



CITY OF HARTFORD
Planning & Zoning Commission
260 Constitution Plaza – Hartford, CT

DRAFT MINUTES

May 11, 2021

The Planning & Zoning Commission held a Virtual Regular Meeting at 6:00 p.m. on Tuesday, May 11, 2021.

Attendance

Present: Chair Josye Utick, Commissioners Gary Bazzano, Aaron Gill, Jonathan Harding, Kelvin Thomas, and Alternate Commissioner Guy Neumann.

Absent: Commissioner David McKinley, and Alternate Commissioners Juliana Garcia-Urbe and Andres Jimenez-Franck.

Staff Present: Aimee Chambers, Attorney Rich Vassallo, Paul Ashworth, and Paige Berschet.

I. CALL TO ORDER

Chair Josye Utick called the meeting to order at 6:04 pm and seated Alternate Commissioner Guy Neumann for the meeting.

II. APPLICATIONS RECEIVED

a. **872 Prospect Ave** – Site Plan Review for Renovation of Elizabeth Park Basketball Court. Owner: City of Hartford; Applicant: Eric Crawford. Open Hearing Deadline: July 1, 2021.

b. **200 Prospect Ave** – Special Permit for Accessory Drive-Through Use and Site Plan. Owner: EDAH Realty, LLC; Applicant: Great American Donut, Inc. c/o Scott Fanning. Open Hearing Deadline: July 1, 2021.

c. **100 Constitution Plaza** – Special Permit for Downtown Signage. Owner: Constitution Plaza Holding, LLC.; Applicant: Sign Pro Inc. c/o Tracy Becker.

d. **1550 Albany Ave** – Special Permit for Westbrook Village Master Plan Modification. Owner: Housing Authority of the City of Hartford; Applicant: Pennrose, LLC c/o Rio Sacchetti.

III. PUBLIC HEARINGS

a. **872 Prospect Ave** – Site Plan Review for Renovation of Elizabeth Park Basketball Court. Owner: City of Hartford; Applicant: Eric Crawford.

Ms. Aimee Chambers presented the Staff Report and answered Commissioner's questions.

Mr. Grant Losapio, part of the design team at Freeman Companies, was present on behalf of the applicant. Public comment was opened and there were no comments or testimony from the public.

Commissioner Kelvin Thomas stated that he was in support of the application because it would promote and improve the park, and is a privately funded project. Commissioner Guy Neumann stated that he was in support of the renovation, but hopes more can be done to include people of all abilities, potentially on the small half court near the proposed project, in the future.

Commissioner Kelvin Thomas made a **MOTION** to **APPROVE** the resolution as presented by staff, **SECONDED** by Commissioner Aaron Gill. The resolution was approved with a vote of 5-0.

CITY OF HARTFORD
PLANNING & ZONING COMMISSION RESOLUTION
872 PROSPECT AVENUE
SITE PLAN FOR ELIZABETH PARK BASKETBALL COURT RENOVATIONS

- Whereas,** The City of Hartford Planning & Zoning Commission reviewed the application and attached documents regarding proposed renovations to the Elizabeth Park Basketball Court; and
- Whereas,** The value of the proposed renovations is over \$50,000 and is required to be reviewed by the Commission as a site plan per Section 1.3.3.A.(6) and Section 3.3.3.2.D.(2); and
- Whereas,** The subject property is Elizabeth Park, located at 872 Prospect Avenue and is listed as a designated historic property in the Prospect Avenue National Historic District; and
- Whereas,** The proposed renovations were approved by the City of Hartford Historic Preservation Commission on April 21, 2021 (COMM-2021-0381); and
- Whereas,** The proposed renovations have been endorsed by the West End Civic Association, the Hartford Parks & Recreation Advisory board, and the Elizabeth Park Conservancy; and

86 **Whereas,** The proposed improvements are limited to approximately .3 acres of the
87 approximately 19.2 acre parcel; and
88

