



Issued: 10/4/2023

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING
MONDAY, OCTOBER 2, 2023
LEGISLATIVE CHAMBER, ROOM 314
TOWN HALL, WEST HARTFORD, CT 06107**

MINUTES

ATTENDANCE: Chair: Kevin Ahern; Commissioners: Gordon Binkhorst, Liz Gillette, Josh Kaplan; Alternates Nancy Grassilli and Donald Neville; Town Staff: Todd Dumais, Town Planner; Brian Pudlik, Senior Planner

ABSENT: Andrea Gomes and John Lyons

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

MINUTES:

1. Approval of Minutes:
 - a. Minutes of the Regular Meeting, Wednesday, September 6, 2023: **Motion to approve minutes –Binkhorst/ Second; Grassilli - Vote: 3-0**

COMMUNICATIONS:

2.
 - a. None

NEW BUSINESS:

3. **139 Stoner Drive** – Application (IWW #1210) of R. Thibadeau, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland regulated area. The applicant proposes to partially dredge a portion of the northeast corner of the pond, which spans five properties on Stoner Drive. Work is proposed within the 150 ft. upland review area and within a limited area of the pond. (Submitted for IWWA receipt on October 2, 2023. 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 (5-0)** (Motion/Binkhorst; Second/Gillette) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Monday, November 6, 2023 at 7:15 the Legislative Chambers, Room 314, West Hartford Town Hall, 50 South Main Street.**

4. **151 North Main Street** – Application (IWW #1212) of ID3A, LLC, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland regulated area. The applicant proposes to install permanent standby generators, associated concrete pads and conduit for the two buildings located on the westernmost parcel beyond the American School for the Deaf. Work is proposed within the 150 ft. upland review area with no direct wetland impacts. (Submitted for IWWA receipt on October 2, 2023. 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 (5-0)** (Motion/Gillette; Second/Grassilli) to determine the application not significant and **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:

151 NORTH MAIN STREET
INLAND WETLAND APPLICATION IWW #1212
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **151 North Main Street** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1212** 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 **151 North 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.) 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.

- 5. **294R Tunxis Road** – Application (IWW #1213) of the AMCO Development, LLC, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland regulated area. The applicant proposes to construct a home and conduct associated site grading. This was originally reviewed and approved by the IWWA in 2007 but work was never completed. All proposed work is proposed within the 150 ft. upland review area with no direct wetland impacts. (Submitted for IWWA receipt on October 2, 2023. 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 (5-0)** (Motion/Gillette; Second/Kaplan) to determine the application not significant and **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:

294R TUNXIS ROAD
INLAND WETLAND APPLICATION IWW #1213
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **294R Tunxis Road** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1213** 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 **294R Tunxis 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.) Final plans shall be updated to reflect the following changes based on the IWWA review of the plans:
 - a. The footing drain shall be extended to the existing level spreader.
 - b. The silt fence location shall be relocated further west to include the extension of the footing drain.
 - c. Swales shall be incorporated into the grading north and south of the proposed home location to direct surface water run-off to the existing level spreader
- 3.) 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.
- 4.) 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.
- 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.) 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. **78 & 82 Uplands Drive** – Application (IWW #1214) of the Town of West Hartford, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland regulated area. The applicant proposes stormwater infrastructure enhancements and stream channel clearing within the watercourse that bisects the subject properties. Work is proposed within the 150 ft. upland review area and directly within the watercourse. (Submitted for IWWA receipt on October 2, 2023. 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 (5-0)** (Motion/Binkhorst; Second/Kaplan) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Monday, November 6, 2023 at 7:15 the Legislative Chambers, Room 314, West Hartford Town Hall, 50 South Main Street.**

7. **134 Norwood Road** – Application (SUP #1426) of the Hartford Golf Club (R.O.) requesting approval of a Special Use Permit to install a new +/-2,000 square foot covered patio adjacent to the main dining room in addition to adding a partial roof over the existing exterior patio. (Submitted for TPZ receipt on October 2, 2023. (Suggest required public hearing be scheduled for November 6, 2023).

