



Issued: 1/13/2025

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING
MONDAY, JANUARY 6, 2025
LEGISLATIVE CHAMBER, ROOM 314
TOWN HALL, WEST HARTFORD, CT 06107**

MINUTES

ATTENDANCE: Chair: Kevin Ahern; Vice Chair: Gordon Binkhorst; Commissioners: Liz Gillette and Josh Kaplan; Alternates: Nancy Grassilli; Town Staff: Todd Dumais, Town Planner, Brian Pudlik, Senior Planner & Robert Gosselin, Associate Planner

ABSENT: Commissioner Andrea Gomes, Alternate Commissioners Donald Neville & John Lyons

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

MINUTES:

1. Approval of Minutes:
 - a. Minutes of the Regular Meeting, Monday, December 2, 2024: **Motion to approve minutes** – Gillette/ Second; Kaplan - **Vote: 5-0; YEA:** Ahern, Binkhorst, Kaplan, Gillette and Grassilli (seated for Gomes); **NAY:** None

COMMUNICATIONS:

2. NONE

NEW BUSINESS:

3. NONE

OLD BUSINESS / PUBLIC HEARING:

4. **170 Kingswood Road** - Application (SUP #1394-LB-24) of the Kingswood Oxford School, requesting TPZ review and look-back of compliance with the conditions of SUP #1394. Originally approved in December of 2022 for the construction of dugouts and the installation of protective netting for the varsity baseball field. (Received by the TPZ on December 2, 2024 and set for public hearing on January 6, 2025.)

The TPZ acted by **unanimous vote (5-0)** [Motion/Binkhorst; Second/Kaplan **YEA:** Ahern, Binkhorst, Kaplan, Gillette, Grassilli (seated for Gomes); **NAY:** None] to determine that the Special Use Permit did not require additional conditions of approval.

5. **1710 Asylum Avenue & 1800 Asylum Avenue** – Application (IWW #1229) 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 is requesting to replace two existing culverts within the East Branch of Trout Brook, near Asylum Avenue, as Phase 1 of a multi-phase project to alleviate flooding in the project vicinity. Work is proposed within the 150 ft. upland review area and within the watercourse, which results in both temporary and permanent direct wetland impacts. (Determined potentially significant on December 2, 2024 and set for public hearing on January 6, 2025)

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 *YEA*: Ahern, Binkhorst, Kaplan, Gillette, Grassilli (seated for Gomes); *NAY*: None) 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:

1710 & 1800 ASYLUM AVENUE
INLAND WETLAND APPLICATION IWW #1229
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at 1710 Asylum Avenue and 1800 Asylum Avenue in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1229** 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 parcels 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 parcels of land are located at 1710 Asylum Avenue and 1800 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 control requirements, in accordance with the 2024 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended. All soil erosion and sediment controls shall be installed and maintained as depicted on the plans and as amended by the applicant's testimony during the public hearing and by condition #3 noted below.
3. Prior to the start of any construction, the plan set shall be updated to depict both the locations of, and the soil erosion and sediment control measures for, all vehicle/equipment staging and material stockpiling areas.

