

STAFF REPORT

**TO:** Planning & Zoning Commission as Inland Wetlands Agency  
**PREPARED BY:** Carlos L Cruz, Municipal Inland Wetlands Agent  
[Carlos.Cruz@hartford.gov](mailto:Carlos.Cruz@hartford.gov), 860-757-9275  
**PROJECT:** University of Hartford  
200 Bloomfield Ave  
PARCEL ID: 102-001-001  
ACCELA ID: PZ-WETLANDS-23-000003  
**ZONE:** MX-2 with Campus Overlay  
**TYPE:** Inland Wetlands Permit per Section 4.3 of the Inland Wetlands and Watercourses Regulations, Last Amended February 28, 2017  
**APPLICANT:** Christopher Dupuis  
**OWNER:** University of Hartford



Map

### **BACKGROUND INFORMATION**

Application is for an Inland Wetlands and Watercourses Permit to conduct a regulated activity in the wetlands and upland review area related to the construction of a synthetic surface running track, a synthetic turf athletic field, field event throwing vectors and associated infrastructure as part of the proposed athletic facility expansion for the University of Hartford.

### **KEY APPLICATION TIMELINES**

- Submission Date: May 12, 2023
- Date Application Accepted as Complete: May 12, 2023
- Application Date of Receipt: May 23, 2023 (sooner of either: date of next regularly scheduled meeting, or 35 days after acceptance of complete application).
- Adjacent Municipalities, West Hartford and Bloomfield, notified of application
- Public Hearing is scheduled to open on Tuesday, May 30, 2023; Open Hearing Deadline: July 27, 2023.
- Close Hearing Deadline (if opens April 11, 2023): Tuesday, May 16, 2023.
- CT General Statutes Sec.8-7D allow that the applicant may consent to one or more extensions of time, provided the total extension of all time periods shall not be for longer than 65 days\*.
- Close Hearing Deadline (if opens May 30, 2023): Tuesday, June 27, 2023

### **LEGAL STANDARD**

The Inland Wetlands Agency of the City of Hartford was established in accordance with an ordinance and designated to be the zoning commission (now the Planning and Zoning Commission) by ordinance in 1977, and shall implement the purposes and provisions of the Inland Wetlands and Watercourses Regulations (IWWR) and the Inland Wetlands and Watercourses Act in the City of Hartford. (IWWR, Sec. 1.3)

The Agency shall enforce the Inland Wetlands and Watercourses Act and shall issue, issue with terms, conditions, limitations or modifications, or deny permits for all regulated activities on inland wetlands and watercourses in the City of Hartford pursuant to sections 22a-36 to 22a-45, inclusive, of the Connecticut General Statutes, as amended. (IWWR, Sec.1.5)

### **STANDARD SPECIFIC TO THE USE**

Relevant Sections of the Inland Wetlands & Watercourses Regulations (IWWR):

#### **Sec. 2. Definitions**

##### **Sec. 2.1...**

“Feasible” means able to be constructed or implemented consistent with sound engineering principles...

...“Prudent” means economically and otherwise reasonable in light of the social benefits to be derived from the proposed regulated activity provided cost may be considered in deciding what is prudent and further provided a mere showing of expense will not necessarily mean an alternative is imprudent...

...“Regulated activity” means any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution, of such wetlands or watercourses... Furthermore, any clearing, grubbing, filling, grading, paving, excavating, constructing, depositing or removing of material and discharging of storm water on the land within 100 feet measured horizontally from the boundary of any wetland or watercourse is a regulated activity...

...“Significant impact” means any activity, including, but not limited to, the following activities which may have a major effect:

- (a) Any activity involving deposition or removal of material which will or may have a substantial effect on the wetland or watercourse or on wetlands or watercourses outside the area for which the activity is proposed.
- (b) Any activity which substantially changes the natural channel or may inhibit the natural dynamics of a watercourse system.
- (c) Any activity which substantially diminishes the natural capacity of an inland wetland or watercourse to: support aquatic, plant or animal life and habitats; prevent flooding; supply water; assimilate waste; facilitate drainage; provide recreation or open space; or perform other functions.
- (d) Any activity which is likely to cause or has the potential to cause substantial turbidity, siltation or sedimentation in a wetland or watercourse.
- (e) Any activity which causes substantial diminution of flow of a natural watercourse or groundwater levels of the wetland or watercourse.
- (f) Any activity which is likely to cause or has the potential to cause pollution of a wetland or watercourse.
- (g) Any activity which damages or destroys unique wetland or watercourse areas or such areas having demonstrable scientific or educational value...

