



SUSTAINABLE WEST HARTFORD COMMISSION

July 22, 2024

7:00 PM, Room 400, Town Hall

SPECIAL MEETING MINUTES

1. Call to Order - 7:05 PM

- *Jim Fishman Y*
- *Kimberly Hughes Y*
- *Aditee Madkekar N*
- *Christy Matthews N*
- *Ted Newton Y*
- *Alejandro Paiuk Y*
- *Bernard Pelletier Y*
- *Stephen Sack Y*
- *David Sagers Y*
- *Rachael Virgin Y*
- *Patricia Wilson Y*
- *Student Reps: Nathaniel Goldschmidt*
- *Town Staff: Gina Varano (Deputy Corporation Counsel), Katherine Bruns (Recycling Coordinator), Catherine Diviney (Energy Specialist)*
- *Public: Luciana Granstrand, Eric Granstrand, Tom Virgin, Nancy Jenson, Chris Feely, Johnathan Humphry, Diane Duva, Andrea Yuliano*

2. Approval of Prior Meeting Minutes – *approved 8-0, before Alejandro arrived.*

3. Community Comment & Communications (max 3 min each)

- *UI/CNG – Bernie received a request for Commission's support in a rate case and has chosen not to respond because it is not within the Commission's scope of duties and responsibilities.*
- *Book gift – Commission received a Climate Change Strategies book as a gift. Catherine will email title/author; anyone is welcome to borrow.*
- *Discussion/vote on process for communications to commission – Draft process (attached) was discussed; minor changes were suggested. Catherine will make edits and have Attorney Lauture in the review the final version. Vote deferred to next meeting.*

4. Ongoing Business

- *1800 Asylum Ave*
 - *Commission is still trying to meet with developer. Jim had tentatively set July 29, but Commission meeting was cancelled. Todd Dumais, Town Planner, is currently trying to schedule a meeting between the Commission and the developer. There was debate (unresolved) on whether to have public comment as an agenda item for a special meeting with the developer.*

- *Dave led a presentation (slides attached) about sustainability topics related to 1800 Asylum Ave. property and a recap of the June 28th meeting he and Catherine had with Todd Dumais, Town Planner. Discussion centered on relevant Low Impact Development themes, potential “gaps” in the existing, required regulatory review process with regard to sustainability (e.g., NOAA, Atlas 14 outdated), and what the Commission could do to push for the incorporation of more sustainable practices in development projects. Ideas suggested included:*
 - *Assist with action items already identified in the Town’s Plan of Conservation and Development (POCD) - e.g., strengthening regulations*
 - *Look to solidify a place for the Commission (or sustainability) in the review process - e.g., expand scope of the Design Review Advisory Committee (DRAC)*
 - *Routinely provide comments from Commission on projects in writing*
 - *Look to provide added value (not necessarily at added cost) by opening up a broader range of options, knowledge, and awareness that Town and/or developers might not have – e.g., bird friendly glass, landscaping for energy efficiency, eco-friendly cement products, local suppliers, marketing of sustainability features to attract buyers/customers.*
 - *Try to shape projects pro-actively, but with a clear understanding that Commission is “pro-sustainability options, not anti-development.”*
- *Working Group Reports, discussion as needed – Steve made a general comment that the working groups seem to be operating very independently, and the Commission may need a little more oversight.*
 - *Communications & Outreach – none.*
 - *Nature-Based Solutions – Kim reported that they met with a meadow consultant, Leisure Services, Grounds @ Wolcott Park earlier today to talk about design for the Wolcott meadow garden project – felt like a positive process/connection in pushing work forward. They have a BIG idea on tap, but it is not ready to bring to Commission yet.*
 - *Energy / Buildings – Bernie reported that planning has started for the annual National Drive Electric Week event, which will be Oct 6, 2024. They hope to hold it at Westfarms Mall, under the solar parking canopy, but have not talked to Westfarms yet. While mixed feelings about switching location (from Town Hall lot w/ farmers market), Westfarms location may open up options for multi-town event and new audiences.*
 - *Waste – Bernie reported that since the cancellation of the June 25th Town Council vote on the resolution to accept the DEEP grant to implement a 1-year town-wide UBP & Food Scrap diversion pilot, concerns continued to be expressed to him about the transparency of the governmental process, both in hindsight and looking forward. He acknowledged that Commissioners were in receipt of two email communications addressing these concerns. Bernie turned the meeting over to the Attorney Gina Varano, Deputy Corporation Counsel, to cover next steps.*
 - *Gina gave some background on the Town Charter, Code of Ordinances, how Town*

