

TOWN OF WEST HARTFORD

TOWN COUNCIL PUBLIC HEARING

February 8, 2022, 6:30 p.m.,

Teleconference Hearing

Re Application Filed on Behalf of JJJ New
Britain Avenue Associates, LLC, Owner of 12
Grove Street, 1105-1115 New Britain Avenue,
and 5 Newington Road.

1 A p p e a r a n c e s:

2 Town Council Members Present:

3 MAYOR SHARI CANTOR

4 LEON DAVIDOFF

5 MARK ZYDANOWICZ

6 ALBERTO CORTES

7 CAROL BLANKS

8 BEN WENOGRAD

9 LIAM SWEENEY

10 MARY FAY

11
12 Alternate

13 JUDY CASPERSON

14
15 GINA M. VARANO, ESQ.

16 Corporation Counsel

17
18 TODD DUMAIS

19 Town Planner

20
21 NADIA KHAN

22 Town Clerk

1 A p p e a r a n c e s: (cont'd)

2 ALTER & PEARSON, LLC

3 701 Hebron Avenue

4 Glastonbury, Connecticut 06033

5 By: ROBIN PEARSON, ESQ.

6 RPearson@alterpearson.com

7 860.652.4020

1 PRESIDENT CANTOR: It is now
2 6:31, and I will call the public hearing for
3 February 8th, 2022, at 6:30.

4 So good evening, everybody. I
5 am mayor Shari Cantor, and I'd like to
6 welcome you to tonight's public hearing on
7 the application filed on behalf of JJJ New
8 Britain Avenue Associates, LLC, Owner of 12
9 Grove Street; 1105, 1115 New Britain Avenue;
10 and 5 Newington Road.

11 The stated purpose of the
12 application is to request a change of the
13 underlying zone for 12 Grove Street,
14 currently zoned R6, one-family residence;
15 district RP, residents parking district. And
16 then the designation of 12 Grove Street;
17 1105, 1115 New Britain Avenue; and 5
18 Newington Road to a new special development
19 district SDD to allow for the expansion of a
20 parking lot area to support the existing
21 commercial properties on New Britain Avenue.

22 Before we begin, I'd like to
23 note that the required legal notice was
24 posted on the Town's website and published in
25 the Hartford Courant. The application and

1 accompanying materials have been posted and
2 are available for review on the Town's
3 website.

4 And Madam Clerk is Nadia Khan
5 tonight. Essie is out of town. So Madam
6 Clerk Khan, please call the roll.

7 MS. KAHN: Thank you, Madam
8 Mayor. I will begin with Councilor
9 Billings-Smith. And I believe Councilor
10 Billings-Smith is absent today, but we do
11 have Alternate Judy Casperson filling in.

12 So will call now for
13 Ms. Casperson?

14 MS. CASPERSON: Here.

15 MS. KAHN: Thank you.

16 Councilor Blanks?

17 COUNCILOR BLANKS: Present.

18 MS. KAHN: Councilor Cantor.

19 PRESIDENT CANTOR: Here.

20 MS. KAHN: Councilor Cortes?

21 COUNCILOR CORTES: Here.

22 MS. KAHN: Councilor Davidoff?

23 COUNCILOR DAVIDOFF: Here.

24 MS. KAHN: Councilor Fay?

25 COUNCILOR FAY: Here.

1 MS. KAHN: Councilor Sweeney?
2 COUNCILOR SWEENEY: Here.
3 MS. KAHN: Councilor Wenograd?
4 COUNCILOR WENOGRAD: Here.
5 MS. KAHN: And Councilor
6 Zydanowicz?
7 PRESIDENT CANTOR: Mark, I
8 think may be on mute?
9 MS. KAHN: I will mark him as
10 present, because I can see him. And he's --
11 COUNCILOR ZYDANOWICZ: How's
12 this? I took my EarPods --
13 PRESIDENT CANTOR: Now we can
14 hear you.
15 MS. KAHN: Thank you.
16 PRESIDENT CANTOR: Thank you,
17 Madam Clerk.
18 I'll start with a brief
19 overview of the process. We'll begin by a
20 presentation by the Applicants. Following
21 the presentation we'll open the floor to
22 members of the public. After the public
23 comment is over and has had an opportunity to
24 share the Applicant will have five minutes to
25 address any issues raised during the public

1 comments. And members of the Council will
2 then have an opportunity to ask questions of
3 the Applicants.

4 And I'll ask participants --
5 we're very good at this now but -- not to
6 address each other directly, but go through
7 the Chair; comments and questions made
8 through the Chair and always state who you
9 are. And I will make sure that the right
10 person is answering your questions.

11 So we will begin with the
12 presentation of the Applicant. Make sure you
13 state your name so people on the television
14 or watching on Youtube can follow.

15 Thank you.

16 MS. PEARSON: Good evening,
17 Madam Chairperson, Madam Mayor, and members
18 of the Town Council. My name is Robin
19 Pearson. I am an attorney with the firm of
20 Alter & Pearson in Glastonbury, Connecticut,
21 and I'm pleased to be here this evening on
22 behalf of the Applicant, JJJ New Britain
23 Avenue Associates, LLC.

24 The requisite signs were
25 posted for the property indicating the

1 pendency of this application and public
2 hearing. And we have a very qualified team
3 with us this evening to go through this
4 presentation with you. I'd like to address
5 our format that we will be using, and
6 introduce them to you.

7 First and foremost is Jeff
8 Shoham who is the owner, and he is the
9 managing member of the Applicant's LLC. You
10 know him best, I suppose, as the owner of
11 Jerry's Artarama. He is the managing member
12 of JJJ New Britain Avenue Associates. He
13 also owns all the property at issue in this
14 application. Again as the Mayor noted,
15 that's 12 Grove Street; also 1105-'115 New
16 Britain Avenue; and 5 Newington Road.

17 CHARLES COURSEY: Excuse me,
18 Robin? It's Chuck Coursey. I am not able to
19 share my screen. I know you're giving some
20 presentation, so --

21 MS. PEARSON: Will you be able
22 to --

23 CHARLES COURSEY: -- to make
24 me the host and I can share it?

25 MS. PEARSON: Who? Who makes

1 you the host?

2 CHARLES COURSEY: Oh, here we
3 go.

4 MS. PEARSON: Well, I'll keep
5 talking as we get that squared away.

6 CHARLES COURSEY: Do you see
7 that?

8 PRESIDENT CANTOR: Yes, we
9 can. Thank you.

10 MS. PEARSON: And he is the
11 owner of all those properties, and in
12 particular of Jerry's Artarama of Connecticut
13 since its inception in 1993. It is one of
14 New England's largest family-owned
15 independent art supply and framing stores.
16 We all know it fondly. Certainly having
17 raised my Children in West Hartford, we've
18 spent a lot of time at Jerry's.

19 He is very active in the
20 community. He provides, through his
21 ownership, entities sponsorships and awards
22 to local civic, public and art school events,
23 including Art Beats awards or the West
24 Hartford Public School annual program, the
25 Elmwood Business Association's Beautification

1 and West Hartford Juneteenth and pride art
2 show.

3 He runs the family business.
4 His son AJ is the store manager and has every
5 intention of continuing in his father's
6 footsteps to keep this vibrant and important,
7 and really an anchor business for West
8 Hartford going in the years to come.

9 Also joining us this evening
10 is Alan Bongiovanni. He is our engineer and
11 he will go through the aspects of the
12 application, and as to the changes that are
13 being proposed. He will be following me
14 after I've started out just presenting to you
15 mostly pictorially the various challenges
16 that are inherent in the redevelopment of
17 this particular site for which the special
18 development district is proposed. And he
19 will go through the particulars of what it is
20 we're proposing to change.

21 He'll be followed by Chuck
22 Coursey, who you all know. Of course, Chuck
23 has been instrumental in reaching out to the
24 community on behalf of the Applicant. And he
25 will talk about what he has learned in his

1 efforts and update the reports that you
2 already have from him with regard to the
3 outreach effort he has undertaken.

4 We also have with us this
5 evening Scott Hesketh. Scott is a traffic
6 engineer with the firm of FA Hesketh &
7 Associates. His traffic report is part of
8 the materials that were submitted to you, and
9 he is on the line in case you have any
10 questions.

11 As it turns out because of the
12 beneficial changes we are making as a result
13 of this proposal, should it be adopted, there
14 is not a lot at issue in terms of traffic
15 concerns relative to this particular project.
16 He'll answer any questions, should you have
17 them -- but I wanted you to know he was here.

18 Some of you -- most of you
19 will remember that back in February of 2020
20 the Applicant did file an application to
21 rezone 12 Grove Street only to an RP zone
22 from the existing R6 zone in which it is
23 situated now.

24 That is the first residential
25 structure on the same side as the property

1 owned by the Applicant JJJ New Britain Avenue
2 Associates. It was withdrawn because of a
3 great deal of neighborhood opposition, quite
4 frankly, most of which centered on the impact
5 on Grove Street of additional traffic, and
6 concern for taking down a house and creating
7 parking with absolutely no certainty as to
8 what might happen with all of the property
9 that JJJ -- I'm going to refer to them as the
10 Applicant, that the Applicant owns in
11 conjunction with that residential parking
12 rezoning request.

13 They were good points.

14 Mr. Shoham withdrew the
15 application, at that point committing himself
16 to finding a way to address those concerns
17 and coming back in with a proposal that
18 really made a lot more sense both for the
19 neighborhood and for the Town Council in
20 considering the application. And two years
21 later we are there, and we believe we've got
22 something that is a very positive change for
23 this area of town.

24 The photographs you have
25 before you, slide three shows you the side of

1 the development which is at the corner of New
2 Britain Avenue and -- well, it's from South
3 Quaker Lane, but it's at New Britain Avenue
4 and Grove Street.

5 This is an interesting
6 perspective for you to keep in mind as we go
7 through our presentation for two
8 characteristics in particular. One, there is
9 an alleyway that provides access between the
10 Fernwood and the computer Store, which is a
11 driveway into parking at the rear of the site
12 off of New Britain Avenue. This is a
13 driveway which the Town Engineer has pointed
14 out to us can be problematic when traffic is
15 heavy on New Britain Avenue.

16 It is also interesting to note
17 that the computer store is set back from the
18 sidewalk along New Britain Avenue and has
19 parking in front as well as the ability for
20 people to park in the rear to access this
21 facility.

22 But as such, the way it's
23 situated unlike the Fernwood and the Jerry's
24 Artarama structures further to the east, it
25 does not comply with the P and D

1 requirements, the traditional neighborhood
2 development requirements of the zone in which
3 it is located. It is not particularly
4 pedestrian friendly. It has parking in front
5 of the building. And we hope with this
6 proposal, should you approve it, to be able
7 to correct for that particular situation.

8 The next slide.

9 Why is Mr. Shoham pursuing
10 this application? He is doing it because,
11 first and foremost as I mentioned, he wants
12 to address the concerns that were raised in
13 the prior application which was withdrawn to
14 provide certainty to the neighborhood as to
15 what is proposed, to be able to lock in
16 benefits for the neighborhood with regard to
17 reducing -- in fact, eliminating any traffic
18 exiting from the site onto Grove Street, and
19 otherwise upgrading this entire property
20 immediately both to benefit the neighbors and
21 to benefit him, quite frankly.

22 Because his goal is to get to
23 a point with this approval that he will be
24 able to entice new development to his
25 facility, particularly at the corner of Grove

1 and New Britain Avenue and any other, you
2 know, related developments that could also
3 enhance the existing commercial properties
4 there.

5 Getting to this next step to
6 be able to approve the parking that's
7 required to support additional development at
8 that corner alleviates a lot of uncertainty
9 for him and for people who might be viewing
10 the potential for investing significantly
11 into redevelopment, particularly at that
12 corner.

13 I'd like to point out for
14 you -- and Chuck, do we have the ability to
15 use arrows?

16 CHARLES COURSEY: Yeah. I'm
17 here.

18 MS. PEARSON: Okay. You're my
19 man here.

20 So I'd like to point out the
21 various uses to all of you. I know you're
22 quite familiar with this area, but up to the
23 left upper corner is the Elmwood Shopping
24 Center, directly across the street. On the
25 other side of South Quaker is the Walgreens

1 pharmacy and the bank building directly at
2 the corner.

3 Elmwood Community Center is
4 located further to the east, and on the
5 opposite side of New Britain Avenue we have
6 the CVS commercial store located right at
7 that intersection, and the church property
8 next to it.

9 On our site itself, it is
10 composed of the commercial property that
11 abuts the developments that abut along New
12 Britain Avenue. And can you sort of outline
13 where 12 Grove Street is. Right there.
14 That's the single-family home which as you
15 see, should this application be approved,
16 would square out the commercial development
17 at this location in town.