...“Watercourses” means rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs, and all other bodies of water, natural or artificial, vernal or intermittent, public or private, which are contained within, flow through or border upon the City or any portion thereof not regulated pursuant to sections 22a-28 through 22a-35, inclusive, of the Connecticut General Statutes. Intermittent watercourses shall be delineated by a defined permanent channel and bank and the occurrence of two or more of the following characteristics: (a) evidence of scour or deposits of recent alluvium or detritus, (b) the presence of standing or flowing water for duration longer than a particular storm incident, and (c) the presence of hydrophytic vegetation...

...“Wetlands” means land, including submerged lands defined in this section, not regulated pursuant to sections 22a-28 through 22a-35, inclusive, of the Connecticut General Statutes, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial and floodplain by the National Cooperative Soils Survey, as it may be amended from time to time, of the Natural Resources Conservation Service of the U.S. Department of Agriculture (USDA). Such areas may include filled, graded, or excavated sites which possess an aquic (saturated) soil moisture regime as defined by the USDA Cooperative Soil Survey...”

#### **Section 4. Permitted Uses As of Right and Nonregulated Uses**

**Sec. 4.3.** “All activities in wetlands or watercourses involving filling, excavating, dredging, clearing, cutting, clearing, or grading or any other alteration or use of a wetland or watercourse not

specifically permitted by this section and otherwise defined as a regulated activity by these regulations shall require a permit from the Agency...”

## **Section 10. Considerations for Decision**

### **Sec. 10.2.**

“Criteria for Decision... the Agency shall take into consideration all relevant facts and circumstances, including but not limited to:

- (a) The environmental impact of the proposed regulated activity on wetlands or watercourses;
- (b) The applicant’s purpose for, and any feasible and prudent alternatives to, the proposed regulated activity which alternatives would cause less or no environmental impact to wetlands or watercourses.
- (c) The relationship between the short term and long term impacts of the proposed regulated activity on wetlands or watercourses and the maintenance and enhancement of long-term productivity of such wetlands or watercourses.
- (d) Irreversible and irretrievable loss of wetland or watercourse resources which would be caused by the proposed regulated activity, including the extent to which such activity would foreclose a future ability to protect, enhance or restore such resources, and any mitigation measures which may be considered as a condition of issuing a permit for such activity including, but not limited to, measures to (1) prevent or minimize pollution or other environmental damage, (2) maintain or enhance existing environmental quality, or (3) in the following order of priority: restore, enhance and create productive wetland or watercourse resources;
- (e) The character and degree of injury to, or interference with, safety, health or the reasonable use of property which is caused or threatened by the proposed regulated activity; and
- (f) Impacts of the proposed regulated activity on wetlands or watercourses outside the area for which the activity is proposed and future activities associated with or reasonably related to, the proposed regulated activity which are made inevitable by the proposed regulated activity and which may have an impact on wetlands and watercourses.”

### **Sec. 10.3.**

“... the Agency finds on the basis of the record that a feasible and prudent alternative does not exist. In making this finding the Agency shall consider the facts and circumstances set forth in subsection 10.2 of this section. The finding and the reasons therefore shall be stated on the record in writing.”

### **Sec. 10.4.**

If an application is denied “on the basis of a finding that there may be feasible and prudent alternatives to the proposed regulated activity which have less adverse impact on wetlands or watercourses, the Agency shall propose on the record in writing the types of alternatives which the applicant may investigate...”

### **Sec. 10.5.**

“... “wetlands and water courses” includes aquatic, plant or animal life and habitats in wetlands or watercourses, and (b) “habitats” means areas or environments in which an organism or biological population normally lives or occurs.

