



Issued: 2/10/22

**TOWN PLAN AND ZONING COMMISSION
REGULAR MEETING
MONDAY, FEBRUARY 7, 2022
VIRTUAL MEETING**

DRAFT MINUTES

ATTENDANCE: Chair: Kevin Ahern, Commissioners: Gordon Binkhorst, Kevin Prestage (absent for item 1a) and Liz Gillette; Town Staff: Todd Dumais, Town Planner, Brian Pudlik, Associate Planner, Robert Gosselin, Planning & Zoning Technician.

ABSENT: Commissioner Andrea Gomes; Alternates: John O'Donnell, Joshua Kaplan

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

MINUTES:

- 1. Approval of Minutes
 - a. Minutes of the Regular Meeting, Monday, January 3, 2022 - **Motion ; Approved**
 - b. Minutes of the Special Meeting, Wednesday, January 19, 2022 - **Motion ; Approved**

COMMUNICATIONS:

- 2.
 - a. **4 Banbury Lane - Application (IWW#1129)** of Martin Ringey on behalf of Nancy & Don Hunt, (R.O), is requesting to formally withdraw the Regulated Activity Permit. **Received**

NEW BUSINESS:

- 3. **22 Belcrest Road** - Application (SUP#1374) of Matthew Cassidy. (R.O.), requesting approval of a Special Use Permit to allow 4 unrelated individuals to live in a single dwelling unit pursuant to Section 177-2 and as set forth in Section 177-cC of the zoning ordinances. (Submitted for TPZ receipt on February 7, 2022. Suggest required public hearing to be scheduled for March 7, 2022)

The TPZ acted by **unanimous vote (4-0)** (Motion/Binkhorst) to schedule this matter for public hearing at the regularly scheduled meeting on **Monday, March 7, 2022 at 6:15 P.M. as a virtual meeting.**

- 4. **1678 Asylum Avenue – University of St. Joseph** – Application (SUP #1336-LB-22) of John McMeeking, SMRT Architects & Engineers, on behalf of The University of St. Joseph, (R.O.), requesting TPZ review and look-back of compliance with the conditions of SUP #1336. Originally approved May 6, 2019 for a synthetic turf field and athletic field lighting. (Submitted for TPZ receipt on February 7, 2022. Suggest required public hearing to be scheduled for March 7, 2022)

The TPZ acted by **unanimous vote (4-0)** (Motion/Binkhorst) to schedule this matter for public hearing at the regularly scheduled meeting on **Monday, March 7, 2022 at 6:15 P.M. as a virtual meeting.**

5. **25 Dover Road – St. Thomas the Apostle School** – Application (SUP #1019-R1-22) of St. Thomas the Apostle School (R.O.) requesting approval of a Special Use Permit for the installation of two shade structures on existing playground equipment. (Submitted for TPZ receipt on February 7, 2022. Suggest required public hearing to be scheduled for March 7, 2022)

The TPZ acted by **unanimous vote (4-0)** (Motion/Gillette) to schedule this matter for public hearing at the regularly scheduled meeting on **Monday, March 7, 2022 at 6:15 P.M. as a virtual meeting.**

6. **245 Prospect Avenue – Planet Fitness** – Application (SUP #1375) of Kari L. Olson, Esq, Murtha Cullina, LLP, on behalf of Planet Fitness and Prospect Plaza Improvements, LLC (R.O.), requesting approval of a Special Use Permit to allow for 24-hour operations of the fitness facility pursuant to Section 177-37.1 of the zoning ordinances. (Submitted for TPZ receipt on February 7, 2022. Suggest required public hearing to be scheduled for March 7, 2022)

The TPZ acted by **unanimous vote (5-0)** (Motion/Prestage) to schedule this matter for public hearing at the regularly scheduled meeting on **Monday, March 7, 2022 at 6:15 P.M. as a virtual meeting.**

7. **300 Bloomfield Avenue – New England Jewish Academy** – Application (IWW #1169) of Michael Cegan, Richter & Cegan, Inc, on behalf of New England Jewish Academy, (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 purposes the construction of a new addition, a new outdoor play area and associated site work in support of expanded educational programs from Pre-K through 12th grade. The proposed work is partially within a 150 ft. upland review area and no direct wetland impacts are proposed. (Submitted for IWWA receipt on February 7, 2022. 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) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Monday, March 7, 2022 at 6:15 P.M. as a virtual meeting.**

