



Issued: 3/23/2023

**TOWN PLAN AND ZONING COMMISSION SPECIAL MEETING
WEDNESDAY, MARCH 20, 2023
LEGISLATIVE CHAMBER, ROOM 314
TOWN HALL, WEST HARTFORD, CT 06107**

DRAFT MINUTES

ATTENDANCE: Chair: Kevin Ahern & Commissioners: Gordon Binkhorst, Liz Gillette; Alternate Donald Neville; Town Staff: Todd Dumais, Town Planner & Brian Pudlik, Associate Planner

ABSENT: Commissioners Gomes & Kaplan; Alternate Nancy Grassilli

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

MINUTES:

- 1. Approval of Minutes
 - a. Minutes of the Regular Meeting, Monday, February 6, 2023 - **Motion Binkhorst/Second Gillette; Approved 4-0**

COMMUNICATIONS:

- 2. Report:
 - a. **Town of West Hartford Soil Erosion & Sediment Control Inspection Report – IWW #1169 - 300 Bloomfield Avenue;** Tree clearing and site disturbance beyond approved limits of clearing as described in IWW #1169, which was issued to the New England Jewish Academy in March of 2022.

The TPZ acted by **unanimous vote (4-0)** (Motion/Binkhorst; Second/Gillette) to allow work associated with the above referenced permit to restart provided the applicant appears before the IWWA at the April 3, 2023 meeting with a plan and schedule for mitigating the work that was done beyond the original approved limits of clearing.

- b. **Application (IWW #1187)** of Corporate Center West Associates, LLC, (RO) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities. (Application formally withdrawn by the applicant)

Received by the IWWA. No formal action taken.

NEW BUSINESS:

3. **56 Pheasant Chase** – [Application](#) (IWW #1189) of EZ Aqua Pool and Patio, LLC, 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 proposes the installation of a 16’ x 40’ in-ground pool, a 12’ x 16’ shed, hardscape improvements, an underground stormwater detention system and associated grading. The proposed work is within a 150 ft. upland review area with no direct wetlands impacts proposed. (Presented for a 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/Gillette; Second/Binkhorst) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Monday, April 3, 2023 at 7:15 the Legislative Chambers, Room 314, West Hartford Town Hall, 50 South Main Street.**

4. **11 Winterset** – [Application](#) (IWW# 1190) of Warren & Susan Berey (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 March 20, 2023. Suggest required public hearing be scheduled for April 3, 2023.)

The TPZ, also acting as the IWWA acted by **unanimous vote (4-0)** (Motion/Binkhorst; Second/Gillette) to schedule this matter for public hearing on **Monday, April 3, 2023.**

5. **66 Westmont** – Application (IWW# 1191) of Raphael Wise, (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 March 20, 2023. Suggest required public hearing be scheduled for April 3, 2023.)

The TPZ, also acting as the IWWA acted by **unanimous vote (4-0)** (Motion/Binkhorst; Second/Gillette) to schedule this matter for public hearing on **Monday, April 3, 2023.**

6. **111 Mountain Terrace Road** - Application (IWW #1192) of H. Gulen Tuncer, 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 proposes the installation of a 22’ x 38’ in-ground pool, a retaining wall, hardscape improvements, landscape improvements and associated grading. The proposed work is partially within a 150 ft. upland review area with no direct wetlands impacts proposed. (Presented for a 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/Gillette) 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:

111 MOUNTAIN TERRACE ROAD
INLAND WETLAND APPLICATION IWW #1192
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **111 Mountain Terrace Road** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1192** 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 **111 Mountain Terrace Road**.

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 as built survey shall be submitted to the Town Planner upon completion of all work.
- 6.) 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:

- 7. **471 South Quaker Lane** – Application (SUP #1400) of the Church of St. Mark the Evangelist Corp. (R.O.) requesting approval of a Special Use Permit to install a 12’ x 14’ shed at the southerly portion of the property. (Submitted for TPZ receipt on February 6, 2023. Suggest required public hearing be scheduled for March 8, 2023 – meeting rescheduled to March 20, 2023.)

