



Issued: 4/6/22

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING
MONDAY, MAY 2, 2022
LEGISLATIVE CHAMBER, ROOM 314
TOWN HALL, WEST HARTFORD, CT 06107**

APPROVED MINUTES

ATTENDANCE: Chair: Kevin Ahern, Commissioners: Gordon Binkhorst, Liz Gillette, Andrea Gomes, Kevin Prestage; Alternate Joshua Kaplan, Nancy Grassilli; Town Staff: Todd Dumais, Town Planner; Brian Pudlik, Associate Planner.

ABSENT: Commissioner Alternate: John O'Donnell,

CALL TO ORDER/ROLL CALL: 7:00 P.M.

MINUTES:

1. Approval of Minutes
 - a. Minutes of the Special CIP Meeting, Monday, April 4, 2022 – **Motion Gomes/Second Kaplan: Approved**
 - b. Minutes of the Regular Meeting, Monday, April 4, 2022- **Motion Gomes/Second Kaplan: Approved**

COMMUNICATIONS:

2.
 - a. None

NEW BUSINESS:

3. **Sycamore Lane** – Petition (HSR #2) for the honorary and historic renaming of a public street. Petition submitted by Isaias Wooden, pursuant to Section 155-4 of the West Hartford Code of Ordinances, for the renaming of Sycamore Lane to Peleg Nott Lane. (Submitted for TPZ receipt on May 2, 2022. Suggest required public hearing be scheduled for June 6, 2022.)

The TPZ acted by **unanimous vote (5-0)** (Motion/Binkhorst; Second/Gomes) to schedule this matter for public hearing at the regularly scheduled meeting on **Monday, June 6, 2022 at 7:15 P.M. in the Legislative Chambers, Room 314, West Hartford Town Hall, 50 South Main Street.**

4. **11 Northmoor Road** -- Application (IWW #1175) of Matthew Miale, (R.O.), requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetlands regulated area. The applicant proposed a new detached garage, pool house, in-ground pool and patio along with associated site improvements. The proposed work is within

a 150 ft. upland review area and a FEMA Special Flood Hazard Area, no direct wetland impacts are proposed. (Submitted for IWWA receipt on May 2, 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 (5-0)** (Motion/Gomes; Second/Binkhorst) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Monday, June 6, 2022 at 7:15 the Legislative Chambers, Room 314, West Hartford Town Hall, 50 South Main Street.**

5. **1341 New Britain Avenue** -- Application (IWW #1174) of West Hartford Youth Baseball, 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 proposes to replace existing athletic field lighting with a new four pole system. The proposed work is within a 150 ft. upland review area and no direct wetland impacts are proposed. (Submitted for IWWA receipt on May 2, 2022. 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; Second/Gomes) to find the application to be non-significant and thus conditionally approved. By a unanimous **vote of (5-0)**, the motion was approved and proposed regulated activity was found to be **NON-SIGNIFICANT** and thus conditionally approved based on the following findings:

1174 NEW BRITAIN AVENUE
INLAND WETLAND APPLICATION IWW #1174
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **1174 New Britain Avenue** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1174** 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 **1174 New Britain 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.) 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.) 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.

6. **1341 New Britain Avenue** -- Application (SUP #1205-R1-22) of West Hartford Youth Baseball, requesting an amendment to the previously approved Special Use Permit for athletic field lighting at Wolcott Park baseball field. (Submitted for TPZ receipt on May 2, 2022. Suggest required public hearing be scheduled for June 6, 2022.)

The TPZ acted by **unanimous vote (5-0)** [Motion/Gillette; Second/Binhorst] to schedule this matter for public hearing at the regularly scheduled meeting on **Monday, June 6, 2022 at 7:15 P.M.**

7. **2865 Albany Avenue – Renbrook School** -- Application (SUP #1380) of Renbrook School, (R.O.), requesting approval of a Special Use Permit for the new proposed greenhouse and high ropes course. (Submitted for TPZ receipt on May 2, 2022. Suggest required public hearing be scheduled for June 6, 2022.)

