

Issued: 11/8/21

**TOWN PLAN AND ZONING COMMISSION
REGULAR MEETING
WEDNESDAY, NOVEMBER 3, 2021
VIRTUAL MEETING**

DRAFT MINUTES

ATTENDANCE: Chair: Kevin Ahern, Commissioners: Liz Gillette, Kevin Prestage; Alternate: Joshua Kaplan (arrived late; seated on all items after items 1b); Town Staff: Todd Dumais, Town Planner, Brian Pudlik, Associate Planner, Robert Gosselin, Planning & Zoning Technician

ABSENT: Commissioner: Gordon Binkhorst, Andrea Gomes; Alternates: P.J. Louis, John O'Donnell

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

MINUTES:

1. Approval of Minutes
 - a. Minutes of the Special Meeting, Wednesday, October 7, 2021 – **Tabled**
 - b. Minutes of the Special Meeting, Wednesday, October 19, 2021 – **Motion Gillette; Approved 3-0**

COMMUNICATIONS:

2.
 - a. 2022 TPZ Meeting and Filing Dates - **Motion Gillette; Motion amended to adjust proposed November meeting date to November 2, 2022; Approved 4-0**
 - b. **4 Banbury Lane** – Application (IWW#1129) of Martin Ringey on behalf of Nancy & Don Hunt, (R.O), requesting to open and immediately continue the public hearing. New public hearing date to be December 6, 2021. – **Received**

NEW BUSINESS:

3. **637 New Park Avenue – Gastro Park** – [Application](#) (SUP#1341-LB-21) of Tate Norden (R.O.), requesting TPZ review and look-back of compliance with the conditions of SUP #1341 and modifications to the original approval. Originally approved September 4, 2019 for a food truck park which included space for up to four food trucks; indoor dining, bar and games areas; outdoor dining and games patio; and associated site parking. (Submitted for TPZ receipt on November 3, 2021. Suggest required public hearing to be scheduled for December 6, 2021, 2021.)

The TPZ acted by **unanimous vote (4-0)** (Motion/Gillette) to schedule this matter for public hearing at the regularly scheduled meeting on **Monday, December 6, 2021.**

4. **589-591 New Park Avenue** – [Application](#) (SUP#1369) of Bret Bowin on behalf of Sarjac Partners, LLC, (R.O.), requesting approval of a Special Use Permit to have a new place of worship use in the rear building on site. (Submitted for TPZ receipt on November 3, 2021. Suggest required public hearing to be scheduled for December 6, 2021.)

The TPZ acted by **unanimous vote (4-0)** (Motion/Prestage) to schedule this matter for public hearing at the regularly scheduled meeting on **Monday, December 6, 2021.**

5. **47 Oak Ridge Lane** – [Application](#) (IWW#1160) of Michael Regan, Regan Total Construction, on behalf of Judith Saunders, (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 an approximately 263.5 deck space off the back off the house using 4 helical pile footings. The proposed work is within the 150 ft. upland review area and adjacent to mapped wetlands soils. (Submitted for IWWA receipt on July 7, 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) 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:

47 OAK RIDGE LANE
INLAND WETLAND APPLICATION IWW #1143
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **47 Oak Ridge Lane** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1160** 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 **47 Oak Ridge 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.) Site disturbance shall be limited to the grass area of the backyard.
- 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/PUBLIC HEARING:

6. **2668 Albany Avenue** – [Application](#) (SUB #299) of Eric Szyluk, Maiden Builders, LLC, on behalf of Thomas F. Owens, (R.O.) requesting approval of a four (4) lot residential subdivision. on approximately 2.02 acres of land located in a R-13 single family zone. (Submitted for TPZ receipt on October 7, 2021. Public hearing scheduled for November 3, 2021.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (4 - 0)** (*Motion/Prestage*) to **APPROVE** the Subdivision application with conditions. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. Plans of record are incorporated by reference in this approval as fully set forth herein and modified by the conditions below.
2. The subdivision approval 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 by a qualified professional. 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. Development proposals for each individual lot shall be subject to review and approval of the Town of West Hartford Division of Engineering.
6. Merestones shall be set at the four corners of the subdivision.
7. Pursuant to Section A184-24 of the Subdivision Regulations, the Commission at the applicant's request, hereby grants a waiver of the sidewalk requirements of the Subdivision Regulations.
8. The Applicant shall submit to the Town Planner for review and approval by the Town Engineer final as-built plans certifying that merestones have been set and that all grading and other improvements were completed in accordance with the approved plans. Such certification shall be made by a registered professional engineer.
9. The final plans for subdivision shall be filed and recorded in the office of the Town Clerk within 90 days of the date of this approval. Failure to file the final plans in the prescribed time shall null and void the approval, except that the Commission may extend the time for such filing for two additional periods of 90 days, and the plans shall remain valid until the expiration of such extended time.

7. **4 Banbury Lane** - [Application](#) (IWW#1129) of Martin Ringey on behalf of Nancy & 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 wetlands regulated area. The applicant

has submitted a plan to preform site work and associated landscaping. The proposed work is partially within the 150 ft. upland review area and no direct wetlands impacts are proposed. (Submitted for IWWA receipt on October 7, 2021. Determined to be potentially significant and set for public hearing on November 3, 2021.)

Per applicant’s request, by **unanimous vote (4-0)** (Motion/Kaplan), The IWWA opened and immediately continued, without testimony, the public hearing on this application to **Monday, December 6, 2021.**

- 8. **116 Westmont- Application** (IWW# 1158), of Bret Bowin on behalf of Nancy Prather & Michael Shaughness, (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 October 7, 2021. Required public hearing scheduled for November 3, 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 (4-0)** (Motion/Prestage) to **APPROVE** the proposed amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford.

TOWN COUNCIL REFERRAL:

- 9. **None**

TOWN PLANNER’S REPORT:

- 10. Informed the Commission about a possible Low Impact Development training opportunity that may be scheduled at a later date

MEETING ADJOURNED: 8:10 P.M. Motion/ Prestage; Vote 4-0

U: shareddocs/TPZ/Minutes//2021/November3_Draft