly scheduled meeting on **Wednesday, September 8, 2021**.

- 6. **1563 Asylum Avenue – Elizabeth Park** – Application (IWW #1150) of Mary Dehais, To Design, LLC, on behalf of The City of 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 August 2, 2021, postponed until August 12, 2021. Suggest required public hearing to be scheduled for September 8, 2021.)

The TPZ, also acting as the IWWA acted by **unanimous vote (4-0)** (Motion/Binkhorst; Second/Kaplan) to schedule this matter for public hearing on **Wednesday, September 8, 2021**.

- 7. **1563 Asylum Avenue – Elizabeth Park** – Application (IWW #1151) of Mary Dehais, To Design, LLC, on behalf of The City of 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 wetlands regulated area. The applicant is proposing to construct a new pedestrian path from Walbridge Road into the park. The proposed work is partially within the 150 ft. upland review area and no direct wetlands impacts are proposed. (Submitted for IWWA receipt on August 2, 2021, postponed until August 12, 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/Kaplan; Second/Binkhorst) to find the application to be non-significant and thus conditionally approved. By an unanimous **vote of (4-0)**, the motion was approved and proposed

regulated activity was found to be **NON-SIGNIFICANT** and thus conditionally approved based on the following findings:

1563 ASYLUM AVENUE- ELIZABETH PARK
INLAND WETLAND APPLICATION IWW #1151
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **1563 Asylum Avenue** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1151** 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 **1563 Asylum Avenue**.

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.) 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 additional 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.
- 5.) 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.

8. **8 Meadow Farms Road** – Application (IWW#1152) of A. Brooks & Jenny Fischer, (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 an approximately 915 s.f. +/- addition, an approximately 182 s.f. +/- deck and make associated site improvements. The proposed work is within the 150 ft. upland review area and no direct wetlands impacts are proposed. (Submitted for IWWA receipt on August 2, 2021, postponed until August 12, 2021. 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 (4-0)** (Motion/Binkhorst; Second/Kaplan) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Wednesday, September 8, 2021**.

9. **2 The Crossways** – Application (IWW#1153) of Duane Martin, Town of West Hartford, Engineering Division, on behalf of Michael & Katherine Seldon, (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 and watercourse. The applicant is proposing to clear debris that has blocked an existing storm drainage inlet; restore the grade along the drainage channel bottom; and install a fence. The proposed work is within a wetlands regulated area and a watercourse. (Submitted for IWWA receipt on August 2, 2021, postponed until August 12, 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/Gillette; Second/Kaplan) to find the application to be non-significant and thus conditionally approved. By a unanimous **vote of (4-0)**, the motion was approved and proposed regulated activity was found to be **NON-SIGNIFICANT** and thus conditionally approved based on the following findings:

2 THE CROSSWAYS
INLAND WETLAND APPLICATION IWW #1153
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **2 The Crossways** West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1153** 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 **2 The Crossways.**

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.) 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 additional 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.
- 5.) 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/ PUBLIC HEARING:

- 10. **None**

TOWN COUNCIL REFERRAL:

- 11. **Resolution Accepting Cadwell Street as a Public Street:** Town Plan and Zoning Commission referral. *To Recommend Approval. Motion/Gillette; Second/Binkhorst; Vote 4-0*

- 12. **405-409 Prospect Avenue** - Application filed on behalf of 409 Prospect, LLC, owner of 405-409 Prospect Avenue District. The stated purpose of the application is to request a Special Development District (SDD) designation for approximately .355 acres of RM-1 zoned property. The property received site plan approval for the construction of townhome style dwelling units in 2019. The request for SDD designation would facilitate changes to the approved architectural plans and building massing. The site is currently under construction. (Received by Town Council on June 22, 2021, Town Council Public Hearing set for August 17, 2021. Referred to the Town Plan & Zoning Commission.) *Postponed to receive DRAC comments.*

- 13. **Application of Bishops Plaza, LLC to Amend the West Hartford Code of Ordinances to Allow an Accessory Automated Teller Machine use in the BG Zoning District** (Received by Town Council on July 13, 2021, Town Council Public Hearing set for August 17, 2021. Referred to the Town Plan & Zoning Commission.) *To Recommend Approval. Motion/Gillette; Second/Kaplan; Vote 4-0*

TOWN PLANNER’S REPORT:

- 14. **None**

INFORMATION ITEMS:

- 15. **None**

MEETING ADJOURNED: 7:10 P.M. Motion/Binkhorst; Second/Kaplan; Vote 4-0