8. **300 Bloomfield Avenue – New England Jewish Academy** – Application (SUP #1150-R1-22) of Michael Cegan, Richter & Cegan, Inc, on behalf of New England Jewish Academy, (R.O), requesting approval of a Special Use Permit for the construction of a new addition, a new outdoor play area and associated site work in support of expanded educational programs from Pre-K through 12th grade. (Submitted for TPZ receipt on February 7, 2022. Required public hearing scheduled for March 7, 2022.)

The TPZ acted by **unanimous vote (4-0)** (Motion/Gillette) to schedule this matter for public hearing at the regularly scheduled meeting on **Monday, March 7, 2022 at 6:15 P.M. as a virtual meeting.**

9. **25 Kane Street** – Application (IWW #1170) of David Shipe, Starbucks Coffee Company on behalf of Thomas R. Evans, (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 purposes the reconfiguration and reconstruction of an existing commercial parking lot, building accessibility/ ADA improvements, the relocation of an existing trash enclosure relocation and landscaping improvements. The proposed work is within a 150 ft. upland review area and no direct wetland impacts are proposed. (Submitted for IWWA receipt on February 7, 2022. 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/Prestage) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Monday, March 7, 2022 at 6:15 P.M. as a virtual meeting.**

OLD BUSINESS/PUBLIC HEARING:

10. **289 South Main Street – Rockledge Golf Course** – Application (IWW#1167) of Helen Rubino-Turco, on behalf 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 wetlands regulated area. The applicant purposes the mechanical dredging of Rockledge Golf Course’s irrigation pond and onsite reuse of dredged soils. The proposed work is partially within a watercourse, wetlands area, and 150 ft. upland review area. (Submitted for IWWA receipt on January 3, 2022. Determined to be potentially significant and set for public hearing on February 7, 2022.)

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 **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:

289 South Main Street
INLAND WETLAND APPLICATION IWW #1167
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **289 South Main Street** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1167** 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 **289 South Main Street**.

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 additional 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.) A final completion of work report prepared by qualified professional shall be submitted to the Town Planner, which certifies that all work approved under this permit has been completed in a manner consistent with the approved plans.
- 6.) The Agency shall receive copies of all materials, correspondence and permits received from Connecticut Department of Energy and Environmental Protection or Army Corps of Engineers as may be required.
- 7.) 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.

11. **Town-wide Sewer Easement Clearing Project-** As of Right/Nonregulated Determination request submission by the Metropolitan District Commission (MDC) for vegetation clearing within 11-12 miles of existing sewer easement areas. (Submitted for IWWA receipt on September 8, 2021. Discussion, presentation and determination of as/of right / nonregulated activated request.) ***Note:** *This matter will be continued, without testimony, to the March 7, 2022 meeting.*

ANNUAL MEETING:

12. **Annual Meeting:**
 - a. Kevin Ahern for Chairman: Motion/Binkhorst; Vote 3-0 (Prestage Abstained)
 - b. Gordon Binkhorst for Vice-Chair: Motion/Pretage; Vote 3-0 (Binkhorst Abstained)
 - c. Todd Dumais for Secretary: Motion/Ahern; Vote 4-0
 - d. Gordon Binkhorst for TPZ Liaison to the Town Council CPED Committee/Liz Gillette for Alternate: Motion/Prestage; Vote 4-0
 - e. Andrea Gomes for TPZ Liaison to CROG/Kevin Ahern for Alternate: Motion/Gillette; Vote 4-0
 - f. Josh Kaplan for TPZ Liaison to the CEC/Kevin Prestage for Alternate: Motion Ahern; Vote 4-0

TOWN COUNCIL REFERRAL:

13. **None**

TOWN PLANNER'S REPORT:

14. **Discussion of zoning ordinance amendments**

INFORMATION ITEMS:

15. **None**

MEETING ADJOURNED: 7:30 P.M. Motion/ Prestage; Vote 4-0