## FINDING OF FACTS

- The Inland Wetland Agent has determined that the proposed activities of excavation, filling, grading, tree clearing and construction may have a significant impact on wetlands/watercourses and upland review, and is therefore subject to a public hearing in accordance with IWWR Sec. 9
- Plan Set titled University of Hartford Track and Field Bid Set dated January 13, 2023 submitted.
- An Erosion and Sediment Control Plan has been provided, as required per IWWR Sec. 7.6(b)
- Wetlands Restoration Plan dated January, 2005 submitted
- Plan Set titled Wetland Mitigation & Island Planting Enhancement Project dated August 26, 2005 submitted
- Documents titled Conservation Area Info dated September 7, 2006 Submitted
- ACOE Approval documents dated January 16, 2002 submitted
- ACOE Permit Modification documents dated February 3, 2005 Submitted
- IWWC application documents dated October 20, 2003 submitted
- The permit term is five (5) years, and is not anticipated to be renewed.
- The proposed regulated activity is within 500 feet of adjacent municipality
- The site is not located in an identified NDDB area
- The National Flood Hazard Layer provided by FEMA does not depict the site to be within a designated flood zone
- Wetland area of impact / alteration will be approximately 2,840 square feet
- Upland review area of impact / alteration will be approximately 3.5 acres
- Stormwater runoff from the proposed track & field to be detained below the field and discharged through the existing on-site detention basin into the wetlands system on the west side of the property near the Hartford / West Hartford town line.
  - No alteration to the existing detention basin or its outlet structure are proposed.
- Trimming of tree line as necessary for proposed track facility limits in upland review area
- Contractor to retain as many existing mature trees as practical between the wetland line and the newly proposed tree line
- Strip and dispose of existing sod, removal of excess topsoil and subsoil to proposed subgrade per grading plan for installation of proposed track and field and fencing in upland review area and partially in wetland
  - Field a combination of synthetic turf and athletic sod as outlined in proposed plans
  - Turf Field
    - Synthetic turf ½” top layer
    - 25mm E-Layer
    - ½”-1” Topping Stone
    - 18” stone base material
    - 12” wide x 1” flat panel drain
    - Geotextile fabric over entire subgrade
    - Compacted subgrade
  - Athletic sod portions
    - Athletic sod

- 25mm sod/thatch layer
    - 6” topsoil
    - 6” min laser graded, compacted subgrade
    - 4” perforated HDPE underdrain
  - Synthetic Track
    - Synthetic track top layer
    - Asphalt top course layer
    - Asphalt binder layer
    - Gravel layer
    - Subbase material
    - Leveling brick
- Removal of existing 4’ fence surrounding the detention pond
- Removal of existing water line near detention pond
- Removal of existing 4’ fence, installation of retaining wall and 42” chain link fence along concrete path leading to 40’ elevated bleachers with press box on concrete pad near the detention pond in upland review area and partially in wetland area
  - Retaining wall and 42” fence to wrap around bleachers
- Removal and relocation of existing bleachers in upland area
- Remove existing goal posts and associated foundations in upland review area
- Tree grubbing and clearing, strip and dispose of existing sod, remove and dispose of excess topsoil and subsoil to proposed grade per grading plan in preparation for install of throwing areas and associated facilities in upland review area
- Anticipated construction schedule from start to finish is from June 2023 to January 2024
- No Particular wildlife observed on site, although there is some loss of habitat with the proposed development, with the North Branch State Access Area to the north which appears to be 100+ acres, no significant displacement of wildlife is anticipated.
- Estimated soil to be removed from the impacted wetland areas is 600 cubic yards, estimated soil to be removed from the upland review area is 9,000 cubic yards.
- Estimated materials to be placed in the impacted wetland area in 195 cubic yards, estimated material to be placed in the upland review area is 4,500 cubic yards.
- Estimated clearing area in 70,000 square feet including 1,360 inches of trees 13inches or greater DBH
- On August 31, 2022, Goddard Consulting LLC delineated wetland resources on land located on the far northwestern side of the University of Hartford bordering the Fiondella and Al-Marzook Fields near the intersect of Hawk and University Drive.
  - Wetland boundary flagged using criteria in the most recent edition of the Inland Wetlands & Watercourses Act and US Army Corps of Engineers standards.
  - Hydric soil indicators, vegetation changes, hydrological indicators and topography were considered for delineation purposes.
- State of Connecticut GIS Soil Survey information indicates the soils associated with the site location primarily include scitico, shaker and maybid soils. Other adjacent soil types within the site include brancroft silt loam and smoothed udorthents and uthordents-urban land complex soils.
  - Scitico soils: Silt loam to silty clay loam textured soils most found in terraces, drainage ways, and depressions. The soil’s profile is 0-65 inches of depth, becoming

more clay textured at deeper horizons. The depth to water table is from about 0 to 12 inches, and the soil is poorly drained.