89 **Whereas,** The existing basketball courts are in a deteriorated condition and the proposed
90 improvements would restore the facility to excellent condition; and
91

92 **Whereas,** The proposed designs for the benches, hoop and fencing are consistent with the
93 cultural significance of the park and otherwise found to be satisfactory; and
94

95 **Whereas,** The renovated court is to be dedicated to the late Coach Jack Phelan, a respected
96 basketball coach and member of the Hartford Community, for his dedication to the
97 community and the positive impact he has had on generations of young Hartford
98 residents; and
99

100 Now therefore Be It
101

102 **Resolved,** The City of Hartford Planning & Zoning Commission hereby finds that the proposed
103 renovations and site plan for the Elizabeth Park Basketball Court Renovations meet
104 the requirements of the Zoning Regulations; and,
105

106 **Resolved,** The City of Hartford Planning & Zoning Commission approves the site plan and
107 proposed renovations as presented:
108

109 Be It Further,
110

111 **Resolved,** This 11th day of May, 2021.
112

- 113 b. **200 Prospect Ave** – Special Permit for Accessory Drive-Through Use and Site Plan.
114 Owner: EDAH Realty, LLC; Applicant: Great American Donut, Inc. c/o Scott Fanning.
115

116 Ms. Aimee Chambers presented the staff report and answered Commissioner's questions
117 on the driveway location and scope of work.
118

119 Mr. Bob DeCrescenzo and Mr. Andrew Quirk were present on behalf of the applicant
120 and answered Commissioner's questions on the site layout, street trees, employee
121 accessible entrances at the front and rear, parking spaces, and car stacking length.
122

123 The Commissioners and Applicant representatives discussed the Kane St entrance.
124 Commissioners had some concern that it could cause back-up into Prospect Ave, with
125 discussion of widening, narrowing, and moving the curb cut east. Mr. Andrew Quick
126 stated there was signage to the east for the Parking Lot agreement with McDonald's and
127 utility poles, and with these constraints they thought it would be best to maintain the
128 curb cut location. Ms. Aimee Chambers stated a limitation of the driveway width to 22
129 feet if the curb cut was changed or moved.

The applicant stated they would be comfortable having the signage package reviewed administratively.

Public comment was opened and there were no comments or testimony from the public.

Commissioners had further discussion on the Kane St entrance and voted to add additional conditions to the resolution. Commissioner Jonathan Harding made a **MOTION** to **APPROVE** the resolution as amended, **SECONDED** by Commissioner Gary Bazzano. The resolution was approved with a vote of 5-0.

**CITY OF HARTFORD
PLANNING & ZONING COMMISSION RESOLUTION
200 PROSPECT AVENUE
SPECIAL PERMIT FOR DRIVE-THROUGH USE**

- Whereas,** The City of Hartford Planning & Zoning Commission reviewed the application and attached documents regarding the request for a special permit and site plan approval for the establishment of a drive-through only restaurant and site renovations; and
- Whereas,** The subject property is corner lot at the intersection of Kane Street and Prospect Avenue and is assigned the MS-3 Zoning District; and
- Whereas,** The proposed drive-through use is within 300 feet of two parcels, each with an active accessory drive-through use on their respective premises; and
- Whereas,** The proposed drive-through facility's location on the Kane Street façade will allow for additional stacking generally and some parking in the rear yard; and
- Whereas,** The City of Hartford Zoning Board of Appeals on April 6th, 2021 approved variances from Section 3.5.2.A.(1) to allow a drive-through facility on a street facing façade and stacking lanes parallel to the street, and from Section 3.5.4.2.a(7) to allow an accessory drive-through use within 300 feet of other accessory drive through uses; and
- Whereas,** The character of the surrounding area is auto-oriented; and
- Whereas,** The drive-through use could allow for an economically feasible use while the area transitions to a less car dependent nature; and
- Whereas,** The variances would allow the reuse of an existing building reducing waste and allowing for additional investment in the neighborhood; and