18 Now on the opposite side of
19 Grove Street we have multifamily uses.
20 There's a West Hartford Housing Authority
21 structure right across the street. We have
22 commercial office uses at the north -- I'm
23 sorry -- yes, northwest corner of the
24 building. Of the corner, there's the law
25 office right on the corner and then there's

1 retail with office above that use.

2 And then if you go to the
3 neighborhood to the south you will see that
4 that is a very strong residential
5 single-family neighborhood along Grove Street
6 and along Newington Road to the rear of the
7 Applicant's property.

8 Next slide, please.

9 Okay. This initially can look
10 a little confusing, but I thought it would be
11 helpful to go through the actual zoning that
12 is requested for you. Currently the property
13 owned by the Applicant is zoned BC along New
14 Britain Avenue, which is commercial business.
15 It has imposed over it a TND, a traditional
16 neighborhood development overlay zone, which
17 is in some ways like an SDD. It overlays
18 over the underlying BC zone.

19 To the rear of that area
20 currently is RP zoning, residential parking,
21 which is already in place at the rear of this
22 commercial property, and it, too, has
23 superimposed over it a TND overlay zone.

24 The dark square is 12 Grove
25 Street. That is the piece that we are

1 proposing be a straight RP zone. We have not
2 proposed a TND overlay only because it's
3 unnecessary should this SDD be approved,
4 because it locks into place exactly what can
5 be used on that property. And more
6 importantly, no commercial development would
7 be allowed within a residential parking zone,
8 or at that location. So there's no need
9 indeed for the TND.

10 I'd like to point out that the
11 dark square reaches out to the center line of
12 Grove Street. That is because zoning in West
13 Hartford typically goes out to the zone line.
14 It would go out to the center line of the
15 street. That means on the other side of the
16 street the RM-1 would stay in place.

17 That is true as you can see on
18 the Newington Road side with regard to the RP
19 zone there. The RP underlying zone does
20 extend out into the center of the street.
21 Now important to you is also the broken dark
22 line which outlines the perimeter of the
23 proposed special development district, which
24 encompasses all of that. It looks like a
25 square, all of the square which would

1 encompass then the Applicant's property.

2 We don't carry the SDD out to
3 the center line. If we did, it would require
4 coming back to you for any changes in the
5 street because only the Town Council can
6 authorize those changes of any significance
7 in a special development district. So that
8 will follow the property lines of the
9 property owned by the Applicant.

10 If you look around you, you
11 can see the various zones in the area. RM-1
12 directly across from 12 Grove Street, BC
13 along New Britain Avenue -- and importantly
14 for your considerations, RP surrounds the two
15 sides of 12 Grove Street already. So that
16 there is no issue about the compatibility of
17 RP with regard to its existing zone in the
18 neighborhood.

19 RP is residents parking. It
20 is a residential zone. It does not allow
21 commercial development, although it does
22 allow for supportive commercial parking in
23 that particular zone. And supportive -- it
24 would be therefore in support of the business
25 development along New Britain Avenue.

1 Single-family uses are allowed in an RP zone,
2 and so the existing house certainly is
3 allowed in that zone until such time as the
4 build out takes place with regard to the
5 parking that's proposed.

6 The positive aspect of this
7 zoning, and that which makes it something
8 that we certainly believe you could support
9 is that with this rezoning and the imposition
10 of the special development district we really
11 square off that existing commercial area in a
12 cohesive block along New Britain Avenue.

13 Clearly as I've noted, the new
14 zone would be compatible and the RP zoning,
15 which in this instance is required to conform
16 both to the RP requirements which require
17 rigorous landscape buffering for the
18 residential uses that abut it, it is also
19 going to be further controlled by imposition
20 of the special development district.

21 So the buffering requirements
22 are there to protect the residential
23 neighbors, in this case to the south and as
24 well as to those across the street in the
25 RM-1 zone. And those standards have all been

1 incorporated into this particular plan that
2 we will get into in detail more.

3 So I'd also like to note that
4 the parking now with that zone change that
5 takes place in the special development
6 district, it evens off that line that makes
7 the demarcation between the commercial use
8 and the single-family residential to the
9 south. It lines up on Grove Street to the
10 same extent as you have the beginning of the
11 residential neighborhood on Newington Road.
12 So there's a lot of compatibility there.

13 Just so you -- a quick
14 refresher, if you will, regarding the TND.
15 The purpose behind the TND is to incorporate
16 a fully integrated mixed use, and in
17 pedestrian oriented neighborhoods it is
18 intended to provide for daily recreational
19 and shopping needs of residents in the area.
20 It's meant to ensure the highest possible
21 economic and social benefits for all
22 residents. And by that it includes the
23 business residents as well as residential
24 residents in the area.

25 It is meant to be

1 characterized by well landscaped streetscapes
2 and it's meant to bring development, the
3 commercial development up to the front of the
4 street to make it interesting for pedestrians
5 who walk by on the street, in this instance,
6 it would be New Britain Avenue; and also to
7 make it easily accessible for pedestrians and
8 bicyclists, and otherwise make it an inviting
9 retail commercial area.

10 As you will see as you go
11 through our presentation, this SDD proposal
12 would meet that TND desired change in the
13 streetscape along New Britain Avenue as well
14 as making improvements to Grove Street with
15 regard to street landscaping.

16 Before we turn it over to
17 Alan, I'd like to go to the next slide and
18 begin talking about some of the challenges
19 that are presented with this site, and those
20 that Mr. Shoham wanted to make sure were
21 addressed by this first zoning proposal that
22 would allow him to be in a position both to
23 benefit the neighborhood, but also to benefit
24 his property and to prove an incentive to
25 bring further development to the town.

1 You'll notice we've circled
2 the lights that are on the building now.
3 They are really spotlights; they're pretty
4 serious lights. While they've been aimed to
5 stay within the parking lot, they are still
6 not the best manner by which lighting in a
7 parking lot is achieved. And certainly,
8 there have been complaints over the years
9 from neighbors with regard to the brightness
10 of those lights and the way they shine
11 potentially into neighborhood properties.
12 This plan will address that particular issue.

13 You can also see here that
14 Mr. Shoham has made a big effort to upgrade
15 the exterior of the rear of the buildings,
16 but by the time we finish I think you will
17 agree that the amount of landscaping and
18 rearranging of this parking lot will make an
19 enormous improvement to what currently exists
20 out there. So lighting is one of the issues
21 that needs to be addressed with our special
22 development district proposal.

23 The next slide takes you
24 looking from the access point to Jerry's, one
25 of the doors into Jerry's Artarama looking

1 southwest towards Grove Street. And what
2 we'd like to point out to you with regard to
3 this slide is the fact that really
4 characterizing again the parking in this
5 area, generally it is fairly disorganized.

6 It is fairly inefficient,
7 especially given the numerous entrance points
8 and the layout that has been put into place
9 to try and corral and guide some of that
10 parking right now. But it hasn't been done
11 with the benefit of a cohesive plan by an
12 engineer who understands how these all work
13 and what the best layout would be,
14 particularly for both customer vehicles and
15 vehicles servicing the various facilities
16 including the waste haulers, those making
17 deliveries and suppliers of the various
18 businesses in this area.

19 So noticeably this parking lot
20 lacks landscaping. It lacks buffering for
21 along the street or to neighbors. It is just
22 a sea of blacktop. Now it has worked and
23 it's been there for a while, but it can be
24 improved upon.

25 Also one of the things again

1 noted with this slide, there is no parking
2 lot lighting and certainly no lighting on
3 poles that can be controlled by shielding,
4 down lighting or reducing glare from those
5 facilities by making sure they're Dark Sky
6 compliant. So that's another challenge that
7 we had in coming up with a plan that makes
8 sense for you in your consideration of this
9 application.

10 Go to the next slide, please.

11 Now this is looking southeast.
12 Again, everything that I've said about the
13 prior parking lot views is inherent in the
14 depiction of the view that you have before
15 you now. It's blacktop, all asphalt. There
16 is no green area. You can see a number of
17 driveway access points along Grove Street.
18 In fact, there are three driveway access
19 points on Grove.

20 Again, this is inefficient.
21 It's unnecessary, and I think a point to
22 really make here, especially when you see the
23 end landscape plan -- because this is an
24 absolutely barren streetscape -- there's
25 nothing to recommend it in terms of making

1 this a hospitable pedestrian access way down
2 Grove Street.

3 And the next one, slide nine,
4 this shows you the current PCW Computer
5 service store. This is taken from New
6 Britain Avenue. And again as we pointed out
7 before, you can see that access driveway to
8 the rear of the building and to the rear of
9 the rest of the commercial businesses along
10 New Britain Avenue. You can also see that
11 this clearly does not comply with the TND
12 goal of bringing businesses up to New Britain
13 Avenue.

14 So the building is set back
15 from the street. There is parking in front.
16 It's really car-centric access. It's not
17 inviting to pedestrians or cyclists. And
18 again, there is no landscaping. So with
19 those challenges we turned it over to our
20 Engineer, Alan Bongiovanni and to Jeff
21 Gabrian who is our landscape architect.

22 And Alan will take you through
23 the specifics of the plan that we've proposed
24 as a special development district overlay to
25 address all of those challenges and leave the

1 Applicant with a property that will entice
2 someone to come forward and invest at this
3 location knowing should you approve it, that
4 there are a lot of issues that have been put
5 to bed already, that the Town Council has
6 found the parking scheme to be acceptable,
7 and a desirable use of the property including
8 at 12 Grove Street.

9 And therefore, that those are
10 challenges that a person interested in
11 investing will not have to take up on their
12 own and address with the uncertainty that
13 that all entails for somebody wanting to make
14 this kind of investment.

15 So Alan?

16 ALAN BONGIOVANNI: Thank you,
17 Robin.

18 For the record, my name is
19 Alan Bongiovanni. I'm a licensed land
20 surveyor in the State of Connecticut and my
21 office is in Newington, Connecticut. Good
22 evening.

23 We were tasked by Jeff Shoham
24 to basically take a look at this site, see
25 what we can do to improve it, to renovate it,

1 to cure some the evils of the past, and to
2 make a homogeneous parking design that's safe
3 and attractive, that includes future
4 development so that he can utilize -- best
5 utilize this property and its potential.

6 The plan before you on the
7 left is the current existing conditions. On
8 the upper right-hand corner is the
9 intersection of Newington Road and New
10 Britain Avenue. Immediately left of that is
11 the Jerry's Artarama building. And the front
12 of the restaurant. Left of that, at the
13 northwest corner is the computer store.

14 And then going south on Grove
15 Street is the property known as 12 Grove
16 Street, the existing home.

17 I'm going to just ask Chuck to
18 go onto the page number 11 -- or slide number
19 eleven. One of the issues that we had to
20 deal with at this site was the amount of curb
21 cuts, and we knew traffic was an issue on
22 Grove Street. So one of the first things we
23 looked at is how to minimize the impact to
24 Grove Street and improve the situation.

25 And circled in red here are

1 four driveways that currently exist on Grove
2 Street; three for the existing commercial
3 property, one at 12 Grove Street and then
4 there's the driveway between the computer
5 store and the Fernwood Restaurant on New
6 Britain Avenue.

7 What we've done is combined
8 all those driveways into one enter-only
9 driveway at the center of our parking field
10 to the rear of the property, to the rear of
11 the buildings that would allow access from
12 New Britain Avenue, a one-way street
13 traveling southbound on Grove into the site.
14 And it's designed with such geometry that it
15 would discourage anyone from trying to exit
16 that location to get back out of the site.

17 Please go back -- or go to the
18 next slide, actually. The next page, Chuck?

19 CHARLES COURSEY: Yeah.

20 ALAN BONGIOVANNI: So what
21 we've come up with is a plan that I think
22 meets all the design criteria. The Town has
23 their regulations and it functions properly
24 from the safety standpoint, aesthetically.

25 It serves the businesses in

1 that it has a parking arrangement that has
2 adequate spacing, adequate aisles and
3 circulation throughout the site while
4 preventing pass-through traffic with people
5 wanting to eliminate a stoplight at New
6 Britain Avenue and Newington Road. The
7 geometry discourages anybody from trying to
8 come down Grove Street and then cut through
9 the parking lot to get out onto Newington
10 Road.

11 We've eliminated again the
12 four driveways on Grove Street and created
13 one new driveway, enter only. We've
14 eliminated the driveway from New Britain
15 Avenue into the site, and we're utilizing the
16 two driveways that exist on Newington Road
17 with some reworking to accommodate the north
18 driveway inbound traffic unrestricted from
19 north or southbound, and then an exit as a
20 right turn only.

21 And that was the suggestion
22 that has come up in the past from the Town
23 and the State -- I think from Jeff. And
24 there was a current comment early on in the
25 process from the engineering department. So

1 we've made that a right turn exit only, and
2 then the south driveway would remain an
3 unrestricted in and out access point.