government works, the role of the Office of Corporation Counsel as legal advisor to the Town Manager, Town Council, all departments, boards, agencies and commissions of the Town, and the public's "right to know" and participate in decision-making process through public hearings. She explained that after reviewing the \$1.4 Million DEEP grant, prior to the scheduled Town Council meeting/vote, her determination and legal advice was that since program implementation was a requirement of accepting the grant, the vote required not only a resolution to accept and appropriate the funds, but also an ordinance (i.e., local law) to allow for implementation of a town-wide program, as specified in the grant, including separation of food waste, enforcement mechanisms, and penalties. She also indicated that, if passed, the Director of Public Works would also likely need to develop department-level rules and regulations to implement the ordinance/new program and a resolution to set bag prices, both of which would also be subject to Town Council approval.

- Gina updated the process/steps. She could not commit to a date-specific timeline, as that is determined by the Town Manager and Town Council. She noted that public hearings can sometimes stretch over multiple dates. She indicated that the ordinance was in process.

**Process for UBP and Food Scrap Diversion Ordinance
Development, Review, and Approval**

Step 1. Draft the ordinance. An attorney in the Office Corporation Counsel would normally draft such language.

Step 2. Draft language would go to the Public Works, Facilities, and Sustainability subcommittee for approval and recommendation to the Town Council. Meeting is being set for sometime this summer. Only if committee approves, does process move to Step 3.

Step 3. Town Council receives ordinance and sets it for public hearing within 30 days.

Step 4. Town Council votes on ordinance following the public hearing. Note: there is no public comment at a Town Council agenda vote, only at public hearing.

- Commentary and Q&A followed. Some individual points/questions raised were:
 - Concern over ordinance language that was being drafted and whether the Commission or Waste Working Group would be involved or get to review it before it was presented to the Town Council. (Gina indicated that was at the discretion of Town Manager.)
 - Why an ordinance (not just rules and regulations) was needed, given existing Town Code, Chapter 94 (e.g., §94-13, §94-9, §94-7). (Gina indicated, in her determination as Deputy Corporation Counsel, an ordinance was necessary and is currently in progress.)
 - Why the grant review and ordinance issue had surfaced so late in the process, as this was a known, phased initiative with DEEP originally initiated by the Town (i.e., Public Works) a long time ago. (Gina noted that it was not the

grant, per se, that created an issue, but rather the enforcement mechanisms needed to implement the program. If the Town wanted the right to impose a penalty for noncompliance, then an ordinance had to be passed. Ideally, the legislation needed to implement the program, specifically an ordinance, rules and regulations and a resolution, should have also been on the Town Council's agenda at the same time as the resolution to accept the grant, but such was not the case. Typically, the Town accepts a grant and appropriates the funds without the need to adopt legislation, but this program was different, so the need for legislation did not get recognized until much later in the approval process.)