After detailed discussions and deliberations on the matter, the TPZ acted by **unanimous vote (4 - 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.
 3. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by March 2025 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
 4. This letter of approval shall be stripped onto the final plan.

8. **1018 Farmington Avenue** – Application (SUP #1401) of St. James Episcopal Church (R.O.) requesting approval of a Special Use Permit to install a 10’ x 18’ greenhouse immediately east of the church in the existing garden area. (Submitted for TPZ receipt on February 6, 2023. Suggest required public hearing be scheduled for March 8, 2023 – meeting rescheduled to March 20, 2023.)

After detailed discussions and deliberations on the matter, the TPZ acted by **unanimous vote (4 - 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.
3. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by March 2025 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.

4. This letter of approval shall be stripped onto the final plan.

9. **134 Norwood Road** – Application (SUP #1402) of the Hartford Golf Club (R.O.) requesting approval of a Special Use Permit to install three (3) pickleball courts adjacent to the existing tennis courts within the golf club property. (Submitted for TPZ receipt on February 6, 2023. Suggest required public hearing be scheduled for March 8, 2023 – meeting rescheduled to March 20, 2023.)

After detailed discussions and deliberations on the matter, the TPZ acted by **unanimous vote (4 - 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.
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 final plan submission, all outstanding comments from the West Hartford Division of Engineering shall be addressed. If plan revisions are required to satisfy that department, those revisions should be incorporated into the final plan set filed with this office.
5. If a rain garden is proposed as a mechanism to mitigate stormwater run-off, its design shall be reviewed and approved by the Division of Engineering prior to final plan submission. Plans for the rain garden shall be included as part of the final plan set.
6. 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.
7. All stormwater infrastructure shall be installed per the standards and specifications of the Town of West Hartford Division of Engineering.

8. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by March 2025 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.

10. **35 Ravenwood Road** -- [Application](#) (IWW #1188) of Andrea Sands, (RO) 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 proposes the installation of a 16' x 32' in-ground swimming pool with a three (3) foot patio surround, a future gazebo and associated site grading. The proposed work is within a 150 ft. upland review area with no direct wetlands impacts proposed. (Application determined potentially significant on February 6, 2023 and set for public hearing on March 8, 2023 – meeting rescheduled to March 20, 2023)

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/Gillette; Second/Binkhorst) 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:

35 RAVENWOOD ROAD
INLAND WETLAND APPLICATION IWW #1188
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **35 Ravenwood Road** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1188** 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 **35 Ravenwood Road**.

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.

TOWN COUNCIL REFERRAL:

- 11. [Ordinance amending the Special Flood Hazard Area Standards](#) (Received by the Town Council on 2-28-23, scheduled for public hearing 4-11-23)

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/Binkhorst; Second/Gillette) to **RECOMMEND** approval of this application to the Town Council.

- 12. [Ordinance amending the Outdoor Dining regulations](#) (Received by the Town Council on 2-28-23, scheduled for public hearing 4-11-23)

Action on this item was tabled by the TPZ to the April 3, 2023 meeting.

- 13. **243 Steele Road** - [Application](#) filed on behalf of Steele Road, LLC, owner of 243 Steele Road, located within Special Development District (SDD) #139. The application seeks permission to amend the existing SDD, a 190 unit multifamily residential complex, through the addition of a new building containing 18 units, along with associated parking, landscaping and site amenity changes. (Received by the Town Council on 2-28-23, scheduled for public hearing 4-11-23)

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/Gillette; Second/Binkhorst) to **RECOMMEND** approval of this application to the Town Council.

ANNUAL MEETING

- 14. [Annual Meeting](#): TPZ election of officers, selection of committee representatives, and approval of rules and regulations. **Postponed**

TOWN PLANNER’S REPORT:

- 15. **POCD Implementation Update & Discussion – No formal action required or taken by the TPZ**

INFORMATION ITEMS:

16. None

MEETING ADJOURNED: 9:30 P.M. Motion/Binkhorst; Second/Gillette; Vote 4-0

U: shareddocs/TPZ/Minutes/2023/March 20_Draft