Whereas, Pedestrian oriented design principles integrated into the site layout help offset the impact of the auto-oriented drive-through use; and

Now therefore Be It

Resolved, The City of Hartford Planning & Zoning Commission hereby finds that the proposed special permit for a drive-through use meets the requirements of Section 3.5.2.A regarding drive through uses and further find that the proposed site renovations meet the requirements of the Zoning Regulations under the following conditions:

1. The Applicant shall sign a release voluntarily surrendering the rights conveyed to them regarding front yard parking by the 1984 variance consistent with the condition of approval for variances approved by the Zoning Board of Appeals on April 6th, 2021 under project P&Z-COMM-2021-0340. Such surrender shall be executed and recorded prior to the occupation of the subject property.
2. Tree plantings shall be provided subject to the approval of the City Forester.
3. This approval shall not apply to any included signage. All signage shall be reviewed under separate cover by the Planning Division.
4. An entrance be provided on the front façade of the building as required by the Zoning Regulations.
- 5. The Applicant shall corroborate with DPW on an exclusion box at the Kane Street entrance/exit.**
- 6. The Applicant shall evaluate and explore adding a pedestrian friendly walk-up window to the site.**
- 7. The Applicant is strongly recommended to add bike parking to the site.**

Be It Further,

Resolved, This 11th day of May, 2021.

IV. NEW BUSINESS

No new business was discussed.

V. DIRECTOR'S REPORT

Ms. Aimee Chambers provided an overview of the Plan Review and Zoning Enforcement numbers for April and indicated that all the COVID Outdoor Activities Permits were included in the larger Plan Review number reported. She stated she attended a MARG NRZ Meeting and provided a Zoning Enforcement presentation covering signage and car dealership enforcement.

Ms. Aimee Chambers shared information on the ongoing citywide Parking Study with focus area meetings for Downtown and the Parkville area upcoming. Other focus areas included Albany Ave and Wethersfield Ave.

Ms. Aimee Chambers reported that they have chosen a firm for the Arrowhead Gateway Small Area Plan and the Neighborhood Plan RFP closed last week.

Ms. Aimee Chambers provided Planning Staff updates including the retirement announcement of Sandy Fry in July, and the two openings for Senior Planners.

VI. CHAIR'S REPORT

No report.

VII. Approval of Minutes

- a. April 13, 2021 – APPROVED

The Commission moved right into the Inland Wetlands and Watercourses Session and there was no rollcall required as all Commissioners from previous session remained.

Inland Wetlands & Watercourses Commission

VIII. PUBLIC HEARINGS

- a. **611 Brookfield St. and 180 John D. Wardlaw Way** - Inland Wetlands and Watercourses Permit to conduct regulated activity within wetlands, watercourse and upland review area related to remediation activities required as result of an inadvertent discharge of material from 611 Brookfield St. onto 180 John D. Wardlaw Way during construction of the MDC South Hartford Conveyance and Storage Tunnel. Property Owners: The Metropolitan District Commission; City of Hartford Housing Authority; Applicant: Jessica Webb, Empire Paving.

Ms. Aimee Chambers presented the staff report and answered Commissioner's questions.

The applicant, Ms. Jessica Webb was present and answered Commissioner's questions on how the discharge occurred and that the discharge was a mix of water and underground clay. Mr. Matthew Sanford, Environmental Scientist with SLR, explained the alternatives presented, including the no action alternative recommended.

Public Comment was opened and Ms. Rachel Hiskes, a resident of the area, was present to speak on the application. She stated she was interested in the trail and thought it made sense to have a sizable donation made to the South Branch Trail to provide money for more native species along the Trail. She stated that because of the disruption to species and neighbors, a sizable donation in the range of \$10,000-\$25,000 was not overly ambitious.

Public comment was closed and Commissioners deliberated. Ms. Aimee Chambers explained the funds mentioned in resolution. Commissioners voted to strike the payments into the City Green Infrastructure Fund and the City Tree Account. Commissioners settled upon a payment to the Complete Streets Fund for \$5,000.