The TPZ acted by **unanimous vote (5-0)** [Motion/Binkhorst; Second/Gomes] to schedule this matter for public hearing at the regularly scheduled meeting on **Monday, June 6, 2022 at 7:15 P.M.**

OLD BUSINESS/PUBLIC HEARING:

8. **New Street** – Petition (HSR #1) for the honorary and historic renaming of a public street. Petition submitted by Tracey Wilson, pursuant to Section 155-4 of the West Hartford Code of Ordinances, for the renaming of New Street to Dinah Road. (Submitted for TPZ receipt on April 4, 2022. Required public hearing scheduled for May 2, 2022.)

After a detailed review of all application materials and testimony presented during the public hearing, the TPZ acted by **unanimous vote (5 - 0)** (Motion/Prestage; Second/Gillette) to **APPROVE** of the requested street renaming. During its discussion and deliberation on this matter, the Commission took into consideration the review standards of Section 155-4 C and found that the proposal established a historic connection and significance to the renaming of New Street to Dinah Road.

9. **2865 Albany Avenue – Renbrook School** - Application (SUP #1377) of Luke McCoy, Kaestle Boos Associates, on behalf of Renbrook School, (R.O.), requesting approval of a Special Use Permit for the removal of an existing natural grass athletic field and construction of a new synthetic turf athletic field in its place. Associated site improvements include construction of a gathering space area and entry to the fields, new parking for 21 cars, paved sidewalks, new retaining and seating walls, and a new scoreboard. (Submitted for TPZ receipt on April 4, 2022. Required public hearing scheduled for May 2, 2022.)

After detailed discussions and deliberations on the matter, the TPZ acted by **unanimous vote (5 - 0)** (Motion/Binkhorst; Second/Gillette) to **APPROVE** the Special Use Permit application subject to the following conditions.

1. The proposal meets the finding requirements of Section 177-37.4 and 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving

access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.

- b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
 - c. The parking, loading, trash and recycling facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. Plans of record are incorporated by reference in this approval and shall guide the appearance, layout and field, parking area and associated improvements.
 3. The special use permit 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.
 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. Prior to the filing of the Special Use Permit on the Land Records, the Applicant shall submit for review and approval by the Town Engineer and Town Planner, a yearly maintenance plan for the on-site stormwater infrastructure and maintenance of the turf field.
 6. Prior to the filing of the Special Use Permit on the Land Records, the Applicant shall satisfactorily address all outstanding comments from the West Hartford Division of Engineering.
 7. All stormwater infrastructure shall be installed per the standards and specifications of the Town of West Hartford Division of Engineering.
 8. Any change to the infill material used on the turf field shall be subject to review and approval by the TPZ.
 9. A final as built survey shall be submitted to the Town Planner upon completion of all work.
 10. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by October 2024 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
 11. This letter of approval shall be stripped onto the final plan.

10. **1678 Asylum Avenue – University of Saint Joseph** - Application (IWW #1172) of Andrew Levesque on behalf of the University of St. Joseph, (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 proposes to replace an existing natural grass softball field with a synthetic turf playing field along with associated site improvements. The proposed work is within a 150 ft. upland review area and no direct wetland impacts are proposed. (Submitted for IWWA receipt on April 4, 2022. Determined to be potentially significant and set for public hearing on May 2, 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 (5-0)** (Motion/Gillette; Second/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:

1678 ASYLUM AVENUE
INLAND WETLAND APPLICATION IWW #1172
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **1678 Asylum Avenue** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1172** 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 **1678 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.) 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.) All stormwater infrastructure shall be installed per the standards and specifications of the Town of West Hartford Division of Engineering.
- 5.) 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.
- 6.) A final as built survey shall be submitted to the Town Planner upon completion of all work.
- 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. **1678 Asylum Avenue – University of Saint Joseph** - Application (SUP #1378) of Andrew Levesque on behalf of the University of St. Joseph, (R.O.), requesting approval of a Special Use Permit for the replacement of an existing natural grass softball field with a synthetic turf playing field along with associated site improvements (Submitted for TPZ receipt on April 4, 2022. Required public hearing scheduled for May 2, 2022.)

After detailed discussions and deliberations on the matter, the TPZ acted by **unanimous vote (5 - 0)** (Motion/Prestage; Second/Gomes) to **APPROVE** the Special Use Permit application subject to the following conditions.