4 Our truck traffic -- and it's
5 basically limited to refuse and recycling
6 removal, and then deliveries for Jerry's
7 Artarama is all done through Newington Road.
8 They would enter the site from the north
9 driveway for the garbage pickup and
10 recycling, back up and then they would go out
11 and exit the south driveway.

12 Tractor trailers to deliver to
13 Jerry's Artarama would come down Newington
14 Road, enter into the south driveway, traverse
15 the parking lot up towards the building, take
16 a right towards the exit, and then back up to
17 the loading area which is just south of
18 Jerry's Artarama.

19 The existing parking lot
20 had -- has 116 parking spaces, of which many
21 have marked to standard -- aren't designed
22 properly. But nonetheless, there's 116
23 spaces here.

24 Our proposal as we've designed
25 it gets it to 133 spaces, which actually

1 means what is required for the current use of
2 the property in the current zone. Along with
3 the layout of the parking lot we've
4 incorporated islands throughout this property
5 to provide some aesthetics, traffic flows,
6 safety and contain the drive aisles, as well
7 as provide shade to reduce the heat island
8 effect in the summertime.

9 One of the concerns in
10 designing the site was taking the garbage
11 dumpsters and recycling and the free disposal
12 receptacle that were in the middle of the
13 parking lot behind just north of the rear of
14 12 Grove Street, and behind the Fernwood
15 Restaurant. And we've located them closer to
16 the building, enclosed it in a dumpster
17 enclosure with a cedar fence and landscape
18 around it so that it's protected.

19 Visually it's obscured from
20 anybody on either side of the property, the
21 residences or from Newington Road or Grove
22 Street. And it provides an easy access for
23 the tenants to use these dumpsters as well as
24 for pickup and removal and disposal of the
25 waste.

1 One of the components of the
2 landscape design is creating screening as
3 required by the zoning regulations, and it's
4 a type c screening. And we've done that all
5 along the existing residences on the south of
6 the property.

7 And then we've carried that up
8 along Grove Street up into our entrance to
9 the site. And this is a combination of
10 six-foot high fence and extensive landscaping
11 consistent with your requirements so that we
12 provide a good visual screen and it's an
13 aesthetic perimeter to the property.

14 One of the other things that
15 this provides -- and I think one of the
16 previous photos that was shown was the barren
17 streetscape along Grove Street. And it's not
18 as bad on Newington Road right now, but this
19 allows us -- this design allows us to put a
20 an actual streetscape in with some select
21 maple trees, sunset red and fall fiesta along
22 the streetscape. So it will be consistent
23 with a nice upscale development and
24 consistent with some of the streetscape as
25 you travel further down both Grove Street and

1 Newington Road. So it really dresses up the
2 property from a streetscape perspective.

3 If we could go back, Chuck?

4 CHARLES COURSEY: I'm trying
5 to.

6 ALAN BONGIOVANNI: As he's
7 working on that, one of the other benefits of
8 the way we've laid this out and removed
9 driveways, we're going to turn a lot of this
10 concrete existing along Grove Street at our
11 property line -- all the concrete aprons and
12 some of the pavers, we're going to turn it
13 back into a grass belt along the edge of the
14 road between the road and the sidewalk --
15 which will help in a small way.

16 But it helps the environment.
17 It creates more pervious areas and removes
18 some of the impervious hardscape so that
19 water can infiltrate the ground. And every
20 little bit that we can do helps when talking
21 about drainage.

22 This is an improvement from
23 the existing condition. We do have a
24 drainage system on site. We've made some
25 improvements and adjustments to that. From

1 the pure fact that we're reducing the amount
2 of impervious area is an improvement in
3 itself.

4 I've been talking with Todd
5 Dumais. He recommended incorporating some
6 rain gardens as a low-impact development
7 design detail, and we were able to accomplish
8 that at the existing driveway, the existing
9 northerly driveway on Newington Road where we
10 have existing drainage inlets. And we're
11 going to design -- and we've designed and
12 constructed -- will construct rain gardens so
13 that it helps filter some of that water
14 before it goes into the drainage system.

15 There are many other issues
16 here with site lighting. As Robin had shown,
17 the parking field is lit by two large
18 floodlights on the back of the building. Our
19 proposal, and in the set of drawings is a
20 complete photometric plan where we've had our
21 lighting designer create a scenario where
22 we've got light poles throughout the parking
23 area that have energy efficient LED fixtures
24 that are full cutoff Dark Sky compliant. So
25 that there's no fugitive light that would

1 spill onto neighboring properties, but still
2 maintain a safe and secure environment when
3 it gets dark in the evening.

4 I think that kind of
5 summarizes the major improvements that we've
6 proposed here and what we've designed for the
7 site. We've included, you know, interior
8 sidewalks to assist pedestrians leaving their
9 vehicles to get to the buildings. We've
10 incorporated for those bicyclers a bicycle
11 rack so that they'll have a place to park
12 their bicycles and secure them while
13 frequenting these establishments.

14 With that, I'd be happy to
15 turn it over to you, Chuck, unless anybody
16 has any questions for me at this time?

17 MS. PEARSON: I think it's my
18 turn next. Am I right, Chuck?

19 CHARLES COURSEY: Yes, Robin.

20 MS. PEARSON: Okay. Thank
21 you, Alan.

22 Before you leave this slide, I
23 just wanted to say that I will tell you that
24 I was very excited going through this
25 landscaping plan. It took me a long time to

1 find the hornbeam tree that's proposed, which
2 is right up against that green area at the
3 back of the building, along New Britain
4 Avenue.

5 All the way back, Chuck.
6 Right there. That's a significant native
7 tree. When I work with landscape architects,
8 that's the kind of tree you want to see
9 introduced into a plan -- and that's in
10 addition to all of these trees. As Alan
11 pointed out, along the perimeter of the
12 property are going to be significant maple
13 trees. They won't be significant at the time
14 they're planted, but there is a mix of two
15 different kinds.

16 There's going to be 22 maple
17 trees along this perimeter. There are
18 four -- there's two flowering pears and there
19 are two flowering dogwoods. There are four
20 spruce trees. And in particular, those maple
21 trees are also inside the parking lot in
22 those islands.

23 And another really quite
24 lovely aspect of this is the garbage disposal
25 area where the dumpsters are. That's a

1 collection of birch trees. Those are all
2 birch trees in a cluster at that particular
3 location.

4 That is not even talking about
5 all the additional plantings that are in
6 place, seasonal and evergreen throughout all
7 of that green area. And of course,
8 ultimately there's potential to add more at
9 the rear of the building where the 6,000
10 square-foot building footprint is shown up in
11 the corner. So this is going to be a sea
12 change in implementation of this particular
13 design.

14 With that, I'd like to turn to
15 the -- this is again to just summarize for
16 you, and this will be part of the record. So
17 you will have this list of comments, but
18 these are the highlights of what we've been
19 able to achieve with this design proposal.

20 Three Grove Street driveways
21 will be eliminated. Even more importantly,
22 the one remaining Grove Street entrance will
23 be entrance only. So the access will only be
24 for cars coming in from New Britain Avenue
25 and going into that entrance.

1 Access off of New Britain
2 Avenue will also be eliminated with that
3 driveway that currently exists being
4 eliminated from this proposal. No remaining
5 vehicle access from the site onto Grove
6 Street means less traffic on Grove Street.
7 So no one entering into this parking area
8 will leave on Grove Street. That traffic is
9 eliminated.

10 There will be a consolidation
11 and shared parking in one of the town's
12 vibrant commercial centers, which is also a
13 goal of the TND. It will provide for a
14 safer, greener and more attractive parking
15 lot.

16 There will be enhanced
17 fencing -- we should have mentioned that
18 there's a fence. I think it's 210 feet long
19 along the area in the back where the property
20 abuts to the single-family neighborhood to
21 the south.

22 The lighting we've talked
23 about. There will be new lighting that
24 removes the light that currently sometimes
25 can spill into neighboring properties.

1 Importantly, this special
2 development district will provide certainty
3 to the neighborhood as to future development
4 on the combined parcels because it will be
5 restricted to what is shown with this plan
6 unless a new application comes before the
7 Town Council, and the Town Council decides
8 it's appropriate to make any changes after
9 full public hearing, and obviously public
10 input.

11 And then I think one of the
12 big benefits is the enhanced streetscape
13 along Grove Street with all those trees, new
14 street trees and landscaping. I have a slide
15 here that talks about traditional
16 neighborhood design, but we have already
17 talked about how this development will change
18 that to bring that corner portion that
19 currently does not comply with TND by
20 bringing the building -- attaching it to the
21 existing commercial building and bringing
22 that 6,000 square-foot building right up to
23 New Britain Avenue.

24 It creates that demarcation of
25 building to the street, which is called for

1 by the TND. And it's so positive to creating
2 a really walkable pedestrian community with
3 interest to those that are going by at the
4 street level.

5 Traffic, I mentioned to you
6 that Mr. Hesketh is here, but I'm just going
7 to quickly summarize the traffic benefits and
8 his comments. As you noted -- as Alan noted,
9 we're down to three driveways and no traffic
10 leaving onto Grove Street.

11 The quotes that are on this
12 slide are taken from the letter Of December
13 1, 2021, submitted with the application from
14 Mr. Hesketh. And he says that the change in
15 development will result in an increase of two
16 trips during the morning peak hour and ten
17 trips during the afternoon peak hour based on
18 the ITE Institute of Traffic Engineers trip
19 generation report.

20 And he came to that conclusion
21 after removing the trips associated with the
22 single-family house at 12 Grove and computing
23 the trips that would be estimated to result
24 from a 6,000 square-foot building up in the
25 corner where New Britain Avenue -- the corner

1 with Grove Street.

2 So the amount of traffic
3 generated by this change with eliminating the
4 computer building and putting in a new 6,000
5 square-foot building up against the street at
6 that location is really insignificant.

7 He also goes on to say that
8 with the reduction in driveways from four to
9 one and the prohibition on exiting traffic,
10 the impact on Grove Street south of that
11 driveway will be a net reduction in traffic.
12 It is a very positive significant change for
13 Grove Street.

14 His letter was provided to you
15 in the application materials before we agreed
16 to the removal of the access drive from New
17 Britain Avenue. So his letter doesn't
18 address that, but if you've had a chance to
19 read the traffic comments from Mr. Duane
20 Hanson when he reviewed the application --
21 I'm sorry, Duane Martin.

22 He said he questioned the
23 value of keeping open this driveway. He said
24 it's located within a major intersection, and
25 this is again referring to the driveway from

1 New Britain Avenue. He said, left turns into
2 this driveway could be a challenge and
3 possibly a hazard depending on the time of
4 day. He urged its elimination, which he also
5 noted could improve development potential at
6 the corner.

7 He was right. We've removed
8 it. It allowed us to tuck the building up
9 against the existing building with this
10 design proposal, and overall you have a much
11 safer traffic flow into the site and out of
12 the site both for Grove Street residents and
13 anybody, in fact, traveling on New Britain
14 Avenue.

15 So with that I'm going to turn
16 it over to Chuck, and he's going to talk to
17 you about the information he received during
18 his outreach efforts.

19 PRESIDENT CANTOR: Chuck, are
20 you all set? I think you might be on mute.
21 I don't know.

22 We can't hear you -- or I
23 can't.

24 CHARLES COURSEY: There we go.
25 I was having trouble.

1 PRESIDENT CANTOR: There we
2 go. Much better. Thank you.

3 CHARLES COURSEY: Can I please
4 just have the power back to share? It's left
5 me again.

6 PRESIDENT CANTOR: Don't get
7 attached to the power.

8 CHARLES COURSEY: There we go.
9 Alrighty. Can you hear me all right?

10 PRESIDENT CANTOR: Yes. Go
11 ahead.

12 CHARLES COURSEY: Excellent.
13 Good evening -- finally.

14 For the record, my name is
15 Chuck Coursey, 21 Walbridge Road, West
16 Hartford. I was retained by Jeff to conduct
17 the neighborhood outreach for this proposal.

18 And just as a quick reminder,
19 the purpose of outreach is to go out and meet
20 with and talk with residents and property
21 owners within 500 feet to familiarize them
22 with the plans, but most importantly answer
23 questions and address concerns.

24 I want to particularly thank
25 those folks -- I knew of many that took the

1 time to meet with me and speak with me, and
2 to share their questions and concerns with
3 me. And rather than going through the
4 lengthy outreach report -- that I believe you
5 all have an updated one -- there was one
6 provided on Friday and then another one
7 today. I wanted to go through some of the
8 concerns that were coming up that I heard
9 during my outreach, and discuss briefly about
10 how those have been addressed.

11 And I think some of this would
12 be a little repetitive, but it doesn't hurt
13 to remind the first one again was traffic.
14 We heard from a lot of folks at Grove -- a
15 very -- it's a beautiful street, and it's an
16 improvement that has been made by the Town
17 lately with the speed bumps and the
18 narrowing; folks were afraid that this
19 proposal was going to generate additional
20 traffic onto Grove Street.