- Shaker soils: These are silt loam to silty clay loam textured soils found in terraces, drainageways, and depressions. The soil's top layer is typically organic from 0 to 2 inches, but this soil type's profile depth can reach 65 inches with textures changing from a fine sandy loam to silty clay at deeper horizons. This soil's depth to water table is about 0 to 12 inches, and this soil is poorly drained.
- Maybid soils: This type of soil is most often a silt loam or silty clay loam found in terraces, drainageways, and depressions. The typical profile depth is from 0-60 inches and has a depth to water table around 0-6 inches. These soils are very poorly drained.
- Brancroft soils: Silt loam to silty clay textured soils that are generally found in terraces. The profile depth of this soil type is usually from 0 to 66 inches. The depth to water table of this soil is around 18 to 30 inches, and this type is moderately well drained.
- Udorthents-Urban land complex: This complex consists of moderately to well drained soils that have been disturbed by actions such as cutting or filling, as well as areas covered by buildings and pavement. This complex's composition is around 50% Udorthents and similar soils, 35% Urban land, and 15% minor components.
- Soils identified on site appear to be consistent with the NRCS based GIS survey and were found to be mostly loamy sand in the upland region with the wetland soils consisting of mostly silty loam.
- Wetlands on site flagged with blue flags labeled W-1 to W-70 to denote the boundary of the freshwater inland wetland and 2W-1 to 2W-8 to denote the boundary of the isolated wetland.
  - The site consists of mostly forested wetland areas with some areas of emergent wetland (stormwater basin) on the southern end of the wetland.
- At the W-20 flag wetland is dominant in red maples, multiflora rose and northern arrowwood within the shrub layer along with raspberry. Tussock sedge and livid sedge dominates the herbaceous layer, eastern poison ivy was the only vine present. Vegetation within the wetlands were found to have water-stained leaves within the adjacent uplands, red oak was the dominant tree layer species surrounded by less prominent numbers of black oak, gray birch, red maple, and apple trees. The shrub layer was dominant in both multiflora rose and northern arrowwood with some raspberry in the area. The herbaceous layer consisted of dominant mugwort and poison ivy. Dominant vine species included oriental bittersweet, grape, and Virginia-creeper
  - Within the upland review region, the first layer is horizon A at depth of 0-5", loamy sand with a matrix of 10YR 5/4. The second layer is horizon Bw at depth of 5-14", soil with a 10YR 5/4 matrix of loamy sand texture. Refusal at 14 inches, consisting of packed gravel.
  - Wetlands soils at this location had a horizon A from depth of 0-7", with a matrix of 2.5YR 3/2 silty loam. From depth of 7-18 inches is horizon Bg, consisting of a 2.5YR 5/2 matrix and silty loam.
- At flag W-57, the wetland consists of a dominant red maple canopy over shrubs such as winterberry and arrow-wood. Eastern poison ivy and oriental bittersweet dominated the herbaceous and vine layers respectively.
- Across the larger site, the wetland areas dominated by a mature red maple canopy in areas, areas where standing water presented with emergent marsh species (cattail, Phragmites,

purple loosestrife, wool grass) or no vegetation at all in areas with more frequent inundation. Forested areas of pooling had tussock sedges, royal fern, cinnamon fern, sensitive fern, and skunk cabbage. The adjacent upland areas had similar tree species along with more oak and birch, with the understory more dominant in honeysuckle, multiflora rose, Canada mayflower, clearweed and poison ivy.

- Soils evaluated at interim points along the delineated boundary, generally the upland areas consist of udorthent soils in developed areas and bancroft soils in wooded areas. The wetlands have characteristics of poorly drained maybid soils throughout most of the delineated wetland areas and the poorly drained scitico soils in the lower topographic regions on site. Several areas of pooling water, which were dry at the time of observation, were noted by water-stained leaves and confined depression areas.
- Based on hydric soil indicators, vegetation, hydrological indicators, and topography, the flagged locations on site were found to be the boundary of wetland. It appears that this wetland is connected to a perennial watercourse to the north. One isolated wetland area was located within the interior of the site and was not directly connected to the larger wetland system.



