



Issued: 11/3/22

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING
WEDNESDAY, NOVEMBER 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; Alternates Nancy Grassilli and Josh Kaplan; Town Staff: Brian Pudlik, Associate Planner

ABSENT: Commissioners Prestage & O'Donnell; Todd Dumais, Town Planner

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

MINUTES:

1. Approval of Minutes
 - a. Minutes of the Regular Meeting, Monday, October 3, 2022- **Motion Binkhorst/Second Grassilli; Approved 4-0**

COMMUNICATIONS:

2.
 - a. 2023 TPZ Meeting and Filing Dates – **Motion Gomes/Second Binkhorst; Approved 5-0**

NEW BUSINESS:

3. **29 Wampanoag Drive – Northwest Catholic High School** -- Application (IWW #1186) of Northwest Catholic High School, (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 proposes to convert an existing natural grass sports fields to a new multi-sport synthetic turf field with associated site improvements. The proposed work is within a 150 ft. upland review area with no direct wetlands impacts proposed. (Submitted for IWWA receipt on November 2, 2022 and 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/Kaplan (seated for Prestage)) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Monday, December 5, 2022 at 7:15 the Legislative Chambers, Room 314, West Hartford Town Hall, 50 South Main Street.**

4. **170 Kingswood Road – Kingswood Oxford School** -- Application (SUP #1393) of Kingswood Oxford School, (R.O.), requesting approval of a Special Use Permit to construct dugouts and install protective netting for the varsity baseball field. (Submitted for TPZ receipt on November 2, 2022. Suggest required public hearing be scheduled for December 5, 2022.)

The TPZ acted by **unanimous vote (5-0)** (Motion/Gomes; Second/Binkhorst) (Grassilli seated for Commissioner Prestage) to schedule this matter for public hearing at the regularly scheduled meeting on **Monday, December 5, 2022 at 7:15 in room 314 of Town Hall, located at 50 South Main Street.**

OLD BUSINESS/PUBLIC HEARING:

5. **29 Wampanoag Drive – Northwest Catholic High School** -- Application (SUP #1391) of Northwest Catholic High School, (R.O.), requesting approval of a Special Use Permit to convert existing natural grass sports fields to a new multi-sport synthetic turf field with associated site improvements. (Submitted for TPZ receipt on September 7, 2022. Required public hearing scheduled for October 3, 2022. Public hearing continued to November 2, 2022.)

The TPZ acted by **unanimous vote (4-0)** (Motion/Kaplan; Second/Binkhorst) (Kaplan seated for Commissioner Prestage; Commissioner Gomes Abstained) to CONTINUE this public hearing to the next regularly scheduled meeting to be held on **Monday, December 5, 2022 at 7:15 in room 314 of Town Hall, located at 50 South Main Street.**

6. **433 South Main Street** -- Application (IWW #1185) of Corporate Center West Associates, LLC, (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 construction of a new approximately 2,417 +/- s.f. restaurant building, with drive-through facilities and associated site improvements including parking lot reconfiguration, landscaping, grading and drainage. The proposed work is within a 150 ft. upland review area with no direct wetlands impacts proposed. (Determined potentially significant by the IWWA on October 3, 2022 and set for public hearing on November 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/Binkhorst; Second/Gomes) (Grassilli seated for Commissioner 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:

433 SOUTH MAIN STREET
INLAND WETLAND APPLICATION IWW #1185
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **433 South Main Street** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1185** 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 **433 South 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. As noted by the Agency, additional soil and erosion controls measures along the eastern perimeter of the site, adjacent to Trout Brook, shall be added to the plan, subject to the review and approval of the Town Planner.
- 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 existing detention basin located immediately northwest of the project area shall be cleaned out in accordance with Town Engineering Division recommendations no later than one (1) year from the date of approval.
- 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.

7. **433 South Main Street** -- Application (SUB #300) of Corporate Center West Associates, LLC (RO) for a resubdivision of an approximately 13.5 acre parcel of land known as 433 South Main Street. The proposed resubdivision seeks to split the parcel into two parcels: an approximately 12.5 acre parcel and an approximately 1.03 +/- acre parcel, the purpose of which is to create a new "out-parcel" for a new Starbucks building along South Main Street. (Submitted for TPZ receipt on October 3, 2022. Public hearing scheduled for November 3, 2022.)

TOWN COUNCIL REFERRAL:

8. **433 South Main Street** Application (SDD #15-R1-22) Application filed on behalf of Corporate Center West Associates, LLC, owner of 433 South Main Street, located within Special Development District (SDD) #15. The application seeks permission to amend the existing SDD to create a new mixed-use development, which contemplates a new development parcel and the construction of an approximately 2,417 s.f. new Starbucks building along South Main Street. In addition, associated improvements including the reconfiguration of the parking layout, installation of new landscaping, lighting and pedestrian amenities are proposed. (Received by Town Council on September 28, 2022. Set for public hearing on November 9, 2022. Referred to TPZ and DRAC.)

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/Gomes; Second/Binkhorst) (Kaplan seated for Prestage), to **APPROVE** the Subdivision application with following conditions:

1. A "street address" assignment for the new parcel shall be requested to the Department of Community Development prior to the filing of the final Subdivision Map.
2. All lot corners shall be pinned.

3. Prior to filing the map on the land records, the corresponding deeds to each property shall be updated and filed on the land records, which reflect the new property dimensions as depicted on map associated with this approval. A copy of the updated and recorded deeds shall be submitted to the Planning and Zoning Division.

TOWN PLANNER’S REPORT:

9. **POCD Implementation Update – Postponed to the December 5, 2022 regular meeting**

INFORMATION ITEMS:

10. **None**

MEETING ADJOURNED: 8:00 P.M. Motion/Binkhorst; Second/Kaplan; Vote 5-0

U: shareddocs/TPZ/Minutes/2022/November 2_Draft