21 And as has been shown by both
22 Robin and Alan, there will be less traffic on
23 accessing Grove Street by the neighbor's
24 house than there currently is. This would be
25 an entrance only and there will be no access

1 out to go down to take a left, exiting to go
2 down Grove Street. So that traffic issue is
3 resolved.

4 Again the curb cut at New
5 Britain Avenue will be eliminated. That's
6 going to improve the flow. That's a very
7 dangerous little alley also. I've heard
8 concerned folks that have, you know, cars
9 pulling in. There's a blind spot behind the
10 computer store as you drive into the parking
11 lot. You know, there's a lot of folks going
12 to the Fernwood that have to really be very
13 careful when they cross over that line. So
14 that's a safety issue that has been addressed
15 as well.

16 And then the two remaining,
17 the two parking exits and entrances at the
18 east end on Newington Road. It's a left --
19 it's a right turn only coming south -- I'm
20 sorry. It's both right and left turn in, but
21 a right turn only leaving. And then as you
22 get further south across from the church it's
23 both in and out.

24 The lighting, there are
25 several concerns about the lighting, that the

1 current lighting that's mounted on the side
2 of the building does shine into the
3 neighbor's property. That's been an ongoing
4 issue. And Jeff has realized that really the
5 only way to provide lighting doing it right
6 is the traffic lot redevelopment and
7 reworking the parking lot so that you can put
8 lights on islands within the parking area.

9 This project allows him to do
10 so. It allows him to take the lights down
11 and put more environmentally sensitive; and
12 light capturing, keeping the light on the
13 property, and not spilling onto the
14 neighborhood's property.

15 Obviously a lot of folks have
16 been concerned about the removal of 12 Grove,
17 and one of the things that I've heard -- and
18 actually I've, you know, I've shared with
19 people and I've actually read it in some of
20 the comments that you've gotten from some
21 folks, is that you don't need to remove the
22 house to accommodate the additional parking
23 that's required.

24 These two bullets, the Town
25 Planner was kind of to provide me with this

1 wording because it's very important. I want
2 to make sure that, you know, first and
3 foremost I want to make sure I'm providing
4 folks with the right information. And this
5 is it, and in order to accommodate the
6 proposed future development, the 12 Grove
7 street property is necessary to reconfigure
8 the parking and meet the zoning standards.
9 Without the parcel, the existing parking lot
10 cannot meet the added zoning parking demand
11 even when applying to reduce TND standards.

12 So that's really -- that's the
13 justification and rationale from removing 12
14 Grove. I can certainly understand why people
15 don't want to see the house going away, but
16 with all the other benefits that we're
17 getting in terms of a better pedestrian
18 experience for all visitors to this property,
19 a better streetscape, a better look at the
20 center of Elmwood, we think that that's
21 appropriate.

22 Additional concerns. The
23 dumpster location, security, smell, buffering
24 of the dumpsters, access, noise; all those
25 things that we love to associate with

1 dumpsters. One of the key things is that you
2 may -- I believe you have a letter from one
3 of our closest neighbors, Mr. and
4 Mrs. Bergeron that live on Newington Road.

5 The original plan actually had
6 the dumpsters closer to his property, backing
7 up to his property. It was a little bit more
8 convenient for the trucks, but it certainly
9 wasn't more convenient for the Bergerons.

10 And after talking with him,
11 Jeff came -- and Alan actually put together a
12 revised plan. DRAC also had the same concern
13 which was good one -- and that's why we do
14 outreach, to find out these things ahead of
15 time. But in response to the Bergerons'
16 concerns, the dumpster has been moved away
17 from the fence and the property line closer
18 to the building. The trash and recycling
19 area is going to be fully enclosed with the
20 fence, fully secured, buffered with
21 additional landscaping, and pickup is limited
22 to the weekends between 6:30 and 10 a.m.

23 Also a lot of concern about,
24 you know, buffering. What am I going to see?
25 As Robin and Alan both pointed out, there's

1 new fencing along the property in the south
2 providing a greater enhanced buffer from the
3 neighboring properties. Right now the
4 fencing is kind of, you know, you can tell
5 that it wasn't all put in at the same time.
6 Some of it in better shape than others. This
7 is going to be a uniform, cleaner, nicer,
8 studier fence.

9 Right now we have unobstructed
10 views into the parking area of Grove Street,
11 especially for our friends that live at Elm
12 Grove. The landscaping there is going to be
13 much better, again as Robin and Alan pointed
14 out, much better than -- that did not exist,
15 that doesn't -- it isn't there right now.

16 And again, the trees and
17 landscape islands are going to provide a more
18 attractive parking area instead of that, sort
19 of, asphalt currently.

20 Finally, the last three
21 concerns were actually questions that were
22 raised to me. And these were obviously very
23 important, as all concerns are. What if the
24 owner decides to build another structure in
25 the parking lot closer to the neighbors? You

1 know, what if he decides to build a building
2 where 12 Grove Street was?

3 Well, as Robin pointed out
4 that can't happen unless it's by action of
5 this Town Council. But again it doesn't, you
6 know, from Jeff's point of view and from the
7 logic, he wouldn't. He's going to great
8 expense in planning to try and do this all at
9 once, and do it right.

10 Obviously, any new structure
11 wouldn't be allowed under the current zoning.
12 And you wouldn't -- it wouldn't even start,
13 because there wouldn't be enough parking for
14 another construction. The parking that's
15 going -- that's being applied for, it's just
16 enough to meet the requirements for his
17 proposed addition.

18 Another excellent question
19 was, what if the addition doesn't get built?
20 We have one neighbor who expressed the
21 concern that, okay. Say you know, the gas
22 station gets taken down -- and no gas
23 station. The computer store gets taken down
24 and the parking lot improvements are done.
25 She was worried that she's going to have a

1 clear view all the way from her backyard --
2 her front yard, I'm sorry, all the way
3 through to New Britain Avenue. Currently
4 that PCW building is blocking the traffic,
5 the view of traffic.

6 There is a phasing plan that's
7 been provided that includes build out of the
8 parking lot area only in the event that there
9 is no change to the building at the corner of
10 New Britain Avenue and Grove Street.

11 However, Mr. Shoam's intent is to undertake
12 all improvements only after he has secured
13 the tenant for the proposed addition -- so
14 that that addresses that concern.

15 And finally there was a
16 concern that this was just a way of trying to
17 get his property taxes to go down by taking
18 down the computer building and 12 Grove
19 Street -- but actually when the current
20 property, you know, he currently pays about
21 82,000 in property taxes. And with the full
22 build out he's expecting to see an increase
23 of approximately 10 percent.

24 So those, those are the
25 highlights of my outreach. I'd be more than

1 happy to answer any questions regarding any
2 of the individual entries I've made from some
3 of the outreach, from the extensive outreach
4 that we did.

5 Again, I really want to thank
6 the neighbors that welcomed me and allowed me
7 to share the information with them, and have
8 a conversation about what they were concerned
9 about, and what we could do to address those
10 concerns.

11 I'm happy to answer any
12 questions you might have when you see that.

13 Robin?

14 MS. PEARSON: Thank you,
15 Chuck.

16 The next slide, that great
17 landscaping plan. So why should you approve
18 this application? First of all, I think
19 we've made a good case for it. Second of
20 all, the agency reviews have all been
21 positive so far. The Town Plan and Zoning
22 Commission made a positive recommendation to
23 you that this be approved. And we did meet
24 with DRAC on several occasions, and they were
25 really quite effusive by the time our study

1 sessions with them and review sessions with
2 them are over.

3 In their recommendation they
4 say that they specifically noted that the
5 proposed landscaping is of high quality and
6 quantity. The plan incorporates a good
7 mixture of plantings which creates a well
8 designed streetscape and appropriately
9 screened parking area.

10 To the arrangement of
11 landscaping, the trash enclosure and snow
12 storage areas are conducive to the overall
13 long-term maintenance of the property. The
14 committee appreciates the Applicant's active
15 participation in the design review process,
16 including multiple review sessions and
17 ultimate consideration and inclusion of the
18 DRAC's comments in the revised and final
19 project design. And I will say there was a
20 lot that DRAC asked us to take a look at.
21 And as Chuck alluded to, those resulted in
22 very positive changes.

23 Staff, to the best of my
24 knowledge, has signed off on this, on the
25 technical aspects of the application.

1 Mr. Martin was very pleased to have that
2 driveway access point removed.

3 And finally, I have a
4 fairly -- I don't need to go through it
5 unless you have specific questions about it,
6 but we have made in our application letter
7 findings as to why this complies with the
8 standards of Section 1-77-44B, which you must
9 consider in making your determination.

10 I would like to just go
11 through for you quickly with regard to
12 compliance with the plan of conservation and
13 development, which is something that you
14 should always keep in mind when you're
15 thinking about whether or not a zone change
16 is appropriate for approval.

17 As we noted in our application
18 letter, 12 Grove Street is located in the
19 Elmwood Center Commercial District. The
20 2020-2030 plan of conservation and
21 development characterizes the center as a
22 neighborhood shopping center primarily
23 attracting patrons from within a three-mile
24 radius.

25 We've dated buildings from the

1 1930s, 1950s in needs of upgrade, i.e.,
2 reinvestment. And the reference is, see page
3 38.

4 This application, if approved,
5 incorporates 12 Grove into a redesigned
6 parking area with improved landscaping and
7 lighting. The undertaking is intended to
8 spark interest in the future redevelopment of
9 the commercial buildings it serves. It will
10 protect the Grove Street neighborhood to the
11 south from commercial creep, as the
12 underlying RP zone of the special development
13 district site will not allow for commercial
14 structures within its boundaries, in other
15 words, within the boundaries of the
16 underlying RP zone.

17 RP zoning is in keeping with
18 the existing development pattern as it
19 borders RP to the north and south and
20 supplements the existing parking behind the
21 commercial structures on New Britain Avenue.
22 Adding RP parking on Grove Street at 12 Grove
23 will allow a new commercial building to be
24 moved up to the street with all parking to be
25 in the rear of that structure.

1 RP zoning is suitable for this
2 location, given the plan of conservation and
3 development strategy number 1, page 79, to
4 support shared-use parking in commercial
5 districts that protect adjacent residential
6 neighborhoods from the encroachment of
7 commercial and retail parking on residential
8 streets as parking will be convenient,
9 contained on the SDD site, and well buffered
10 from the residential neighborhood.

11 Finally, its stringent
12 buffering design requirements meet strategy
13 number 3, page 85, to protect the quality of
14 residential neighborhoods through the
15 planting of new street trees, and most
16 importantly, the removal of site generated
17 commercial traffic south of 12 Grove Street.

18 And we've already told you why
19 we feel the ways exist that this application
20 meets the goals of the TND, also even if it
21 is not ultimately triggered which will depend
22 on the type and amount of development that is
23 ultimately pursued for that corner site.

24 So with that, we conclude our
25 presentation. Obviously, we're happy and

1 pleased to answer any questions that you
2 might have, and we look forward to responding
3 to any comments from the public.

4 Thank you.

5 PRESIDENT CANTOR: Thank you,
6 Attorney Pearson. And thank you to the team
7 for your very thorough, as always,
8 presentation.

9 And we will go to the comments
10 from the general public. We did receive a
11 number of e-mails. So in addition to live
12 comments we do invite written comments, and
13 those were accumulated.

14 So if Madam Clerk could read
15 the comments that we received and then we
16 will go to last comments?

17 Thank you.

18 MS. KAHN: Thank you, Madam
19 Mayor. So I will begin with the letters in
20 support of the application. We have received
21 letters from Aldo Carducci on behalf of
22 Elmwood Business Association, David Skinner
23 on behalf of Sheehan-Hilborn and Breen,
24 Andrei Brel on behalf of Juniper Home Care,
25 Michael and Janice Bergeron at 25 Newington

1 Road.

2 We have received letters of
3 support from the Elmwood Community Church,
4 Dr. Rick Liskeitz; Jay Kearns on behalf of
5 Kearns & Kearns; Seth Epstein on behalf of
6 Harp associates in the Elmwood Shopping
7 Center; Corey Paine and Christopher Conway on
8 behalf of the Chamber of Commerce.

9 We have also received letters
10 from individuals who expressed their concerns
11 or opposition to the projects; from Mario
12 Russo, Patricia Lowry, Henry McGinnis, Karen
13 Petersen, Michelle Parsons and Jules Pitt.

14 And those are the names.

15 PRESIDENT CANTOR: Thank you,
16 Madam Clerk. Appreciate it. And now we will
17 hear from members of the public.

18 Out of respect for everyone
19 who wishes to participate, speakers should
20 keep their comments brief and concise and
21 limited to three minutes. And if you're
22 representing a group you can speak up to five
23 minutes.