The TPZ acted by **unanimous vote (5-0)** (Motion/Binkhorst; Second/Kaplan) to schedule this matter for public hearing at the regularly scheduled meeting on **Monday, November 6, 2023 at 7:15 P.M. in the Legislative Chambers, Room 314, West Hartford Town Hall, 50 South Main Street.**

OLD BUSINESS / PUBLIC HEARING:

8. **126 & 128 Montclair Drive** – Application (IWW #1208) of the Town of West Hartford, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland regulated area. The applicant proposes to repair a broken 12” storm drainage pipe and restore an undercut stream bank at the rear of 126 and 128 Montclair Drive and immediately adjacent to the Trout Brook. Work is proposed within the 150 ft. upland review area and within a limited area of the watercourse. (Project determined potentially significant on September 6, 2023 and set for public hearing on October 2, 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 (5-0)** (Motion/Gillette; Second/Grassilli) 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:

126 & 128 MONTCLAIR DRIVE
INLAND WETLAND APPLICATION IWW #1208
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **126 & 128 Montclair Drive** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1208** 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 **126 & 128 Montclair Drive**.

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.) All stormwater infrastructure shall be installed per the standards and specifications of the Town of West Hartford Division of Engineering.
- 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.

- 9. **1700 Asylum Avenue** – Application (IWW #1203) of WEHA Development Group East, 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 construction of four (4) multi-story residential buildings with related residential amenities, in addition to drainage, landscaping, parking and associated site improvements. Work is proposed within the 150 ft. upland review area and includes direct wetlands and watercourses impacts. (Application determined potentially significant on July 10, 2023 and set for public hearing on Wednesday, September 6, 2023. *Note: This agenda item is expected to be opened and immediately continued to October 2, 2023*)

This item was immediately continued to the October 23, 2023 special meeting of the TPZ/IWWA. Motion/Kaplan; Second Binkhorst – **Unanimous Vote: 5-0**

- 10. **1800 Asylum Avenue** – Application (IWW #1205) of WEHA Development Group, 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 redevelopment of the former UConn Campus, including the demolition of all existing buildings and the construction of fourteen (14) new buildings, including commercial / mixed-use and residential, a new private roadway and surface parking lots along with associated site improvements, including landscaping and site drainage. Work is proposed within the 150 ft. upland review area and identified direct wetland and watercourses impacts. (Application determined potentially significant on July 10, 2023 and set for public hearing on Wednesday, September 6, 2023. *Note: This agenda item is expected to be opened and immediately continued to October 2, 2023*)

This item was immediately continued to the October 23, 2023 special meeting of the TPZ/IWWA. Motion/Kaplan; Second Binkhorst – **Unanimous Vote: 5-0**

TOWN COUNCIL REFERRAL:

- 11. **1244 North Main Street** - Application of Trout Brook Realty Advisors, Inc., contactor purchaser, for change of zone from R-13 to RM-1 with Special Development District Designation overlay, for the redevelopment of 1.83 acres of the former Agudas Achim Synagogue at 1244 North Main Street as a multi-family residential use. (Application received by the Town Council on September 12, 2023 and set for public hearing on October 23, 2023)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **Unanimous vote (5-0)** (Motion/Gillette; Second/Kaplan) to **RECOMMEND** approval of this application to the Town Council.

- 12. Ordinance Amending Definitions within Section 177-2 for Indoor Recreation or Amusement Facilities and Nightclubs Dance Halls. (Application received by the Town Council on September 26, 2023 and set for public hearing on November 14, 2023)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **Unanimous vote (5-0)** (Motion/Kaplan; Second/Gillette) to **RECOMMEND** approval of this application to the Town Council.

TOWN PLANNER’S REPORT:

- 13.
 - a. None

INFORMATION ITEMS:

- 14. None

MEETING ADJOURNED: 10:00 P.M. Motion/Binkhorst; Second/Grassilli; Vote 5-0

U: shareddocs/TPZ/Minutes/2023/Sept 6_Draft