

INLAND WETLAND AND  
WATERCOURSES AGENCY

ITEM NO. 26  
FILE NO. 780

CERTIFIED MAIL

January 12, 2016

Lewis Wise, Esq.  
Rogin Nassau LLC  
CityPlace I, 22<sup>nd</sup> Floor  
185 Asylum Street  
Hartford, CT 06103-3460

**SUBJECT: 433 South Main Street – Permit Extension Request IWW #869**

Dear Attorney Wise:

At its regular meeting of Monday, January 4, 2016, the West Hartford Town Plan and Zoning Commission acting as the Inland Wetlands and Watercourses Agency, gave consideration to the following communication item:

**433 South Main Street** – Letter from Lew Wise, attorney for Corporate West Associates, LLC, requesting an extension of time IWW permit #869. The Inland Wetland & Watercourse permit was approved on February 5, 2007.

The IWWA acted by **unanimous vote (5-0)** (Motion/Ahern; Second/Maresca) (Gillette seated for Freeman) (Donelson seated for Seder) to accept the communication item. The agency granted the extension of time request for an additional five (5) years to February 4, 2021.

If you have any questions regarding this letter, please feel free to contact the Planning Office at 860.561.7555.

Sincerely,



Kevin Prestage  
Chairman TPZ/IWWA

C: Ronald Van Winkle, Town Manager  
Mark McGovern, Director of Community Services  
Joseph O'Brien, Corporation Counsel  
Todd Dumais, Town Planner  
Essie Labrot, Town Clerk  
Duane Martin, Town Engineer  
Subject File

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TOWN OF WEST HARTFORD 50 SOUTH MAIN STREET  
WEST HARTFORD, CONNECTICUT 06107-2431  
(860) 561-7555 FAX: (860) 561-7400  
www.westhartford.org

INLAND WETLAND AND  
WATERCOURSES AGENCY

**CERTIFIED MAIL**

January 12, 2016

Susan A. Hays, Esquire  
Updike, Kelly & Spellacy, PC  
100 Pearl Street  
Hartford, CT 06103

**SUBJECT: 27 Park Road and 14 Ringgold Street - IWW #1041**

Dear Attorney Hays:

At its regular meeting of Monday, January 4, 2016, the West Hartford Town Plan and Zoning Commission, acting as the Inland Wetland and Watercourses Agency, gave consideration to the following item:

**27 Park Road and 14 Ringgold Street** - Application (IWW #1041) of Center Development Corporation (Contract Purchaser/Developer) (Susan A. Hays, Attorney), requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities in a wetland and/or watercourse and the upland review area. The applicant proposes to redevelop and reuse the existing primary building and construct a new residential building to house a total of 310 apartments and 36 residential living units along with the associated parking, site grading, drainage, and landscape improvements at property located at 27 Park Road and 14 Ringgold Street. (Submitted for IWWA receipt on November 5, 2015. Determined to be potentially significant and set for public hearing on December 7, 2015. Public hearing continued to January 4, 2016.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote ( 4-0 )** (Motion/Ahern; Second/Maresca) (Gillette seated for Freeman) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit to be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

**27 PARK ROAD AND 14 RINGGOLD STREET**  
**INLAND WETLAND APPLICATION IWW#1041**  
**COMPLIANCE WITH SECTION 10.2 and 10.4**  
**STANDARDS AND CRITERIA FOR DECISION**

The request to conduct certain regulated activities at 27 Park Road and 14 Ringgold Street in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application IWW #1041 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:



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[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. To support this action, the applicant's professional soil scientist, John P. Ianni of Highland Soils, Inc., has submitted a report dated October 9, 2015.

[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 parcels 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 parcels of land are located at 27 Park Road and 14 Ringgold 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.
- 2) The applicant shall file a performance bond or other acceptable surety in the amount of the estimated cost of the project's, environmental controls, including soil and erosion controls, and site drainage prior to the commencement of any site work and the issuance of building permits to ensure completion of the project as proposed to the IWWA in the official record documents, drawings and exhibits. The bond shall also guarantee corrections of any adverse effects such as siltation occurring downstream. This performance bond shall remain in force and effect until all required improvements are completed and installed.
- 3) Before filing the bond with the IWWA as provided above, the applicant shall submit to the Town Planner, for review of approval by the Town Engineer, a cost estimate for all required improvements to be covered by said bond, prepared by a professional engineer. The cost estimate shall be based on unit costs established by the Town Engineer. Together with the filing of said bond with the Agency, the applicant shall submit two (2) copies of the approved estimate as approved by the Town Engineer.
- 4) The applicant shall retain a professional engineer and either a landscape architect or a professional soil scientist to oversee construction of all improvements and related facilities and to certify they have been constructed in accordance with the approved plans.
- 5) Town Planning and Engineering Divisions shall receive copies of all material transmitted by the applicant to the Connecticut Department of Energy and Environmental Protection (DEEP).
- 6) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.