24 All speakers, please state
25 your name and address for the record, and

1 spell your last name. I would also like
2 commenters to preface their remarks by
3 whether they are in support or in opposition
4 to the application. And all comments must be
5 germane to this application.

6 And everyone -- obviously, we
7 appreciate the respect and the patience. And
8 being Zoom, we will shut you down if there is
9 any offensive or threatening language that's
10 spoken.

11 And with that, any resident or
12 taxpayer who wishes to address the Council
13 can use WebEx or call. And so if anybody's
14 on video now we will do a check on that, or
15 I'll give you the phone number as well so
16 people can prepare.

17 (408)418-9388. That's
18 (408)418-9388; access code 26338260132. I'll
19 repeat that. 26338260132.

20 There was also a passcode.
21 That is CC314. That's CC314.

22 We will start with anybody on
23 the WebEx. Madam Moderator, do we have
24 anybody on -- oh. Well, we'll start with the
25 video. That's where I started. Sorry. So

1 Madam Moderator, anybody on video?

2 THE MODERATOR: Thank you
3 Madam Mayor. We do have four participants
4 who I believe would like to make public
5 comments. I will first unmute Chris Conway.

6 Mr. Conway, you're more than
7 welcome to unmute your line and speak.

8 CHRISTOPHER CONWAY: Thank you
9 very much. Good evening, Madam Mayor and
10 members of the Town Council.

11 For the record, my name is
12 Christopher Conway. I'm the Executive
13 Director of the West Hartford Chamber of
14 Commerce. Our address is 948 Farmington
15 Avenue, and I am here to share the Chamber's
16 support for this project.

17 The West Hartford Chamber of
18 Commerce, representing over 500 businesses
19 and nonprofits, supports the proposed
20 application by JJJ New Britain Avenue
21 Associates, LLC. The Chamber's Economic
22 Development Committee met with Jeff Shoham on
23 February 3, 2022, reviewed the presentation
24 and recommended full chamber support of the
25 project. This recommendation was approved by

1 our executive committee.

2 Jeff has been an important
3 member of the Hartford community since
4 opening his doors (unintelligible) 1990s.

5 (Unintelligible) and inspiring
6 artists (unintelligible) opportunities.

7 (Inaudible.)

8 PRESIDENT CANTOR: I just
9 wanted to let you know you are going in and
10 out -- I don't know if he can hear me.

11 CHRISTOPHER CONWAY:

12 (Unintelligible) last year
13 (unintelligible).

14 (Inaudible.)

15 (Unintelligible.)

16 THE MODERATOR: Madam Mayor, I
17 believe we have his letter on file.

18 PRESIDENT CANTOR: We do. He
19 can't hear me. So I'm going to just let him
20 wind up.

21 CHRISTOPHER CONWAY:

22 (Unintelligible) property.

23 (Inaudible.)

24 COUNCILOR ZYDANOWICZ: I
25 believe this happened last time, too.

1 PRESIDENT CANTOR: It did. It
2 did, and he did not think it would happen
3 again.

4 Mr. Conway, are you done? I
5 can't hear you. We can't hear you, but we
6 know that you're -- I think we're going to go
7 to the next caller. We have your letter on
8 file. Thank you very much for being here.
9 Appreciate it.

10 Okay. Madam Moderator, next
11 caller.

12 THE MODERATOR: Thank you
13 Madam Mayor. I will now unmute the phone
14 number whose last two numbers or digits ends
15 in 112.

16 Caller, you may star six and
17 unmute your line.

18 JULES PITT: Hello, can you
19 hear me?

20 PRESIDENT CANTOR: Yes, we
21 can.

22 JULES PITT: Hi there, this is
23 Jules Pitt of 62 Newington Road. I wrote a
24 letter today in opposition to this particular
25 application. I just wanted to bring up a

1 handful of issues.

2 I was in opposition to the
3 project previously in 2020. None of the
4 concerns have really been addressed here in
5 terms of what has been proposed tonight.
6 There's some idea that essentially that, you
7 know, brand-new beautiful landscaping is
8 sufficient to essentially justify what is
9 happening here. And I don't believe that
10 that's the case.

11 In terms of it meeting the TND
12 standards, which has been asserted multiple
13 times by Robin Pearson and Chuck Coursey, it
14 doesn't look to me that it does. And in
15 agreement with me on this point is Catherine
16 Johnson, the planner who drafted those back
17 in the late 'nineties. She's an
18 extraordinary person and a great planner.

19 And in terms of there's
20 some -- the idea that essentially that this
21 won't -- that if nothing is developed there,
22 that that prevents commercial creep. And I
23 think to the average person, they would think
24 of commercial creep as including parking
25 going into residential areas. And that's not

1 remediated in a particular way by
2 landscaping.

3 There's precious few instances
4 where the demolition of a Victorian home to
5 provide a bigger parking lot is considered to
6 be an improvement, as is being argued
7 tonight. I would also point out that across
8 the street there's the old Elm Theatre. And
9 let's say that the owner of that parcel
10 wanted to develop something straight up to
11 the street and improve the streetscape on New
12 Britain Avenue -- and wouldn't that be great?

13 But of course, directly behind
14 that property is another old Victorian
15 Italianate. And let's say they said that in
16 order to increase, you know, meet increased
17 parking demand they wanted to demolish that
18 too?

19 There's a lot of exciting
20 development coming to Elmwood and I think
21 it's important to keep our eyes on
22 essentially building on the strengths of
23 Elmwood which revolve around transit access,
24 walkability, those sorts of things. And what
25 I'm seeing here, what I think is interesting

1 is that most of the support is coming from
2 business groups and business owners who want
3 the flexibility to essentially stop operating
4 within the nature of the neighborhood, and
5 would rather operate on the old sprawl models
6 of having generous and oversized parking.

7 So that's essentially my
8 point. I think that essentially those of us
9 who are in opposition are just residents. We
10 don't particularly organize. We haven't had
11 time to coordinate things. We don't have
12 consultants and lawyers. And so, yeah.

13 So that concludes my statement
14 and I'm strongly disappointed that this is --
15 that our concerns really haven't been
16 addressed at all.

17 PRESIDENT CANTOR: Thank you.
18 Can you just spell your last
19 name for the record?

20 JULES PITT: Pitt, P-i-t-t.

21 PRESIDENT CANTOR: Okay.
22 Thank you very much, Mr. Pitt. And we will
23 go to the next caller, Madam Moderator.

24 THE MODERATOR: Thank you. We
25 will now unmute whose phone number ends in

1 57. You may star six to unmute your line.

2 MICHELLE PARSONS: Hi. Good
3 evening. This is Michelle Parsons
4 P-a-r-s-o-n-s, 26 Grove Street, speaking in
5 opposition to the proposal for several
6 reasons.

7 I do enjoy walking around my
8 neighborhood in Elmwood. I'm frequently
9 walking on the Trout Brook Trail walking over
10 to Pepe's Pizza and the Beachland Tavern.
11 Every time I walk I've witnessed near
12 accidents at the intersection of New Britain
13 Avenue, Quaker and Grove Street. So I
14 respectfully say that I believe people will
15 leave the new parking lot and use Grove
16 Street.

17 I have witnessed many times
18 where people ignore the one-way sign, and I
19 don't see that that is going to change
20 despite the elimination of several driveways
21 on the Grove Street side.

22 Mr. Coursey mentioned that
23 some neighbors had the concern, you know,
24 what if Jeff wants to build a building where
25 12 Grove Street is being razed?

1 And perhaps it's not likely,
2 but if another developer comes around and --
3 because it's a good idea you guys are hearing
4 my hound in the background -- I think that,
5 you know, with enough legal representation
6 and consulting that another building could be
7 built.

8 In my letter, my e-mail to the
9 town council -- and Madam Mayor, I expressed
10 the fact that when I purchased my home on
11 Grove Street I did come into it with my eyes
12 wide open. I bought the seventh house.

13 I see a slippery slope
14 occurring where you, know, now I'm -- I'll be
15 the sixth house in. And if somebody else
16 comes along I'll be house number five.

17 And also of note, I think it's
18 interesting to see that most who are in favor
19 of this proposal are businesspeople, you
20 know, with big buildings on New Britain
21 Avenue, and most in opposition are the
22 neighbors. So as the previous caller
23 expressed I just think it's extremely
24 disappointing that we're going through this
25 again.

1 Thank you for your
2 consideration.

3 PRESIDENT CANTOR: Thank you.
4 Ms. Parsons. Thank you very much.

5 Next caller, Madam Moderator?

6 THE MODERATOR: Thank you,
7 Madam Mayor.

8 I will now unmute line whose
9 phone number ends in 88. Please star six and
10 unmute your line.

11
12 (No response.)

13
14 THE MODERATOR: Madam Mayor, I
15 am now going to unmute the phone number whose
16 line ends in 50. Please star six.

17 FRANCIS MACOMB: Hi. My name
18 is Francis Macomb, M-a-c-o-m-b, and I live at
19 137 Grove Street in the south section of
20 Grove. And Cynthia Brown and I were the two
21 people who doggedly pursued the
22 implementation of the speed bumps in the
23 first section of Grove Street, which we were
24 thrilled that that has happened.

25 But we still -- I know a lot

1 of us on the street and in the neighborhood
2 who walked; I own a dog, I do a lot of
3 walking around the neighborhood and I still
4 feel concerned about all the vehicular
5 traffic that comes through our area.

6 And these speed bumps have
7 definitely slowed down the traffic in that
8 area, although I think people are now making
9 up for lost time by trying to make it up in
10 the second section of Grove Street to try
11 and, you know, get down to Elmfield, number
12 one.

13 Number two, I've actually
14 witnessed people -- it's almost like road
15 rage. They go over the speed bumps and then
16 somebody thinks it's a two-lane street, the
17 one way section of Grove is two lanes, and
18 the person is trying to pass another driver
19 on the left to make a left to go onto Page
20 and then onto Newington.

21 So there's still issues even
22 there in that first section of Grove Street,
23 in my opinion. And I don't know if there's
24 any modifications that have been made at the
25 controlled light at the intersection of

1 Quaker, Grove and New Britain.

2 It's my understanding when we
3 were talking in the past about the traffic
4 flow through Grove Street, that it was a
5 state controlled light and that there would
6 be modifications made to the light. But they
7 had -- the Town had to put -- the State to do
8 that, because people have to learn a new
9 vehicular pattern if they want to proceed up
10 to Newington Road from, let's say, Quaker.
11 They're going to make a left-hand turn and
12 then a right onto Newington; that more time
13 was going to be allowed to allow cars to do
14 that.

15 But I think people are also
16 creatures of habit, and even with the
17 implementation of speed bumps it's going to
18 take a long time for our quaint little
19 neighborhood to just sort of still become, I
20 think, the quaint little neighborhood that we
21 want it to stay.

22 I love the walking access to
23 all the amenities that are in our little
24 Elmwood Center there, but I want to keep that
25 bike-friendly pedestrian --

1 pedestrian-friendly nature to it.

2 And I think, you know, any
3 landscaping, I'm all for it. I would
4 actually love to see more trees planted all
5 over West Hartford because we're losing a lot
6 of our trees, but I don't think putting in a
7 parking lot that's with lots of trees -- and
8 I believe, you know, streetscapes are
9 supposed to be appealing cosmetically because
10 they just entice people to be out on the
11 sidewalks. But having just a parking lot
12 there to sort of -- I don't know.

13 I sort of imagine Elmwood sort
14 of developing, sort of, a quainter kind of
15 feel to it than just a lot of parking lots
16 with big businesses. So I would at some
17 point -- okay. Thank you.

18 PRESIDENT CANTOR: Thank you
19 very much. Okay. Thank you, Ms. Macomb.

20 And the next caller, Madam
21 Moderator?

22 THE MODERATOR: Madam Mayor,
23 there are no further callers.

24 PRESIDENT CANTOR: Okay. I
25 know we're going to go back to Madam Clerk,

1 that you have two -- have received two more
2 letters, I think.

3 MS. KAHN: Thank you. Thank
4 you, Madam Mayor.

5 So for the record I'd just
6 like to note that we have also received
7 letters of support from Laurie Hazelton and
8 August Audibert, the owners of the Fernwood,
9 as well as Linda Unkelbach who resides at 42
10 Newington Road.

11 PRESIDENT CANTOR: Thank you.
12 Thank you very much. Now we will go to the
13 phone. And I will just repeat the number one
14 more time. (408)418-9388, access code
15 26338260132.

16 26338260132, and the passcode
17 is CC314.