Site Photos



*Figure 1. Wetland by Flag W-20*



*Figure 2. Wetland by Flag 2W-1*



*Figure 3. Wetland By Flag W-28*



*Figure 4. Wetland by flag W-57*

### ANALYSIS

Applicant proposes the construction and installation of a synthetic surface running track, a synthetic turf athletic field, field event throwing vectors and associated infrastructure as part of the proposed athletic facility expansion for the University of Hartford. Proposed work includes excavation, removal of materials, tree clearing and trimming, grubbing, filling, grading and construction impacting the wetland and upland review area. As the project is an expansion of the existing athletic complex that was previously permitted, no alternative site was considered for the proposed activity.

In accordance with IWWR Sec. 10.3 a permit shall not be issued unless the Agency finds on the basis of the record that a feasible and prudent alternative does not exist. The reasons for the finding

must be stated on the record in writing. Sec. 10.5 states that aquatic, plant or animal life and habitats in wetlands or watercourses may be taken into consideration when deciding an application.

Issuance of Wetland Permit is separate from any Zoning Permit and/or Site Plan Review that may be necessary for the project

**STAFF RECOMMENDATION**

Staff recommends approval of this application with conditions

1. Soil erosion and sediment control measures shall be maintained and installed, and supplemented with additional measures if found to be inadequate, to the satisfaction of the Inland Wetland Agent and/or City Engineer.
2. The applicant and/or property owner must obtain all necessary permits and/or approvals required for the proposed project including but not limited to Zoning Permits and/or Site Plan Review.

**A draft resolution follows.**

**ATTACHMENTS**

1. Application and supporting materials

**REVIEWED AND EDITED BY,**

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Erin Howard, Director

**PLANNING & ZONING COMMISSION AS INLAND WETLANDS AND  
WATERCOURSES COMMISSION  
INLAND WETLANDS AND WATERCOURSES PERMIT  
DRAFT APPROVAL RESOLUTION**

**200 Bloomfield Ave**

**May 30, 2023**

**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 an application for Inland Wetlands and Watercourses Permit to conduct regulated activity within delineated wetlands, and upland review area related to the expansion of the University of Hartford Athletic Complex located at 200 Bloomfield Ave., on property that is identified by the City Assessor as 200 Bloomfield Ave., Parcel ID 102-001-001 (the “Property”); and

**Whereas,** The proposed project is an expansion of the existing athletic complex

**Whereas,** The project site is not within a FEMA designated flood zone

**Whereas,** Stormwater runoff from the track & field to be detained below the field and discharged through the existing on-site detention basin into the wetlands system on the west side of the property near the Hartford / West Hartford town line

**Whereas,** There will be no activity conducted within a watercourse

**Whereas,** The site is not located in an identified NDDB area

**Whereas,** The Agency has determined the proposed activity involves a significant impact to the wetlands and upland review area; and

**Whereas,** The Agency finds that the enhancement and expansion of the University of Hartford Athletic Complex will serve a greater public purpose than would exist if the resource were to remain as-is; and

**Whereas,** The Agency finds that a feasible and prudent alternative to the proposed regulated activity does not exist; and

**Now Therefore Be It**

**Resolved,** *That* the Agency hereby approves the petition of the University of Hartford to conduct the following activities on the Property:

Construction activities as depicted on plans entitled “University of Hartford Track and Field,” prepared by CHA Companies, dated January 13, 2023, subject to the following conditions:

1. Soil erosion and sediment control measures shall be maintained and installed, and supplemented with additional measures if found to be inadequate, to the satisfaction of the Inland Wetland Agent and/or City Engineer.
2. The applicant and/or property owner must obtain all necessary permits and/or approvals required for the proposed project including but not limited to Zoning Permits and/or Site Plan Review.

**Resolved,** *That* this permit shall become effective the day after the notice of this action is posted, and shall expire five years from that date;

**Resolved** this 30th day of May, 2023.

