



Issued: 3/6/24

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING
MONDAY, MARCH 4, 2024
LEGISLATIVE CHAMBER, ROOM 314
TOWN HALL, WEST HARTFORD, CT 06107**

MINUTES

ATTENDANCE: Chair, Kevin Ahern; Vice Chair, Gordon Binkhorst; Commissioners: Liz Gillette, Josh Kaplan, Andrea Gomes; Alternates: Nancy Grassilli & John Lyons; Town Staff: Todd Dumais, Town Planner; Brian Pudlik, Senior Planner

ABSENT: Donald Neville

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

MINUTES:

- 1. Approval of Minutes:
 - a. Minutes of the Regular Meeting, Monday, February 12, 2024 – **Motion/Binkhorst; Second Lyons; Vote 4-0**

COMMUNICATIONS:

- 2. a. Applicant request to continue the previously opened public hearing for application SUP #1430 at 289 South Main Street (Item #4).

The TPZ acted by **unanimous vote (5-0)** (Motion/Grassilli; Second/Gomes) to **receive** this communication.

- b. Applicant request to open and immediately continue application IWW #1221 at 596 Mountain Road (Item #5).

The TPZ acted by **unanimous vote (5-0)** (Motion/Gomes; Second/Binkhorst) to **receive** this communication.

NEW BUSINESS:

- 3. **54 Hillsboro Drive** – Application (IWW #1019-R1-24) of VH, 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 new single-family residence on the presently vacant lot. Work is proposed within the 150 ft. upland review area with no direct wetland impacts proposed (Submitted for IWWA receipt on March 4, 2024. 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/Binkorst) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Monday, April 1, 2024 at 7:15 in room 314 of Town Hall, located at 50 South Main Street.**

OLD BUSINESS:

4. **289 South Main Street** – Application (SUP #1430) of the Town of West Hartford, requesting approval of a Special Use Permit to improve and modernize the existing driving range at the Rockledge Golf Course, which will include the addition of up to 20 covered tee stations along with a small snack bar and restroom facility (Public hearing opened on February 12, 2024 and continued to March 4, 2024. Pursuant to Item #2a, the applicant has requested a further continuance to April 1, 2024).

The TPZ acted by **unanimous vote (5-0)** (Motion/Gomes; Second/Kaplan) to **continue** this matter to the regularly scheduled meeting on **Monday, April 1, 2024 at 7:15 in room 314 of Town Hall, located at 50 South Main Street.**

5. **596 Mountain Road** – Application (IWW #1221) of Mountain Commons Condominium Association, 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 remove the existing tennis court with associated fencing and return the area to natural grass. Work is proposed within the 150 ft. upland review area with some impact to an area of mapped wetland soils that extends into the tennis court area. (Determined potentially significant on February 12, 2024 and set for hearing on March 4, 2024. Pursuant to item #2b, the applicant requested that the item be opened and immediately continued to April 1, 2024).

The TPZ acted by **unanimous vote (5-0)** (Motion/Gomes; Second/Gillette) to **open and immediately continue** this matter, without testimony, to the regularly scheduled meeting on **Monday, April 1, 2024 at 7:15 in room 314 of Town Hall, located at 50 South Main Street.**

6. **58 Waterside Lane** – Application (IWW #1222) of Z. Reichelt (contractor), 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 enlarge an existing rear deck, enclose an existing front porch, add a new front porch, construct a new garage in place of the existing driveway and conduct associated minor site grading. Work is proposed within the 150 ft. upland review area with no direct wetland impacts proposed (Determined potentially significant on February 12, 2024 and set for hearing on March 4, 2024).

The TPZ acted by **unanimous vote (5-0)** (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:

58 WATERSIDE LANE
INLAND WETLAND APPLICATION IWW #1222
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **58 Waterside Lane** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1222** 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 wetlands 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 **58 Waterside Lane**.

This permit is issued and made subject to the following conditions:

1. Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
2. The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
3. Prior to start of any work, all outstanding comments from the Division of Engineering shall be addressed to the full satisfaction of that department.
4. Prior the start of any work, updated plans, which are reflective of the changes noted in the Reichelt Construction Contracting, LLC memo dated March 4, 2024, shall be submitted to the Planning office for approval.
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. 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.
7. All stormwater infrastructure shall be installed per the standards and specifications of the Town of West Hartford Division of Engineering.
8. A final as built survey shall be submitted to the Town Planner upon completion of all work.
9. 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.

7. **331 South Road** – Application (SUP #1441) of INSPIRED BY OPPORTUNITY, LLC, requesting approval, pursuant to Section 177-16.12, for a new restaurant drive-through facility in association with the reconstruction of the Wendy’s restaurant (Submitted for TPZ receipt on February 12, 2024. Required public hearing scheduled for March 4, 2024. This item will not be heard on March 4th and will instead be heard on April 1, 2024).

No action was taken in this item by the TPZ.

TOWN COUNCIL REFERRAL

- 8. Application of WeHa Development Group East, LLC owner of 1700 Asylum Avenue, for Change of Zone of approximately 14.9 acres of the northern portion of 1700 Asylum Avenue from a R-10 single family zone to a RM-MS multifamily-multistory residence district zone with Special Development District Designation (SDD) overlay for the redevelopment of the northern portion of the site into a new multifamily housing development with associated parking and site amenities. The SDD overlay is also proposed to encompass the southern 8.9 acres of 1700 Asylum Avenue and includes new ballfield parking. No change of underlying zone is proposed for the southern portion of the property.

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **vote (4-1)** (Motion/Kaplan; Second/Binkhorst) to **recommend** that the Town Council approve this application.

- 9. Resolution Authorizing the Execution of Permanent Easements to Support the Development Project at 27 Park Road (a.k.a. One Park).

The TPZ acted by **unanimous vote (5-0)** (Motion/Gillette; Second/Binkhorst) to **recommend** that the Town Council approve this item.

TOWN PLANNER’S REPORT:

- 10. None

INFORMATION ITEMS:

- 11. None

MEETING ADJOURNED: 9:14 P.M. Motion/Gomes; Second/Kaplan – Vote: 5-0

U: shareddocs/TPZ/Minutes/2024/Mar_4_Draft