- *A prepared statement of dissatisfaction and disappointment regarding the whole local government process/experience and hope that the Town could do better in the future – included comments about transparency, conflicts of interest, respect for volunteers' time, willingness to collaborate, learn, and listen to public input, and tying-up of limited DEEP funding.*
- *What happens if an ordinance is passed, and the Town decides not to continue the program beyond the 1-year grant period. (Gina indicated that the ordinance could be repealed or the ordinance could have a sunset provision, but those options are rarely utilized.)*
- *A statement of frustration that draft communications to be considered by the Commission should not be circulated without full Commission approval.*
- *Appreciation and thanks to Gina for taking time to come to meeting.*

5. New Business

- *Report to Town Council – Request for working group chairs to write up a 1-page summary in preparation for drafting the Commission's annual report to Town Council in fall. Aditee has volunteered to work on reporting format.*
- *Election of New Officers, Commissioners' terms expiring – Request for all Commissioners to fill out an election ballot, to express interest and nominate candidates for officer positions for 2025. Four Commissioners' terms expire on 12/31/24: Alejandro, Pat, Rachael, and Aditee. Per ordinance, Commissioners have 1, 2 or 3-yr initial terms, so they are staggered and don't all expire at once.*

6. Staff Report – Sustainable CT update – *deferred*

7. Calendar Updates – *7/29 meeting cancelled*

8. Next Steps & Agenda for Next Meeting – *final communication process, ballot nominations for 2025, Working Group summaries, Town Council report*

9. Adjournment – *9:38 PM*

Anyone requiring auxiliary aid or service for effective communication or modification of policies or procedures to participate in a meeting, service, program or activity of the Town of West Hartford, should contact Suzanne Oslander, ADA Coordinator, at suzanneo@westhartfordct.gov or (860) 561-7580, as soon as possible, preferably seven days beforehand.

Draft Process for Communications to Sustainable West Hartford Commission

Per WH Corporation Counsel – If Sustainable West Hartford Commission anticipates receiving ongoing communications from the public, the Commission should formally adopt a process to allow designated individuals to respond on behalf of group (like The Police Review Board.)

The Sustainable West Hartford Commission has a wide scope. Sustainability is a broad topic that encompasses nature-based issues, ways to handle waste, renewable / clean energy, and potentially other topics such as building protocols, transportation options, and as yet undiscovered topics. The Commission engages with town staff, residents, as businesses. As such we can expect an increasing number of public inquiries covering a diversity of topics. The question on the table is how we as an 11-member commission can best respond to comments or inquiries from the public. Here is a suggested protocol:

Communications from the public can come into the Commission a variety of ways. (e.g., to staff liaisons, to individual Commissioners, to sustainableweha@westhartfordct.gov.)

That person needs to decide if it is something they can respond to without consulting the group.

- Questions like “When is the Commission’s next meeting?” or “Who’s in charge of recycling?” are information only responses or referrals which may be responded to directly.
- Other more substantive communications that might require discussion – asking for the Commission’s opinion/recommendation or cc’ing the Commission on communications to Town Council – should be forwarded to the Chair or Vice Chair (FOIA) with a cc’d to staff liaison(s).

The Chair or Vice Chair (with help of staff liaison, if needed) should decide if communication warrants convening a “special meeting.” In which case, Chair, Vice Chair and staff liaison will try to schedule. Note: This would only happen in the event something was extremely important and time-sensitive.

Otherwise, the Chair, Vice Chair, or staff liaison will send a response, on behalf of the Commission, to the individual to let them know that their communication will be deferred to the next Commission meeting (for FOIA). It is important that residents are heard and feel heard. A response should include:

- Acknowledgement and thanks for their communication.
- Next steps (e.g., Commission meets monthly and will review communication at its next meeting on [insert date]. It is a public meeting and they are welcome to attend.)
- (Optional) reminder of the Commission’s main purpose/relevant duties per Town Code Sec 5-16.