18 Madam Moderator, do we have
19 any people on the line?

20 THE MODERATOR: No, Madam
21 Mayor. We have gotten all of the callers and
22 all of the participants via WebEx.

23 PRESIDENT CANTOR: Okay. All
24 right. Thank you. Thank you so much.

25 Then we will go back to the

1 Applicant for your response, and then we will
2 go to the Council for questions. Thank you.

3 MS. PEARSON: Okay. I think
4 we can give a quick response to these
5 comments. Obviously, some members of the
6 neighborhood don't want to see the house come
7 down and that's an understandable concern.
8 However, I think what you need to do in
9 thinking about whether this application is
10 worthy of approval is whether or not the
11 weight of the benefits of the application
12 outweigh any concern about removing that
13 single-family home.

14 I think we have explained to
15 you why this proposal is very much in favor
16 of benefiting the neighborhood. The
17 tradeoff, we have an existing parking lot.
18 Our parking lot is not going away. The
19 question is, what can we do to make it fit
20 into the community better, make it safer, and
21 also remove parking generated -- I'm sorry,
22 remove traffic generated by that parking on
23 Grove Street.

24 And also support the
25 businesses that are, you know, the heart of

1 Elmwood is -- as much as it is the
2 neighborhoods, it's also that business
3 community along that strip and in other
4 commercial areas that make it the kind of
5 place to which people want to locate;
6 walkable distance, walkable retail shopping,
7 walkable pedestrian access to residents, able
8 to walk to work. All of those things are
9 germane to what makes Elmwood a really
10 desirable location, and that's been evidenced
11 over the years as more and more housing has
12 come into that area.

13 So yes, you're losing a
14 building, but it's creating a lot area that
15 in terms of zoning for that special
16 development district makes planning sense.
17 There is a cutoff that is synonymous with the
18 cutoff, the demarcation between commercial
19 and residential parking and the residential
20 neighbors to the south. That is the same as
21 currently exists on Newington Road. So the
22 feeling is not going to be like too much of
23 an incursion. It will be in keeping with
24 already what already exists on the other side
25 of the site.

1 With regard to too much
2 consideration or too many people from the
3 business community in support of this and no
4 real indication of residential support, I
5 just want to remind everyone that the two
6 residential structures most impacted by this
7 are the two single family homes immediately
8 to the south of the site, and both have
9 expressed their support for this application.

10 So they like what's being
11 proposed and they've worked closely with
12 Mr. Shoham to make sure that everything as
13 designed makes sense for them in their
14 continued use of their properties as
15 single-family homes -- particularly
16 Mr. Bergeron who asked us to make changes,
17 and we did in response to his concerns.

18 I think it's very important
19 for those such as Frances Macomb who resides
20 on Grove. And she said, you know we still
21 have traffic problems on Grove Street. This
22 is going to help. It can't hurt. It can
23 only help because it is removing whatever
24 traffic currently leaves the site and
25 continues south on Grove Street. It is not a

1 point of exit anymore on Grove Street. That
2 traffic will be gone.

3 Will it solve all the problems
4 for people on Grove Street? No. Will it
5 make her walk more enjoyable as she walks
6 through the neighborhood? Absolutely,
7 because there's going to be some very
8 attractive landscaping.

9 And yes, it still landscapes
10 the parking lot, but if this is not approved
11 that parking lot stays the way it is now.
12 And I don't think anybody can argue that this
13 is not an improvement over what is existing
14 on the site.

15 So I think those were the main
16 points that we wanted to make with regard to
17 the concerns that have been expressed. I
18 look to my team to see if there's anything
19 else that should be added with regard to
20 that? But if not, we welcome your questions.

21 PRESIDENT CANTOR: Attorney
22 Pearson, we do have a caller that has been
23 raising their hand.

24 We don't go back and forth
25 on -- so if you've spoken before, that is not

1 our procedure. But if it's a new comment
2 we'd be happy to take it. So Madam
3 Moderator, if you could check on that?

4 THE MODERATOR: Thank you,
5 Madam Mayor. I am now going to go ahead and
6 unmute the caller whose phone number ends in
7 52. You may star six to unmute your line if
8 you have not spoken.

9 KAREN PETERSEN: Good evening.
10 Can you hear me?

11 PRESIDENT CANTOR: Yes, we
12 can. Thank you.

13 KAREN PETERSEN: Okay. Good.
14 My name is Karen Petersen, P-e-t-e-r-s-e-n;
15 18 Grove Street. And I'm glad to see that
16 you received my e-mail. Most of my points
17 are in there, but a few things I wanted to
18 address was -- part of which is in my
19 e-mail -- it was raised several times about
20 traffic on Grove Street and how it's going to
21 be funneled and it's gong to be downplayed a
22 bit.

23 Grove Street is a one-way
24 street on the north end. The only way to
25 access the street is from New Britain Avenue.

1 There's heavy enough traffic as there is now.
2 Increased business traffic is going to make
3 it that much more difficult to get onto the
4 street.

5 One of the comments made by
6 one of the parties was that the current
7 parking lot apparently does not meet codes or
8 standards. That can be easily -- more easily
9 rectified by renovation of the current
10 parking lot and increasing parking spaces and
11 making it much more usable. It's currently
12 in very poor condition, by the way.

13 I want to reiterate Grove
14 Street is a residential street and I am very
15 concerned about, as they call it, the
16 business creep. It is coming down the
17 street. I am only two doors away from 12
18 Grove Street. It's going to have a very
19 direct impact on me and others.

20 You know, the last thing I
21 wanted to state was that in listening to the
22 owners, because the comments about the
23 owner's intent or other assurances, these are
24 verbal. I feel they carry no weight.
25 There's no guarantee that any of these

1 assurances are going to be met, and it's not
2 enough for me. Thank you very much for your
3 time.

4 PRESIDENT CANTOR: Thank you
5 very much, Mrs. Petersen. Appreciate it.

6 Okay. So back to you,
7 Attorney Pearson. I just don't know if you
8 want to add anything -- but why don't we go
9 to the Council, and then you can close on
10 anything, comments that the Council makes.

11 So we will start in
12 alphabetical order. And even though your
13 name is not first, you are filling in for the
14 person that's first. So I will say, hi, to
15 my friend, Judy Casperson who is an alternate
16 for Adrienne Billings-Smith, Councilor
17 Billings-Smith.

18 So Judy, over to you. Do you
19 have any questions? If you don't, that's
20 fine. I'm just going to go throughout the
21 order, so it's hard to see hands raised.

22 I think you have to press star
23 six -- I'm guessing.

24 MS. CASPERSON: Here we go.
25 I'm unmuted. Thank you, Madam Mayor.

1 Because for me -- for me, I don't have a
2 question. I'm really in agreement with -- I
3 do use that street once in a while, and would
4 be concerned if you weren't making that an
5 entrance only.

6 I think that the design of the
7 parking lot and the improvements to that
8 corner will make a big difference in being
9 able to go through there, and I think it will
10 help with traffic as well not going down that
11 street.

12 And I've been there on busy
13 days. I've been there. You know I go to
14 West Hartford Yoga, so I'm going through that
15 area quite often. And due to those
16 improvements and the closure coming from New
17 Britain Avenue, I see those all as
18 improvements to the corner.

19 So I would be in agreement.

20 PRESIDENT CANTOR: Thank you.
21 Thank you, Ms. Casperson.

22 Ms. Blanks, do you have any
23 questions for the Applicant?

24 COUNCILOR BLANKS: Thank you,
25 Madam Mayor and through you. Counselor Carol

1 Anderson Blanks.

2 First off, I want to thank the
3 team for the presentation. So thank you,
4 Attorney Pearson, Chuck Coursey, and I
5 believe the other speaker was Alan -- forgive
6 me if I didn't get your name right.

7 But I'm quite pleased with the
8 plan that you showed us because that plan
9 answered many of my questions that I was
10 going to ask you in terms of the arrow, if
11 you were going to plan to put that down, and
12 the curb cut.

13 So I do have three additional
14 questions that I do want to raise at this
15 time. And you touched upon the lighting, and
16 I'd like to learn if you can touch upon that
17 a little more in terms of right now you have
18 that, the two big spotlights, I believe. And
19 you said that lighting is going to be changed
20 a little.

21 So I'd like to know if the
22 lighting is going to be on a timer or a
23 motion -- or how are you going to maybe blend
24 it into the landscape a little so that the
25 illumination doesn't affect the neighboring

1 neighbors? That's my first question.

2 PRESIDENT CANTOR: All right.
3 We'll go with the first question first.
4 Thank you, Ms. Blanks.

5 Over to you, Attorney Pearson.

6 ALAN BONGIOVANNI: Robin,
7 Peter, I'll take that question. Alan
8 Bongiovanni.

9 So part of the submission that
10 we have is a complete photometrics plan for
11 the site lighting. And we're going to
12 accomplish the site lighting by some
13 building-mounted fixtures on the building to
14 illuminate that area just adjacent to it.

15 And then we have located
16 throughout the site in the parking islands
17 steel poles with LED fixtures that are full
18 cutoff so that there's no up lighting. And
19 the way they're designed -- and the
20 luminaires are done such that as you get to
21 the property, the property line, there is no
22 illumination at all. And it's demonstrated
23 on that plan. They're full cutoff style
24 fixtures, and it's been designed so that
25 there is no fugitive light.

1 Typically retail and
2 commercial establishments such as this will
3 have lighting timers on the lighting so that
4 after business hours they will go to a lower
5 level just to maintain some security on the
6 site, but not to have the full lighting over
7 the entire site. Either way the lighting
8 will not spill over the property line as
9 designed.

10 PRESIDENT CANTOR: Thank you.
11 Thank you very much. All right.

12 Back to you, Ms. Blanks.

13 COUNCILOR BLANKS: Thank you,
14 Alan. And through you, Madam Mayor. And so
15 my second question is maybe a further
16 elaboration on the south exit and entrance.

17 One, is this going to be a
18 right turn and a left turn? Or will that be
19 a right turn only?

20 And then my other question is,
21 how does it interfere or perhaps not
22 interfere with the CVS entrance and exit, and
23 especially, you know, how the traffic sort of
24 backs up when you're taking a left-hand turn,
25 depending on the timing of the light? And

1 I'm sure you all went through all of that
2 traffic pattern, but if you can just
3 elaborate for me that would be helpful.

4 ALAN BONGIOVANNI: Again Madam
5 Mayor, Alan Bongiovanni. So the south
6 driveway is going to stay in the same
7 position as is today with some minor
8 improvements, but that will be unrestricted
9 in and out access left turn and right turn
10 out of the site.

11 Our north driveway is going to
12 be converted from an unrestricted outbound
13 north and south. It's just the right turn
14 only so that's that traffic goes to the
15 south. That's shown here on the drawing that
16 Chuck just put up.

17 We're putting a little median
18 island in the north driveway to direct the
19 traffic and prohibit people from taking the
20 left-hand turn. That was a comment that came
21 about, again as I stated earlier from
22 comments from the State to Mr. Shoham in the
23 past. And was raised by town staff in our
24 early reviews of this, that traffic backs up
25 beyond the light --

1 PRESIDENT CANTOR: Excuse me,
2 Mr. Bongiovanni. We have a problem, a
3 technical problem. And I've been asked to
4 give us a couple of minutes technically to
5 reconnect. So I apologize I will keep you
6 posted. Don't go anywhere, anybody.

7 Hopefully this will just take
8 a minute or two.

9 THE MODERATOR: Thank you,
10 Madam Mayor.

11
12 (Pause: 8:13 p.m. to 8:17 p.m.)
13

14 THE MODERATOR: Madam Mayor,
15 you are all set, and can proceed.

16 PRESIDENT CANTOR: Thank you
17 very much. So now we will go back to
18 Mr. Bongiovanni -- I'm sorry if I'm not
19 saying that right. If you don't mind
20 continuing?

21 I don't know if you're on
22 mute.

23 ALAN BONGIOVANNI: I'm sorry.
24 I was muted. Thank you. To go back to the
25 beginning of my explanation here, so we have

1 the two driveways that are on Newington Road.

2 The southerly driveway is
3 currently unrestricted, inbound and outbound.
4 Our proposal is to leave it in that fashion
5 where cars leaving the site will be able to
6 take a left-hand turn, go northbound towards
7 New Britain Avenue, or take a right-hand turn
8 and go southbound towards Newington.

9 The northerly driveway we are
10 changing. That is currently unrestricted and
11 that allows for left-hand turns out of the
12 site today. It was recommended by town staff
13 and I think it was a conversation that
14 Mr. Shoham had in the past with the State.
15 At some point they would like to eliminate
16 that left-hand turn. We've done that in this
17 design.

18 We've created an island or
19 median at the intersection or the driveway
20 throat so that we will direct traffic to the
21 right and prohibiting the left-hand turns.
22 That will eliminate some of the problems with
23 traffic, bottlenecking there when they back
24 up at the signal at New Britain Avenue.

25 I hope that answers your

1 question.