1. The proposal meets the finding requirements of Section 177-37.4 and 177-42A (5a) of the West Hartford Code of Ordinances. In particular:

- d. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - e. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
 - f. The parking, loading, trash and recycling facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. Plans of record are incorporated by reference in this approval and shall guide the appearance, layout and field, parking area and associated improvements.
 3. The special use permit 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.
 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. Prior to the filing of the Special Use Permit on the Land Records, the Applicant shall submit for review and approval by the Town Engineer and Town Planner, a yearly maintenance plan for the on-site stormwater infrastructure and maintenance of the turf field.
 6. Prior to the filing of the Special Use Permit on the Land Records, the Applicant shall satisfactorily address all outstanding comments from the West Hartford Division of Engineering.
 7. All stormwater infrastructure shall be installed per the standards and specifications of the Town of West Hartford Division of Engineering.
 8. Any change to the infill material used on the turf field shall be subject to review and approval by the TPZ.
 9. A final as built survey shall be submitted to the Town Planner upon completion of all work.
 10. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by October 2024 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
 11. This letter of approval shall be stripped onto the final plan.

12. **60 Wampanoag Drive – Wampanoag Country Club** - Application (SUP #1379) of Peter Joyce on behalf of Wampanoag Country Club, (R.O.), requesting approval of a Special Use Permit for the

installation of platform tennis courts along with associated utility and site improvements. (Submitted for TPZ receipt on April 4, 2022. Required public hearing scheduled for May 2, 2022.)

After detailed discussions and deliberations on the matter, the TPZ acted by **unanimous vote (5 - 0)** (Motion/Gomes; Second/Binkhorst) to **APPROVE** the Special Use Permit application subject to the following conditions.

1. The proposal meets the finding requirements of Section 177-37.4 and 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - g. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - h. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
 - i. The parking, loading, trash and recycling facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. Plans of record are incorporated by reference in this approval and shall guide the appearance, layout and field, parking area and associated improvements.
3. The special use permit 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.
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. Prior to the filing of the Special Use Permit on the Land Records, the Applicant shall satisfactorily address all outstanding comments from the West Hartford Division of Engineering.
6. All stormwater infrastructure shall be installed per the standards and specifications of the Town of West Hartford Division of Engineering.
7. A final as built survey shall be submitted to the Town Planner upon completion of all work.
8. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by October 2024 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
9. This letter of approval shall be stripped onto the final plan.

TOWN COUNCIL REFERRAL:

13. **1500-1502 New Britain Avenue – Westfarms Mall** – Application (SDD #12-R1-22) filed on behalf of Arhaus, Inc, lessee of a portion of 1500/1502 New Britain Avenue, more commonly known as Westfarms Mall. The application seeks to amend Special Development District (SDD) #12 to accommodate exterior architectural, signage and site improvements for a new Arhaus furniture store. (Received by Town Council on April 12, 2022. Set for public hearing on May 24, 2022. Referred to TPZ and DRAC.)

Recommended Approval (Motion Prestage; Second Gomes – Vote 5-0)

14. **A Resolution Authorizing the Execution of a Lease Amendment with WHFH III, Inc. regarding 60 Starkel Road.** - (Received by Town Council on April 12, 2022. Set for public hearing on May 10, 2022. Referred to TPZ)

Recommended Approval (Motion Gomes; Second Prestage – Vote 5-0)

15. **An Ordinance Regulating Adult-Use Cannabis** – Proposed zoning ordinance establishing standards for the cultivation, production, and sale of cannabis products pursuant to Public Act 2021-1, An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis (“RERACA”). (Received by Town Council on April 12, 2022. Set for public hearing on May 24, 2022. Referred to TPZ)

Recommended Approval (Motion Gillette; Second Gomes – Vote 5-0)

TOWN PLANNER’S REPORT:

16. **Community Housing Survey:** Update to TPZ on current results of the survey, prepared by the Affordable Housing Advisory Group.

No action taken by TPZ

INFORMATION ITEMS:

17. **None**

MEETING ADJOURNED: 10:30 P.M. Motion/Gomes; Vote 5-0

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