1800 Asylum Proposed Development: Some Initial Thoughts

Proposal



- 1800 Asylum Avenue (UConn campus west of Trout Brook Drive) aka Heritage Park
 - 33.9 acres
 - Demolition of all existing structures/features
 - Features a grocery store, two (2) mixed use buildings to include restaurants, retail, and residential space in addition to a restaurant, spa, assisted living building, and town homes.
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Status

- Wetlands approval
 - Application submitted, TPZ meeting as the IWWA (Inland Wetlands and Watercourse Agency) June 24, 2024
 - Zoning change approval
 - Architectural plans, informal review by DRAC, first session May 9
 - Presentation to DRAC:
<https://www.westhartfordct.gov/fs/resource-manager/view/92b96a5b-b713-4de2-988a-e9d5f239bfa3>
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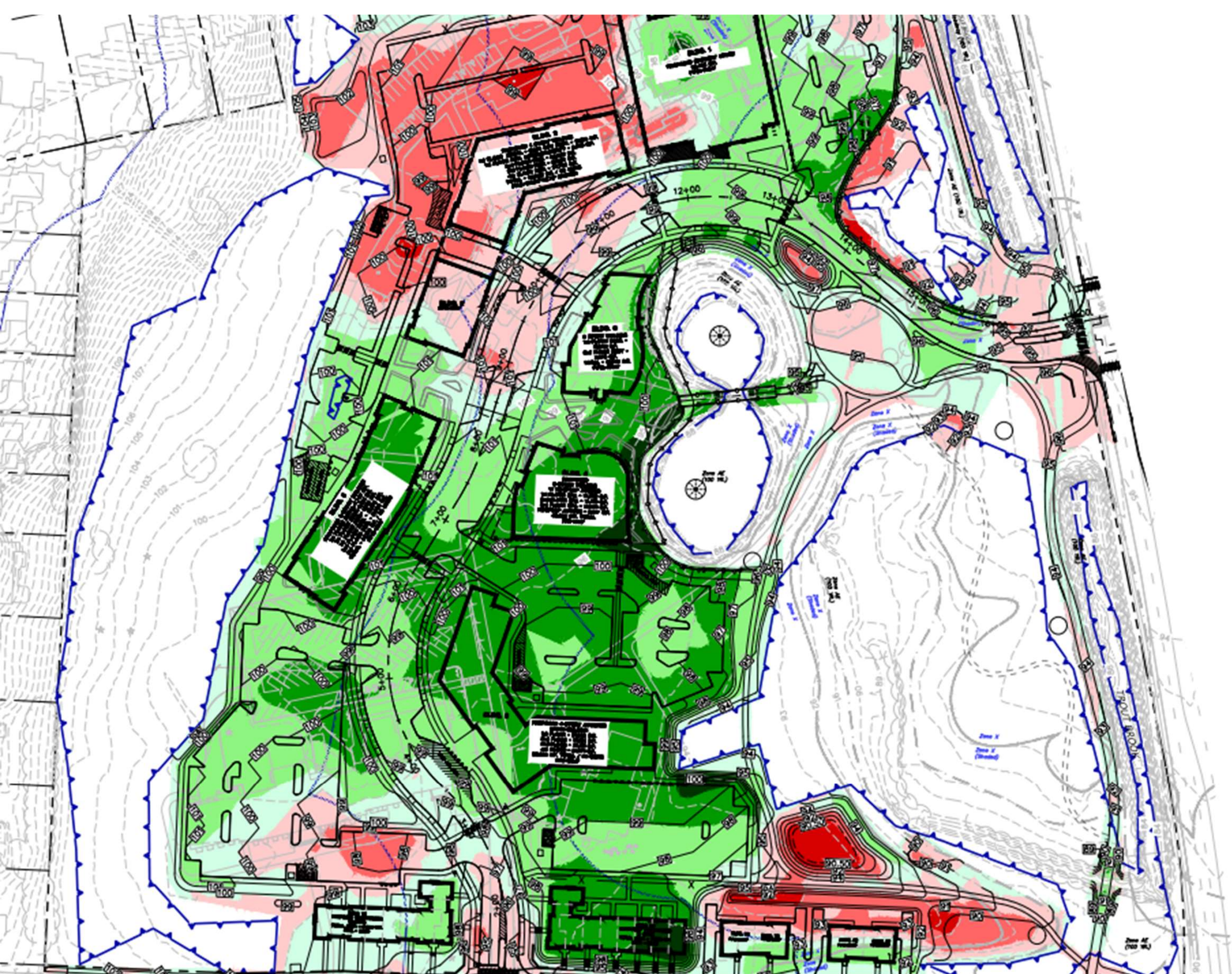
Low Impact Development