2 PRESIDENT CANTOR: Thank you.
3 Thank you very much.

4 Ms. Blanks, are you all set?

5 COUNCILOR BLANKS: Yes. Madam
6 Mayor, I have one more question and then I'll
7 be all set, and through you.

8 And so my final question is
9 around the fence. And I'd like to know is
10 that a privacy fence? I believe you said it
11 was 210 feet long.

12 ALAN BONGIOVANNI: Madam
13 Chair, that is. It's a six foot high solid
14 fence running from Newington Road along the
15 property line to Grove street. It's a six
16 foot high solid vinyl fence. So there's no
17 visibility through that.

18 PRESIDENT CANTOR: Thank you.
19 All right. We will go to Mr. Cortes.

20 COUNCILOR CORTES: Thank you,
21 Madam mayor. And through you Madam Mayor, a
22 lot of questions, you know, coming into this
23 public hearing, and the presentation was so
24 detailed. You guys answered a lot of my
25 questions, you know, I had that with this

1 project. But you know I visit that area
2 frequently and it is in need of
3 modernization. And so it would be nice to
4 see some of the updates.

5 There's security concerns with
6 the way it's set up now, especially with that
7 alley. It's dark. It's going to be nice --
8 and it would be nice to see that gone.

9 And I do agree that it would
10 cut down on traffic on Grove Street just by
11 making it, you know, one way going on and
12 adding, you know, driveway on the Newington
13 Road side.

14 My only concern is that right
15 now the PCW building is going to stay as is
16 until we find a tenant. Still even that,
17 that little alleyway there, you know, I
18 really don't -- it would be nice to see, you
19 know, that addition to -- added to the
20 building part to wait until a tenant.

21 You know, and what if we don't
22 get a tenant for many years and then you say,
23 you know what? It's a terrible idea. We're
24 going to have to scrap that building. That
25 is my own concern.

1 Thank you.

2 PRESIDENT CANTOR: Thank you.
3 Thank you, Mr. Cortes.

4 Attorney Pearson or Mister --
5 or I'm just going to say Alan. I'm so afraid
6 I'm saying it wrong -- Bongiovanni, do you
7 want to respond to that, about the --

8 ALAN BONGIOVANNI: Robin?

9 MS. PEARSON: Yeah. What I
10 can tell you is if this application is
11 approved, the Applicant is going to
12 diligently pursue redevelopment of that
13 corner piece. That's the reason for making
14 this investment, pulling this team together
15 to make the application to you.

16 This is not something that is
17 done just because he likes to spend an
18 evening with you all. He's very adamant
19 about reinvesting in his property.

20 So there's someone in there
21 now. I'm sure they are not looking forward
22 to being displaced even if it's just for the
23 length of time it takes to redevelop the
24 property. But in any event, the intent is to
25 proceed with development of that corner.

1 PRESIDENT CANTOR: Thank you,
2 Attorney Pearson.

3 Mr. Cortes, is there anything
4 further? All set?

5 COUNCILOR CORTES: No, that is
6 it. Thank you, Madam Mayor.

7 PRESIDENT CANTOR: Thank you.
8 Mr. Davidoff.

9 COUNCILOR DAVIDOFF: Thank
10 you, Madam Mayor. Through you, I have just
11 two questions and two concerns. I just want
12 to follow up on the timing of these
13 improvements.

14 I believe that Mr. Coursey
15 mentioned that nothing is going to happen
16 unless there's a tenant. I just want to get
17 clarification that something is going to
18 happen, or nothing is going to happen.

19 And the reason I ask this
20 question is many years ago we approved a
21 parking scenario at the, what I would call,
22 the DORO Xfinity building which abuts on New
23 Britain Avenue and South Main Street. And
24 due to the success of the DORO marketplace
25 and the conflict with the Xfinity store there

1 was no place to park.

2 And at that time it took quite
3 a while for the owners to recognize that we
4 need to spend some dollars to make that
5 improvement. So I really want to get a
6 better understanding as to the timeline on
7 these improvements. Do they just wait until
8 something happens with the PCW building, or
9 are things going to happen?

10 And if someone could explain
11 when the house would come down and when you
12 make improvements to the driveways and things
13 of that nature?

14 PRESIDENT CANTOR: Thank you,
15 Mr. Davidoff.

16 Attorney Pearson. I'll go to
17 you, and then --

18 MS. PEARSON: Yes. Again,
19 I've had this conversation with the
20 Applicant. He does not have a tenant
21 currently. He tells me there is a lot of
22 interest in that property at that location.
23 He also has said numerous times that getting
24 this approval is going to make a big
25 difference in his ability to be able to

1 convince somebody to make the investment in
2 going in there because it alleviates all the
3 potential uncertainty as to whether or not
4 you're ever going to get the approval,
5 especially, you know, on some of the issues
6 that you've heard raised by the neighborhood.

7 So I mean, we don't
8 typically -- in fact, I've been doing this
9 for many years and we know we don't put
10 timetables on SDD approvals. This is a
11 change of zone. He can only -- if you
12 approve it, he can only do that which is
13 approved within the plan. And if he wants to
14 do anything else he has to come back to you.

15 But again, he has committed to
16 pursuing this as aggressively as possible.
17 And there are all kinds of constraints that
18 affect whether or not a business owner is
19 able to make the next leap -- which is, do
20 the improvements. And you know that can be
21 affected by all kinds of things; what's
22 happening in the world, what's happening in
23 financing, what's happening in the market,
24 what's happening with retail, what's
25 happening with COVID, what's happening with

1 restaurants? I mean, we live in uncertain
2 times.

3 So all I can do is give you
4 the commitment that he has evidenced to his
5 team, which is that this will really enhance
6 my ability to get something good at that
7 location. And that's the best I can do.

8 PRESIDENT CANTOR: Thank you,
9 Attorney Pearson.

10 Mr. Davidoff?

11 COUNCILOR DAVIDOFF: Through
12 you, Madam Mayor to Attorney Pearson.

13 So, nothing happens -- I just
14 want to be clear. Nothing happens until a
15 tenant is secured for the PCW site.

16 Is that correct?

17 MS. PEARSON: That is
18 currently in the intent, because Mr. Shoham
19 believes something is going to happen and
20 that he is going to be able to proceed.

21 We do have on file a plan for
22 phasing in if that doesn't work right away,
23 but the goal is to develop that corner piece
24 and bring it into compliance with TND by
25 moving the building up. That's the goal.

1 COUNCILOR DAVIDOFF: Thank
2 you. I do have one further question, Madam
3 Mayor, and it was not raised anywhere yet.
4 So through you, there was testimony that the
5 PCW building was a former gas station. So I
6 presume that the gas tanks were located in
7 the driveway, the up-front area of the site.

8 My question is, can you
9 provide any type of environmental information
10 as to whether or not those tanks have been
11 removed and whether or not this site has been
12 environmentally remediated?

13 PRESIDENT CANTOR: Thank you,
14 Mr. Davidoff. Attorney Pearson?

15 MS. PEARSON: That's a very
16 good question, one I don't know the answer
17 to. So I'm going to either ask Mr. Shoham or
18 Mr. Bongiovanni to respond?

19 PRESIDENT CANTOR: Thank you.
20 Okay. I think Mr. Shoham -- I'm not sure if
21 his hand is up. Make sure you just state
22 your name now.

23 JEFFREY SHOHAM: Okay.

24 Am I unmuted now?

25 PRESIDENT CANTOR: You are

1 unmuted.

2 JEFFREY SHOHAM: Jeffrey
3 Shoham. I'm the owner of Jerry's Artarama,
4 and JJJ New Britain Avenue. Yes, total
5 remediation was done when we purchased the
6 property. The gas tanks are long gone.
7 There was an oil tank on the Newington Road
8 side that was taken out.

9 And we went through a --
10 they're called a phase one or phase two
11 process. So the site is completely clean.

12 Yes, sir.

13 PRESIDENT CANTOR: Thank you.
14 Thank you, Mr. Shoham.

15 Back to you, Mr. Davidoff.

16 COUNCILOR DAVIDOFF: No
17 further questions. Thank you for getting
18 that on the record.

19 PRESIDENT CANTOR: Okay.
20 Thank you.

21 Ms. Fay?

22 COUNCILOR FAY: Yes. Good
23 evening. Through your, Mayor Cantor. I
24 guess my general question is, how big? How
25 many square feet is the computer PC

1 warehouse? Or whatever it's called that's on
2 the corner, how many square feet is that?

3 PRESIDENT CANTOR: Thank you,
4 Ms. Fay.

5 I think Attorney Pearson?

6 MS. PEARSON: I'm going to
7 point to Alan.

8 CHARLES COURSEY: Okay.

9 MS. PEARSON: It's 3,000
10 something, but I'm not --

11 ALAN BONGIOVANNI: Well, the
12 existing building is like 15 or 16 hundred
13 square feet.

14 COUNCILOR FAY: Okay. So the
15 reason I'm asking the question, to put it in
16 context here, is you're proposing a potential
17 6,000 square-foot building in its place.
18 Right? I mean, that's basically the
19 presumption here.

20 I just want to put it in -- so
21 1500 to 6,000. So that's about four times
22 the size. So obviously it's the need for
23 parking -- but my question is, it almost
24 seems like we're bringing the cart before the
25 horse.

1 But we don't have the
2 building. We don't have an approval. We
3 don't have a tenant. We don't have a plan.
4 We don't -- I don't think we know what it's
5 going to look like. And now, now we're going
6 to knock down a building to put in a parking
7 lot.

8 It seems kind of backwards to
9 me, that we should actually have the
10 development. We should know what we're
11 doing, who's going in there, how many cars.
12 And then, you know, figure out how we're
13 going to accommodate the parking. That's one
14 of my comments. So I just wanted the
15 context -- what's maybe four times what they
16 are already. Okay?

17 The second thing is -- the
18 improvements are beautiful. I mean, they
19 truly are, but I wondered why -- I shop at
20 Jerry's. I love Jerry's, and go to the
21 Fernwood and go down on Grove Street. Why
22 weren't any, you know, improvements done
23 along the way? I don't think trees, you
24 know, could not have been done earlier to
25 spruce it up.

1 I mean, that that is a rough
2 parking lot. As we all know, it's in very
3 rough shape. Not attractive at all. I just
4 was wondering, why? Why not do something for
5 the neighborhood and adjoining partners? You
6 probably do something more with the entrances
7 and exits, too, regardless of whether you do
8 something with the computer storefront.

9 So it seems to me the sequence
10 of events here are a bit out of order -- and
11 those are my comments. But overall I think
12 it is an improvement, of course -- but I
13 think the sequencing I'm a little bit
14 concerned with. Thank you very much.

15 PRESIDENT CANTOR: Thank you,
16 Ms. Fay. Ms. Pearson -- Attorney Pearson, do
17 you want to respond to that?

18 MS. PEARSON: Again -- well,
19 let's talk about the reality. The
20 improvements that are being proposed with
21 this, with this plan are significant and
22 they're very costly. And you know, if there
23 is a benefit certainly in doing those when
24 you get a tradeoff in terms of the cost with
25 regard to bringing in a good tenant that can

1 help carry those costs. So that's one
2 reality.

3 Business owners are major
4 components of this neighborhood, and we are
5 trying to get to the point where it will be
6 possible to make the kind of investment that
7 you've acknowledged you think it would be
8 nice to have here and we're providing a path
9 for doing that.

10 So this is -- the concern
11 about the cart before the horse, it's a
12 question of how do we make this happen? So
13 we are giving you a game plan for being able
14 to make this kind of reinvestment in the
15 property, which your special development
16 district regs call for, which your plan of
17 conservation and development called for. And
18 by approving this application that can
19 happen.

20 So I guess I would suggest
21 that that's the better way of looking at
22 this, to be supportive of your business
23 interests and the end result is going to be
24 something that's better both for the business
25 community and also for people who live on

1 Grove Street.

2 PRESIDENT CANTOR: Thank you,
3 Attorney Pearson. Do you want to say
4 anything further?

5
6 (No response.)
7

8 PRESIDENT CANTOR: Okay.
9 Mr. Sweeney had texted me you're all set --
10 I'm assuming you are.

11 We will go to Mr. Wenograd
12 next.

13 COUNCILOR WENOGRAD: Thank
14 you, Madam Mayor. And just one comment
15 first. We received an e-mail during the
16 hearing from -- I believe a second e-mail
17 from Mr. Pitt. That should probably be made
18 part of the record.

19 PRESIDENT CANTOR: Yes, we
20 will circle back and make that clear.

21 COUNCILOR WENOGRAD: Okay. So
22 thank you, and thank you presenters.

23 Through you, Madam Mayor, I do
24 have a question regarding -- two questions.
25 One regarding the pad for the new building.

1 So what is -- I was a little confused by the
2 ability to do a parking study without knowing
3 the use of the building. You know, certainly
4 and in other parking centers as we see, you
5 know, the different standards if it was a
6 Starbucks versus whether it's, you know, a
7 dental office. I mean, they're going to have
8 very different standards.

