

CERTIFIED MAIL

September 10, 2015

Walid Simaan
Simaan Properties, LLC
P.O. Box 946
Farmington, CT 06034

SUBJECT: 27 Waterside Lane– IWW #1036

Dear Mr. Simaan:

At its regular meeting of Wednesday, September 9, 2015, the West Hartford Town Plan and Zoning Commission, acting as the Inland Wetland and Watercourses Agency, gave consideration to the following item:

27 Waterside Lane– Application (IWW #1036) of Walid Simaan (owner) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant proposes landscape improvements including tree stump removal, installing new vegetation, seeding and stabilizing disturbed areas within the 150 ft upland review area. (Submitted for IWWA receipt on September 9, 2015 and set directly for public hearing on September 9, 2015.)

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 (5-0)** (Motion/Gillette; Second/Maresca) (Gillette seated for Seder)(Donelson 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 WATERSIDE LANE
INLAND WETLAND APPLICATION IWW #1036
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **27 Waterside Lane** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1036** 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. To



support this action, the applicant's environmentalist, Michael Klein of Environmental Planning Services, LLC has submitted a report dated August 17, 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 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 of land is located **27 Waterside Lane.**

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.) Town Engineering Division shall receive copies of all material received by IWWA and DEEP.
- 3.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements.
- 4.) This IWWA permit approval shall be stripped onto the final set plan.
- 5.) The applicant shall retain a qualified landscape design professional to oversee construction of all improvements and landscaping and certify they have been constructed in accordance with the approved 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 or qualified landscape design professional 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. Biweekly inspection reports shall be provided to the Town Planner and Town Engineer.
- 2) Site disturbance will not be permitted until the required siltation/erosion control devices have been installed and inspected by the applicant's engineer or qualified

- landscape design professional. Said professional shall certify that all erosion and sedimentation controls have been installed according to the approved plan.
- 3) Disturbed areas that will remain idle for extended periods shall be mulched or temporarily seeded for erosion control. In addition, the site contractor shall keep an adequate supply of mulch on site at all times. The Director of Community Services or his designee may order the application of mulch to any area which may have erosion potential.
 - 4) Any top soil to be used will be stockpiled only in an approved location and shall be contained by baled hay or screen filters which will be installed and maintained around the entire perimeter.
 - 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) 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.
 - 7) The permit shall expire if not exercised within two (2) years from the date of Issuance. 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.

Very truly yours,



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