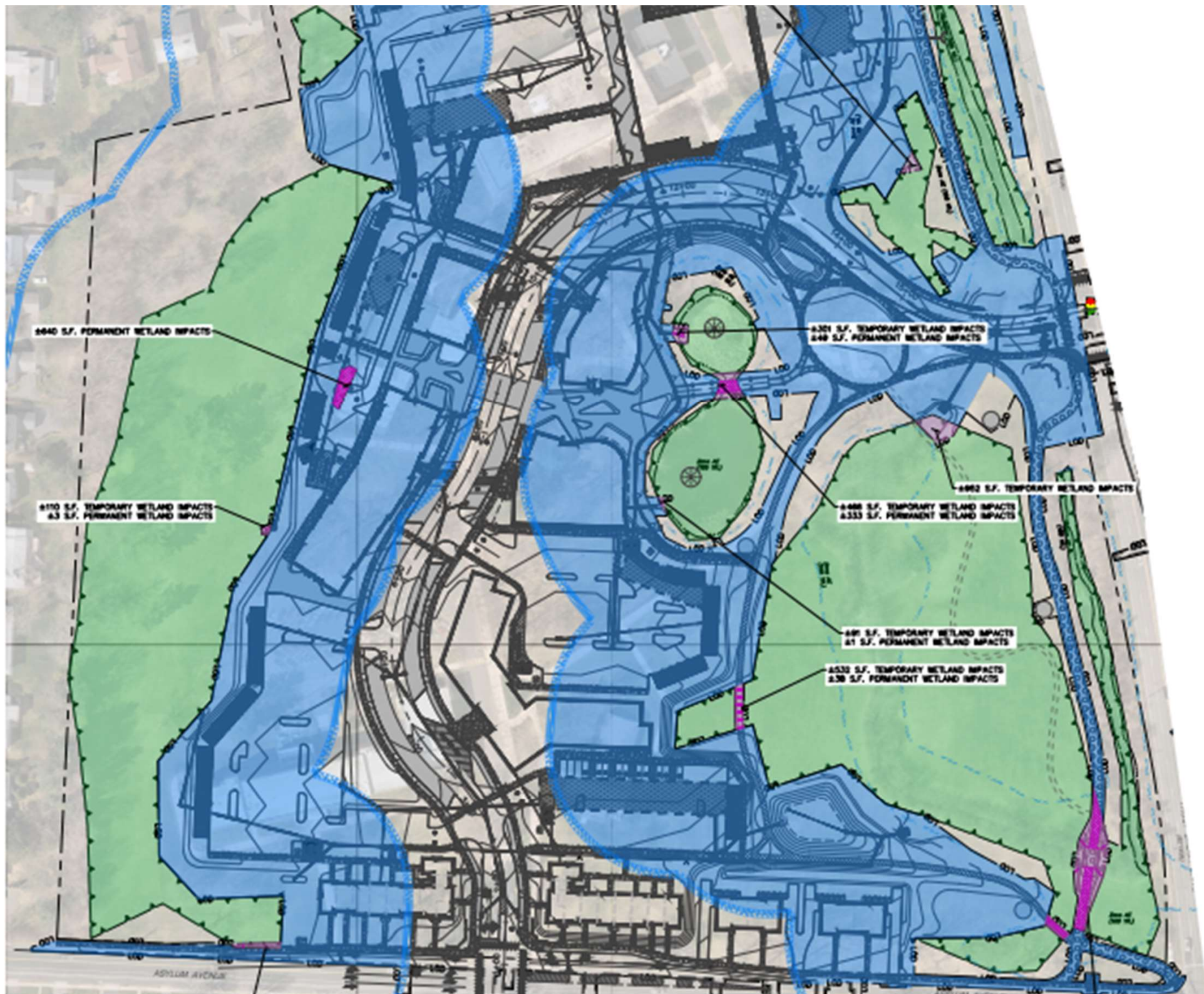


- Green Community Design
 - parks appropriate to scale
 - walkable, transit-oriented, linkage w existing pedestrian/bicycle ways
- Green Buildings
 - LEED – reduce heat island effect, reduce light pollution
- Green infrastructure/Landscape Design
 - Reduce off-site flooding, filter stormwater – permeable surfaces, rain gardens, bio swales
 - Plentiful trees/shrubs for shade – native list, support diversified habitat
- [Harris-County-Residential-Dev-and-Design-Standards.pdf](#)
[\(ghba.org\)](#)

Potential Issues

- Loss of open space
- Activity within 14.34 acres of the upland review area (within 150 feet buffer of wetlands)
- Likely widespread removal of mature trees
- 145.6% increase in impervious surface
- Peak stormwater discharge rates (NOAA, Atlas 14, also using FEMA floodplain maps) not keeping pace with actuals (e.g. 24 hours, 3 inches = 2 year event)
- Need for conservation easement for green/open space
- Need for independent monitoring of delivery/
compliance with “positive” steps





Positive Impact Claims



- Remediation of environmental (soil) contamination (PCB's)
 - Involves soil removal around buildings, draining/dredging ponds, etc.
 - Invasives removal
 - Pedestrian paths, extension of Trout Brook trail
 - Stormwater runoff improvement
 - Reduction in wetlands impact from previous iterations of plans
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Interface with Town Planning

Topics



- Defined involvement in Development Process
 - Support revising ordinances and regulations that promote sustainable growth and balance growth with preservation of natural resources
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Scope of Sustainability



- Green Community Design
 - parks appropriate to scale
 - walkable, transit-oriented, linkage w/existing pedestrian/bicycle ways
 - Green Buildings
 - LEED – reduce heat island effect, reduce light pollution
 - Green infrastructure/Landscape Design
 - Reduce off-site flooding, filter stormwater – permeable surfaces, rain gardens, bio swales
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Development



- Review/Comment on sustainable opportunities