- 7) A final landscape maintenance plan shall be submitted to the Town Planner for review and approval prior to the completion of all work. Said plan shall prohibit the use of pesticides and herbicides for the lawn and no-mow areas between the parking areas and watercourse. Efforts shall be made to include best management practices and alternatives to the use of fertilizers for the lawn and no-mow areas.
- 8) This IWWA permit approval shall be stripped onto the final set plan.

### **SPECIAL SITE DEVELOPMENT AND EROSION CONTROL CONDITIONS**

An integral requirement of this approval is the early installation and construction of all drainage facilities, and all needed erosion and sedimentation control measures. Prior to the start of any construction, related to on-site improvements, site grading or unit construction, the applicant shall install the needed protective measures and shall continuously maintain such throughout the construction process. The requirement of Article VIII, at Section 177-60 through 177-67 of the Code of Ordinances related to Erosion and Sedimentation Control shall govern all site construction activity.

In addition to the above basic requirements, this permit is issued and made subject to the following conditions:

- 1) The applicant shall retain a professional engineer to inspect/oversee construction and the installation/maintenance of the sedimentation and control measures. Inspection shall occur weekly and after each rainstorm and during major storm events to determine all sedimentation and erosion control measures are adequately in place and effective. Weekly inspection reports shall be provided to the Town Planner and Town Engineer.
- 2) Site disturbance and/or the removal of topsoil will not be permitted until the required siltation/erosion control devices have been installed and inspected by the applicant's engineer. The applicant's engineer shall certify that all erosion and sedimentation controls have been installed according to the approved plan and submit written confirmation to the Town Planner.
- 3) Disturbed areas shall be limited to the minimum area necessary to complete each phase of construction activity.
- 4) The stockpiling of materials shall be limited to only that which is generated onsite and shall be limited to location(s) approved by the Town Planner.
- 5) No unnecessary encroachments of construction equipment or vehicles shall be permitted in non-construction areas. Vehicular access to undisturbed areas of the site is restricted to the minimum necessary to complete erosion control and drainage systems.
- 6) Filters or hay bales shall be installed around all catch basins inlet grates.
- 7) During construction, outlets of the drainage system shall be protected by hay bale filtration screens or splash pools.
- 8) Additional information shall be provided to the Town Engineering regarding the process for the cleaning of the sediment /stilling basins or sediment traps. All accumulated sediment shall be removed on a regular basis.

- 9) In addition to the measures shown on the plans, additional erosion and sedimentation control measures shall be installed when determined necessary by the Director of Community Services, or his designee.
- 10) The placement and maintenance of hay bales, sediment screens and other erosion and sediment control measures must meet or exceed specifications set forth in 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, by the Connecticut Council on Soil and Water Conservation.
- 11) The permit shall expire if not exercised within two (2) years from the date of issuance, or date of final resolution of any legal action challenging this permit.
- 12) This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

By this letter the IWWA is transmitting a notice of IWW permit approval. This notice is given to the West Hartford Town Clerk and to the State of Connecticut Department of Energy & Environmental Protection per the requirements of the Inland Wetlands and Watercourses Regulations.

If you have any questions regarding this letter, please feel free to contact the Planning Office at 860.561.7555.

Sincerely,



Kevin Prestage, Chairman  
TPZ/IWWA

Cc: Mark McGovern, Director of Community Services  
Essie Labrot, Town Clerk  
Todd Dumais, Town Planner  
Joseph O'Brien, Corporation Counsel  
Duane Martin, Town Engineer  
Brian Pudlik, Zoning Enforcement Officer  
Brian McCarthy, Conservation and Environment Commission  
Department of Energy & Environmental Protection  
Subject IWW File