4. Prior to the start of construction, the plans shall be updated to reflect that no plantings are proposed within the Trout Brook culvert settling basin.
5. The applicant shall retain a professional engineer to inspect/oversee construction and the installation/maintenance of the sedimentation and control measures. Inspections shall occur bi-weekly and after significant rainfall events and an inspection report 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 overseeing professional engineer and/or West Hartford Town officials.
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, including tree removal, the Town Planner shall be notified and provided the opportunity to inspect.
7. Any modifications to the overall Project Phasing Plan shall be subject to the review and approval of the Town Planner. Prioritization of site mitigation, wetland creation, wetlands restoration, riparian and buffer enhancement is strongly encouraged where feasible. Disturbed areas shall be limited to the minimum area necessary to complete each phase of construction activity.
8. Disturbed areas shall be limited to the minimum area necessary to complete each phase of construction activity and construction fencing installed at all times to clearly delineate sensitive areas beyond the area of work. The location of construction fencing shall be adjusted as-needed throughout the construction process in order to maintain a maximum buffer from construction activity to wetland and other sensitive areas.
9. The applicant shall retain a professional soil scientist/wetland scientist to oversee and review all Wetland mitigation, creation and enhancement plan, as outlined in the plans and the application narrative prepared by CDM Smith, dated 2-23-24 and/or as amended pursuant to these conditions.
10. All invasive plant materials shall be removed, once cleared and grubbed, from the project sites, consistent with applicable state guidance and specifications.
11. A final comprehensive as-built survey and certifications from the relevant professionals, shall be submitted to the Town Planner upon completion of all work. Such survey and certifications shall demonstrate that all work was completed in a manner consistent with the approved plans associated with this application. All wetland mitigation work shall be certified as consistent with approved plans upon completion.
12. The Applicant shall transmit, to the Town Planner, copies of all approvals from the Connecticut Department of Energy and Environmental Protection (DEEP) for activity on site under the jurisdiction of DEEP and any other Federal or State Agency permits that may be required.
13. 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.
14. This IWWA permit approval shall be stripped onto the final set plan.

TOWN COUNCIL REFERRAL:

- 6. **29 Highland Street** – Application filed on behalf of Vessel RE Holdings LLC and Vessel Technologies, Inc., contractor purchaser of 29 Highland Street, for change of zone of approximately 2.3 +/- acres of the site from a RI single-family zone to a RM-1 multifamily residence district with Special Development District Designation overlay for the redevelopment of the site into a new 112 unit multifamily residential development which will qualify as a “set-aside development” under General Statutes Section 8-30g. Associated parking and site amenities are also proposed.

After a detailed review of the application and its related exhibits, the TPZ acted by **unanimous vote (5-0)** [Motion/Gillette; Second/Grassilli (seated for Gomes); **YEA:** Ahern, Binkhorst, Kaplan, Gillette, Grassilli seated for Gomes; **NAY:** None] to **RECOMMEND** approval of this resolution to the Town Council.

- 7. Resolution Accepting 2649-2679 Albany Avenue Service Driveway as a Public Street.

After a detailed review of the application and its related exhibits, the TPZ acted by **unanimous vote (5-0)** (Motion/Binkhorst; Second/Grassilli (seated for Gomes); **YEA:** Ahern, Binkhorst, Kaplan, Gillette, Grassilli seated for Gomes; **NAY:** None) to **RECOMMEND** approval of this resolution to the Town Council.

- 8. **1800 Asylum Avenue** – Application filed on behalf of WeHa Development Group, LLC owner of 1800 Asylum Avenue, for change of zone of approximately 33.5 acres of the site from a R-10 single-family zone to a BS shopping center zone with Special Development District Designation (SDD) overlay for the redevelopment of the site into a new mixed-use development of commercial and residential uses along with associated parking and site amenities. (**NOTE: This item will be presented to the TPZ at its regular meeting in February.**)

No action was taken on this item.

TOWN PLANNER’S REPORT:

- 9. **TPZ/ IWWA 2024 Annual Report** – Communication from the TPZ/IWWA on the Draft 2024 Annual Report of activities of the Commission/Agency to the Town Council.
- 10. **POCD Implementation Progress Report** – Discussion of a Draft POCD Implementation Progress Report.

INFORMATION ITEMS:

- 11. None

MEETING ADJOURNED: 10:10 P.M. Motion/Binkhorst; Second/Kaplan; Vote 5-0; YEA: Ahern, Binkhorst, Kaplan, Gillette, Grassilli (seated for Gomes); **NAY:** None

U: shareddocs/TPZ/Minutes/2025/January 6_Draft

NOTE: A digital recording of this meeting is available for public review by contacting Planning and Zoning staff by phone at 860.561.7552 or by email at comment.tpz@westhartfordct.gov.