 - Specifically for 1800 Asylum
 - Generally involve in development process with
 - Town Planner
 - DRAC
 - TPZ as IWWA
 - Town Council as Zoning
-

Environment Concerns - POCD



Sustainable
West Hartford

Our Town, Our Planet, Our Future

- Flooding
 - Stormwater management and water quality
 - Impervious surface
 - Open space
 - Forest cover
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Strategies/Actions - POCD



- Preserve, maintain, enhance and expand open space, conservation or recreation areas
 - Support the efforts of conservation organizations to purchase and protect land with priority placed on properties with wetlands and floodplain areas.
 - Explore Federal, State and Town funding opportunities to purchase open space, conservation or recreational lands with a priority on properties with ridgelines, wetlands, watercourses and floodplain areas or that provide connections between environmental resources
 - Support the Conservation and Environment Commission in performing its duties and **strengthen the connection to and collaboration with the TPZ**
 - Review and evaluate the **development of require open space standards** within the zoning ordinances and subdivision regulations
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Strategies/Actions - POCD



- Review the zoning ordinances, subdivision regulations and inland wetlands and watercourses regulations, and revise as necessary, to support responsible growth ...while ... protecting ... environmental resources.
 - Review and evaluate the development of ridgeline protection standards within the zoning ordinances
 - Review and evaluate the development of **Low Impact Development (LID) standards**. [Harris-County-Residential-Dev-and-Design-Standards.pdf \(ghba.org\)](https://www.ghba.org/Harris-County-Residential-Dev-and-Design-Standards.pdf)
 - Review and evaluate the development of additional ... land protection measures ... such as the exclusion of steep slopes, wetlands, and flood plains from lot area calculations.
 - Review and evaluate the current **Open Space Development** zoning ordinances
- ... identify potential areas for targeted modifications that support **sustainable development practices**.