Commissioner Guy Neumann made a **MOTION** to **APPROVE** the resolution as amended, **SECONDED** by Commissioner Gary Bazzano. The resolution was approved with a vote of 5-0.

**PLANNING & ZONING COMMISSION AS INLAND WETLANDS AND
WATERCOURSES COMMISSION
INLAND WETLANDS AND WATERCOURSES PERMIT
APPROVAL RESOLUTION
180 John D. Wardlaw Way and 611 Brookfield St.
May 11, 2021**

- Whereas,** The Planning & Zoning Commission is designated as the Inland Wetlands Agency of the City of Hartford (the “Agency”); and
- Whereas,** The Agency has reviewed the petition of Jessica Webb of Empire Paving (the “Applicant”) for an Inland Wetlands and Watercourses Permit to conduct regulated activity within delineated wetlands, watercourse, and upland review area related to remediation activities required as result of an inadvertent discharge of material from 611 Brookfield St. onto 180 John D. Wardlaw Way (collectively the “Subject Site”) that occurred during construction of the Metropolitan District Commission (MDC) South Hartford Conveyance and Storage Tunnel; and
- Whereas,** This application has been submitted in response to the Notice of Violation, dated March 2, 2021, that was issued to MDC Counsel via email, certified mail, and regular mail (Accela Code Case #: 9636459); and
- Whereas,** FEMA Flood Insurance Rate Map Panel 09003C0502F, effective 9/26/2008, depicts the Subject Site within the following flood designation areas: Special Flood Hazard Area Zone AE, Special Flood Hazard Area Regulatory Floodway, Other Areas of Flood Hazard Zone X, and Other Areas Zone X; and
- Whereas,** A report entitled “611 Brookfield Street Slurry Release Evaluation Project, Wetland Impact Assessment,” prepared for Empire Paving, prepared by SLR International Corporation, dated April 2021 (the “Wetlands Report”) describes current conditions of the impacted inland wetlands and watercourse, and provides recommendations for remediation strategies to alleviate the impacts, while also evaluating functions and values of the impacted wetland and watercourse resources as compared to adjacent unimpacted wetlands in order to develop an appropriate mitigation strategy; and
- Whereas,** The Analysis of Pit-Retaining Walls of Auxiliary Soil Solidification Pit 2, prepared by Dimitrios Palantzas, State of Connecticut Professional Engineer, and Franklin M. Gryniewicz, State of Massachusetts Professional Engineer, both of

GeoEngineers, Inc., dated March 26, 2021 indicates that the concrete block pit-walls are expected to be stable given a maximum slurry height of six (6) feet; and

Whereas, The Subject Site is part of an area that has been identified as a future location of the South Branch Trail Extension, a multi-use path to be located along the South Branch of the Park River, which will provide a link between the East Coast Greenway and the Trout Brook Trail in West Hartford; and

Whereas, The Agency has determined the proposed activity involves a significant impact to the wetlands and watercourse; and

Whereas, The Agency finds that the Applicant's chosen remediation strategies are adequate to alleviate the impacts imposed to the inland wetlands, watercourse, and the upland review areas; and

Whereas, The Agency finds that the proposed activity represents remediation of activity conducted without the benefit of a permit, and that a feasible and prudent alternative to the proposed regulated activity does not exist;

Now Therefore Be It

Resolved, *That* the Agency hereby approves the petition of Jessica Webb, Empire Paving, to conduct the following activities on properties that are identified by the City Assessor as 611 Brookfield Street (Parcel ID 140-588-004) and 180 John D. Wardlaw Way (Parcel ID 140-588-003), collectively referred to as the "Subject Site," as depicted on Fig. 2 "Community Type in Slurry Deposition Area," and Fig. 3 "Proposed Remediation," that were prepared by SLR, dated 4/5/2021, included in Appendix A of the document entitled: "611 Brookfield Street Slurry Release Evaluation Project, Wetland Impact Assessment," prepared for Empire Paving, prepared by SLR International Corporation, dated April 2021 (the "Wetlands Report"), subject to conditions:

1. Soil erosion and sediment control measures shall be installed, maintained, and supplemented with additional measures if found to be inadequate, to the satisfaction of the Inland Wetland Agent and/or City Engineer.
2. In the Slurry Deposition Area of the Sloped Wetland depicted on aforementioned Fig. 2 and Fig. 3, the following activity is proposed:
 - a. the thin slurry layer be left as is and allowed to revegetate through natural processes;
 - b. supplemental application of a seed mix New England Erosion Control for Moist Site and Detention Basin be applied to the thin layer of slurry present during the spring growing season April through early June;

c. Installation of a straw wattle (a.k.a. straw bio-log) at the toe of the slope to allow for filtering of stormwater runoff until the vegetation has reestablished itself along the slope.

3. In the Slurry Deposition Area of the Floodplain Scrub/Shrub Wetland depicted on aforementioned Fig. 2 and Fig. 3, the following activity is proposed:

a. Remove slurry deposits in this area by hand until the underlying herbaceous vegetation is observed;

b. After material is removed, then the silt fence should be removed and replaced with straw wattles.

4. The Applicant proposes a No Action alternative to address deposited material within the South Branch Park River watercourse itself, in accordance with Watercourse Remediation Alternative #1, recommended within the Wetlands Report.

5. It is the Applicant's responsibility to obtain other necessary approvals and or permits from the State of Connecticut Department of Energy and Environmental Protection (CTDEEP); the U.S. Army Corps of Engineers (USACE); and/or other City of Hartford Departments, Commissions, and/or Agencies.

6. No vegetation is proposed to be removed with this permit.

7. The permit is subject to the following conditions, to be completed to satisfaction of the City Inland Wetland Agent:

a. Remediation work shall be completed in accordance with recommendations made within the Wetlands Report, and shall be conducted under the supervision and oversight of a Qualified Wetland Scientist in the State of Connecticut (the "Wetland Scientist") at the Applicant's expense.

b. The Wetland Scientist shall provide the Agency with monthly progress reports.

c. To ensure the long-term success of the remediation plan, the Applicant shall engage a Qualified Wetland Scientist in the State of Connecticut to conduct a post-restoration site visit and document observations regarding the success of the remediation effort following the first full growing season, providing the Agency with a written report of findings and recommendations.

d. The concrete block pit-retaining walls shall only be filled with slurry wastewater to levels and/or volumes that were certified by a State of Connecticut Professional Engineer.

e. To promote efforts to preserve and enhance wetlands, watercourses, and open spaces throughout the City, and to provide opportunities for educational programs related to such, the Applicant shall make the following payments to the City of Hartford as prescribed:

i. ~~The Applicant shall make payment into the City Green Infrastructure Fund in the amount of [Enter Agreed Upon Amount] to assist with costs related to flood prevention and/or stormwater management improvements;~~

ii. ~~The Applicant shall make payment into the City Tree Account in the amount of [Enter Agreed Upon Amount] to support new plantings in other areas throughout the City;~~

389 iii. To mitigate disturbances on the Property, the Applicant shall make
390 payment to the City Complete Streets Fund in the amount of **\$5,000**
391 to support efforts to extend the South Branch Trail on the Property.
392

393 **Resolved,** *That* this permit shall become effective the day after the notice of this action
394 is posted, and shall expire one year from that date;
395

396 **Resolved,** This 11th day of May, 2021.
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398

399 **IX. ADJOURNMENT**

400 Commissioner Gary Bazzano made a **MOTION** to adjourn the meeting, **SECONDED** by
401 Commissioner Guy Neumann and the meeting was adjourned at 9:23 p.m.
402

403 **Respectfully Submitted by:**

404 **Paige Berschet, Administrative Assistant**