



Issued: 4/6/2023

TOWN PLAN AND ZONING COMMISSION REGULAR MEETING

MONDAY, APRIL 3, 2023

LEGISLATIVE CHAMBER, ROOM 314

TOWN HALL, WEST HARTFORD, CT 06107

MINUTES

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

ABSENT: None

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

MINUTES:

1. Approval of Minutes
 - a. Minutes of the Special Meeting, Monday, March 20, 2023 - **Motion Binkhorst/Second Gillette; Approved 4-0**

COMMUNICATIONS:

2. Report:
 - a. **300 Bloomfield Avenue – IWW #1169 – Wetland Violation:** Presentation of project team on conceptual plan for mitigation and next steps

Received by the IWWA. No formal action taken

- a. **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. (Request to open and immediately continued to the May 1, 2023 meeting)

Received by the IWWA. No formal action taken.

NEW BUSINESS:

3. **139 North Main Street** - Application (SUP #1404) of the American School for the Deaf requesting approval of a Special Use Permit to build two one-story dormitory buildings in the campus quadrangle and make associated site improvements (Submitted for TPZ receipt on April 3, 2023. Suggest required public hearing be scheduled for May 1, 2023.)

The TPZ acted by **unanimous vote (5-0)** (Motion/Gomes; Second/Kaplan) to formally refer this matter to the Design Review Advisory Committee and to schedule this matter for public hearing at the regularly scheduled meeting on **Monday, May 1, 2023 at 7:15 in room 314 of Town Hall, located at 50 South Main Street.**

4. **312 North Main Street** - Application (SUP #1405) of K. Tofflemire, requesting approval of a Special Use Permit to operate an out-patient veterinary ophthalmology clinic. The application proposes no changes to the interior or exterior of the existing site. (Submitted for TPZ receipt on April 3, 2023. Suggest required public hearing be scheduled for May 1, 2023.)

The TPZ acted by **unanimous vote (5-0)** (Motion/Gomes; Second/Binkhorst) to schedule this matter for public hearing at the regularly scheduled meeting on **Monday, May 1, 2023 at 7:15 in room 314 of Town Hall, located at 50 South Main Street.**

5. **77 Sunny Reach Drive** – Application (IWW# 1193) of M. Ellis, 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 April 3, 2023. Suggest required public hearing be scheduled for May 1, 2023.)

The TPZ, also acting as the IWWA acted by **unanimous vote (4-0)** (Motion/Gillette; Second/Gomes) (Ahern Recused) to schedule this matter for public hearing on **Monday, May 1, 2023.**

6. **1700 Asylum Avenue** – Application (IWW #1194) 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 five (5) 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 with approximately 5,730 s.f. of identified direct wetlands and watercourses impacts. (Presented for a determination of significance. If determined significant, staff suggests public hearing be set for June 5, 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/Binkhorst) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Monday, June 5, 2023 at 7:15 the Legislative Chambers, Room 314, West Hartford Town Hall, 50 South Main Street.**

7. **1700 Asylum Avenue** – Application (IWW #1195) of WEHA Development Group East, LLC 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 April 3, 2023. Suggest required public hearing be scheduled for June 5, 2023.)

The TPZ, also acting as the IWWA acted by **unanimous vote (5-0)** (Motion/Gillette; Second/Binkhorst) to schedule this matter for public hearing on **Monday, June 5, 2023.**

8. **1800 Asylum Avenue** – Application (IWW #1196) 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 seven (7) new commercial / mixed-use buildings, one (1) parking garage, 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 includes more than 20,705 s.f. of identified direct wetland impacts and an additional amount of non-quantified direct wetlands and watercourses impacts related to dredging and associated activities around the existing ponds. (Presented for a determination of significance. If determined significant, staff suggests public hearing be set for June 5, 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/Gomes; Second/Kaplan) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Monday, June 5, 2023 at 7:15 the Legislative Chambers, Room 314, West Hartford Town Hall, 50 South Main Street.**

9. **1800 Asylum Avenue** – Application (IWW #1197) of WEHA Development Group, LLC 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 April 3, 2023. Suggest required public hearing be scheduled for June 5, 2023.)

The TPZ, also acting as the IWWA acted by **unanimous vote (5-0)** (Motion/Gomes; Second/Kaplan) to schedule this matter for public hearing on **Monday, June 5, 2023.**

10. **66 Westmont** – Application (IWW #1198) of R. Wise (R.O.), 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 proposed the regrading of a portion of the rear yard to accommodate the installation of a playscape and the reinstallation of a paver patio. The proposed work is within a 150 ft. upland review area with no direct wetlands impacts proposed. (Submitted for IWWA receipt on April 3, 2023 and 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/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:

66 WESTMONT
INLAND WETLAND APPLICATION IWW #1198
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **66 Westmont** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1198** 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 **66 Westmont**.

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. Specifically, ensure that all E&S controls are positioned down gradient of any disturbed area.
- 3.) 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.
- 4.) 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:

11. **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. (Application determined potentially significant on March 20, 2023 and set for public hearing on April 3, 2023) ****Note this item is subject to a request to open and immediately continued to May 1, 2023, per Agenda Item 2.b.***

Per the request of the application this item was opened and immediately continued by the TPZ. Vote (5-0)
(Motion/Gomes; Second/Kaplan)

12. **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. Required public scheduled for April 3, 2023.)

Per the request of staff, this item was opened and immediately continued by the TPZ. Vote (5-0) (Motion/Kaplan; Second/Gomes)

13. **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. Required public scheduled for April 3, 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/Gomes; Second/Binkhorst) to **APPROVE** the proposed amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford

TOWN COUNCIL REFERRAL:

14. [Ordinance amending the Outdoor Dining regulations](#) (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 **vote (4-1)** (Motion/Binkhorst; Second/Gomes) to **RECOMMEND** approval of this application to the Town Council, with the exception of subsection C(3), which the Commission strongly recommends be stricken from the ordinance.

ANNUAL MEETING

1. [Annual Meeting](#): TPZ election of officers, selection of committee representatives, and approval of rules and regulations.
- a. **Chair – Kevin Ahern nominated – Vote 4-0 – Approved**
 - b. **Vice-Chair – Gordon Binkhorst nominated – Vote 4-0 - Approved**
 - c. **TPZ Secretary – Todd Dumais nominated – Vote 5-0 – Approved**
 - d. **Liaison to the Town Council Community Planning and Economic Development subcommittee – Nancy Grassilli nominated/ Gordon Binkhorst alternate – Vote 4-0 – Approved**
 - e. **Liaison to CROG – Don Neville nominated/ Liz Gillette alternate – Vote 4-0**
 - f. **Liaison to CEC – Andrea Gomes nominated/Josh Kaplan alternate – Vote 4-0**

TOWN PLANNER’S REPORT:

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

INFORMATION ITEMS:

3. **None**

MEETING ADJOURNED: 9:30 P.M. *Motion/Gillette; Second/Binkhorst; Vote 5-0*

U: shareddocs/TPZ/Minutes/2023/April 3_Draft