9 As a matter of right what are
10 we being asked to approve? What could go
11 there? And then would that have an impact on
12 those number of spaces that are required for
13 the site?

14 PRESIDENT CANTOR: Thank you,
15 Mr. Wenograd.

16 Attorney Pearson.

17 MS. PEARSON: I can respond.
18 And Alan has his hand up also. The parking
19 analysis is based on -- in the parking table
20 is based on retail use, which is, you know, a
21 pretty high parking standard. There could be
22 other uses in there. You asked what could go
23 in there. Any uses that are allowed in the
24 BC zone.

25 The requirement of the SDD is

1 only those uses that are allowed within the
2 underlying zone can go into a particular --
3 can be used within the SDD. And if you were
4 to limit uses, that would be another way of
5 curtailing uses. So it could be a
6 restaurant. It could be dental. It could be
7 all those things that you said. It could be
8 office. It could be retail on the bottom.
9 It could be an office on top. Those are all
10 possibilities.

11 So we chose retail as the
12 basis. We have enough leeway in the parking
13 as designed to be able to accommodate, we
14 believe, whatever Mr. Shoham is able to come
15 forward with, with regard to a proposal.

16 And the other thing is, you
17 know, once he has somebody who's willing to
18 make that next step and invest in the
19 property and come in with the development
20 proposal, that will come back to you because
21 it's going to be a new building. And you
22 can't put a new building -- while we've
23 gotten to the point where we're saying we
24 think 6,000 square feet this year, there are
25 other aspects of the application that would

1 require it to come back to you for, you know,
2 what the building looks like on the outside.
3 So you would still have to come back for an
4 amendment to the SDD for that purpose.

5 PRESIDENT CANTOR: Thank you,
6 Attorney Pearson.

7 ALAN BONGIOVANNI: Madam
8 Mayor? Alan Bongiovanni. And just tag onto
9 what Attorney Pearson said, we've designed
10 this site so that there are additional spaces
11 for the uses that we show on this proposed
12 plan. If the use has changed and it's
13 something that requires more parking for that
14 individual use, we should be able to
15 accommodate it.

16 One of the things that has to
17 be -- we should -- I hope you'll understand,
18 the way the property is laid out today, we
19 couldn't redesign that parking lot without 12
20 Grove Street. We couldn't. We redesigned
21 the other property that's already zoned
22 properly to accommodate the parking that's
23 needed today for the uses on the property
24 today, and that's talking about making sure
25 we have the proper buffering and aisles and

1 landscaping and impervious areas, or previous
2 areas and impervious areas as required.

3 So it's a necessary component
4 of the project to have this property, this 12
5 Grove Street to allow proper design that
6 actually will enhance the entire project --
7 as opposed to looking at it as, well, can you
8 do what you need to do with what you have
9 today? It doesn't work.

10 There's not enough area or
11 proper configuration to make a parking lot
12 meet the Town's requirements today with the
13 current uses. This allows us the
14 flexibility, one, to redevelop that corner.

15 The question was raised
16 earlier about 6,000 square feet. The
17 proposal is a 3,000 square-foot footprint.
18 So two-story building; you would double the
19 size of what the computer store is at this
20 point.

21 But again, we've designed the
22 site so that there is additional parking
23 under the TND that would accommodate probably
24 any or all uses that are allowed in the
25 underlying zone. Thank you.

1 PRESIDENT CANTOR: Thank you.
2 All right. Mr. Wenograd,
3 anything further?

4 COUNCILOR WENOGRAD: Yes,
5 Madam Mayor. Thank you. So the reason for
6 bringing up that point was, I mean, we've
7 certainly been moving in the direction
8 against requiring too much parking. And
9 being concerned about over parking in town,
10 there are a lot of benefits to this plan.
11 And the green spaces, it's very significant
12 there.

13 But you know, we don't want to
14 create -- we don't want to have too little,
15 but we also don't want to have too much. And
16 the comment that, you know, you said it needs
17 this much -- true, unless you came to us and
18 asked for less. So -- and we've been pretty
19 willing to do that in a lot of other
20 projects.

21 So I just, you know, have a
22 little bit of concern about, over parking --
23 but thank you for the answer regarding the
24 retail. That does help. I hadn't seen that
25 in the documentation.

1 One of the questions I have
2 and a legitimate question about Grove Street
3 is the one-way entrance. Certainly I think
4 through the process we've corrected the issue
5 on Union Avenue by having a directed exit. I
6 don't see that on the Grove side. And to the
7 point made by one of the neighbors, that
8 people could still take the left turn. They
9 could still leave that way if they wanted to
10 and people don't necessarily pay attention to
11 the arrows.

12 And I have no idea what, sort
13 of, what our staff says about our ability to
14 get people sort of pointing in the right
15 direction. I know we've had problems in some
16 of our traffic control issues in other places
17 about not having people necessarily follow
18 those lines.

19 So I guess my question is, has
20 that been sort of looked at and whether or
21 not it's possible to put a directional
22 entrance in with the curb to make sure people
23 don't take the left turn out of the lot?

24 Through you, Madam Mayor.

25 PRESIDENT CANTOR: Thank you,

1 Mr. Wenograd. I'm not sure that this is
2 for -- it might be for our own staff, but
3 we'll try Attorney Pearson.

4 MS. PEARSON: I'm going to ask
5 Alan to respond to that.

6 ALAN BONGIOVANNI: Thank you,
7 Madam Mayor. So in the design process when
8 we proposed the driveway we worked closely
9 with town staff, Mr. Dumais in how to best
10 configure that, how to create a geometry that
11 would discourage and prohibit anybody from
12 taking -- exiting out of the property on
13 Grove Street and taking a left-hand turn.

14 We've designed curbing, and
15 it's elevated curbing that comes in on a
16 curve. It's actually shown that way in the
17 plans so that it directs the traffic into the
18 site. If you were to go the wrong way, you
19 have to drive over the curb and the
20 landscaped island to make that happen.

21 You know, if somebody's
22 hellbent on making an illegal turn they're
23 going to do it. They're going to go between
24 the trees and the landscaping, but this is
25 proper design.

1 And I don't want to speak for
2 Mr. Dumais or the engineering staff, but we
3 believe we've designed something consistent
4 with, you know, professional standards on how
5 to best keep the traffic flowing in one
6 direction.

7 PRESIDENT CANTOR: Thank you.
8 Anything further,
9 Mr. Wenograd?

10 COUNCILOR WENOGRAD: No.
11 Thank you very much.

12 PRESIDENT CANTOR: Thank you.
13 Mr. Zydanowicz?

14 COUNCILOR ZYDANOWICZ: Thank
15 you, Mayor. And through you, the benefits of
16 being last is there's a lot of questions that
17 get asked. So thank you for this
18 presentation. A lot of my questions got
19 answered previously by my fellow council
20 people. I had some of the same concerns.

21 So I guess my only real
22 question at this point is, back in the day
23 when I was chair down at the Zoning Board of
24 Appeals, we -- there's areas in town that
25 they have to reestablish their zoning.

1 In fact, that power equipment
2 there right around the corner is zoned for
3 selling used cars. And I remember that when
4 they came in, and that has to get
5 reestablished, that zoning all the time.

6 Is there a way -- because
7 there were some concerns about finding a
8 tenant building and this project will only
9 take place once a tenant is found. And is
10 there a way being used to this, is that we
11 can put on a contingency; they would have to
12 come back after if nothing is done with this
13 particular zoning within 18 months? They
14 have to come back to this body and
15 reestablish it again?

16 So I don't know who that
17 question should go to?

18 PRESIDENT CANTOR: Thank you,
19 Mr. Zydanowicz. I think that's a good
20 question for our Town Planner, Mr. Dumais.
21 So we're going to go to Mr. Dumais. And
22 there have been a number of Councilors that
23 have texted me that had the same question.
24 So thank you for raising it.

25 Mr. Dumais?

1 MR. DUMAIS: Thank you,
2 Madam Mayor. Through you to Councilor
3 Zydانowicz.

4 No, you're being asked to
5 approve a zone change in an overlay zone.
6 With that process you can't really add a
7 sunset clause in, which it sounds like you're
8 doing. It's a little bit different than the
9 ZBA authority on temporary permits that are
10 issued.

11 But what you heard the
12 Applicant state is that any future building
13 is going to come back to this body, and going
14 to be re-reviewed through the same approval
15 process. So any changes that occur, are
16 being requested to occur that are different
17 than the plans that were discussed and shown
18 as part of this application would have to go
19 back through a hearing process that would be
20 duly noticed.

21 But you couldn't force them to
22 come back to execute a plan, or change it as
23 part of your approval process under the SDD
24 and zone change application.

25 PRESIDENT CANTOR: Thank you,

1 Mr. Dumais.

2 Do you -- Mr. Zydanowicz, do
3 you have anything further?

4 COUNCILOR ZYDANOWICZ: I'm
5 good. Thank you, Madam Mayor.

6 PRESIDENT CANTOR: Okay.
7 Well, thank you. Thank you, all. And I just
8 wanted to ask about this -- actually
9 Mr. Davidoff, do you want to ask about the
10 condition that you had communicated to me?

11 COUNCILOR DAVIDOFF: Thank
12 you, Madam Mayor.

13 So I just want to know whether
14 or not we could have a condition in the
15 approval if we so choose that would require
16 the improvements to the site to be completed
17 before the Town issued either a CO, or a
18 temporary CO for that building on the corner?

19 PRESIDENT CANTOR: Thank you,
20 Mr. Davidoff.

21 Mr. Dumais?

22 MR. DUMAIS: Thank you, Madam
23 Mayor. Through you to Councilor Davidoff.

24 Yes, that is a fairly standard
25 set of conditions where you tie an approval

1 to completion or benchmarking of certain
2 improvements. So a condition like that would
3 typically read that the completion of, in
4 this instance, the parking lot or any
5 associated landscaping amenities as shown on
6 the plans, that it would need to be completed
7 in accordance with whatever plan that you're
8 approving prior to the issuance of any
9 certificate of occupancy. In this case, for
10 the future building at the corner of Grove
11 and New Britain Avenue.

12 And that would be a condition
13 that you have the authority to impose as part
14 of this SDD process.

15 PRESIDENT CANTOR: Thank you,
16 Mr. Dumais.

17 Mr. Davidoff, is that clear?

18 COUNCILOR DAVIDOFF: It's
19 clear to me. So if Corporation Counsel could
20 incorporate that into our conditions of this
21 evening, that would be greatly appreciated?

22 PRESIDENT CANTOR: Okay.

23 So Attorney Varano, I think
24 she's the corporation counsel on it.

25 Can you do that for us?

1 MS. VARANO: Yes, I can do
2 that, Madam Mayor.

3 PRESIDENT CANTOR: Thank you,
4 very much. Okay. All of my questions have
5 been answered. I want to thank the Applicant
6 for the complete presentation, and I want to
7 thank all of the residents and businesses
8 that responded.

9 It is important and we do want
10 to hear from you. So we very much appreciate
11 that, very much.

12 We also did get a letter back
13 from Mr. Pitt. As Mr. Wenograd mentioned, it
14 is part of the record. And I think Madam
15 Clerk, you could share that. I think it went
16 to everybody via e-mail, but I just want to
17 acknowledge that it was a followup on similar
18 testimony -- but just a followup on comments
19 just so people can see that.

20 All right. So with that I
21 want to read into the record, as was
22 mentioned, the TPZ letter dated January 10,
23 2022, recommending approval; and DRAC dated
24 January 20, 2022, recommending approval.

25 And if there are no further

1 comments from Council or questions -- and I'm
2 looking around, and no further -- oh,
3 Mr. Zydanowicz, did you have a question?

4 COUNCILOR ZYDANOWICZ: Thank
5 you, Mayor. Through you, I just wanted to
6 understand Mr. Davidoff's condition. And if
7 we add that, what is it? Can you just help
8 me understand that, if we're going to add
9 something in?

10 PRESIDENT CANTOR: Thank you
11 very much.

12 Mr. Dumais, could you -- or
13 maybe actually, Attorney Varano, why don't
14 you explain what a condition like that would
15 do -- if that's okay?

16 MS. VARANO: Sure, Madam
17 Mayor. Gina Varano, Deputy Corporation
18 Counsel.

19 So this is a new development
20 district, and accordingly in the past the
21 Town Council has approved these with
22 conditions. We typically have standard
23 conditions of approval. In this particular
24 instance Councilman Davidoff is asking that
25 we add an additional condition of approval

1 that will tie the completion of the parking
2 lot to the certificate of occupancy for the
3 new building. Thank you.

4 PRESIDENT CANTOR: Thank you.
5 Well, yeah. I'm not sure if it's the actual
6 completion or the commitment of completion.

7 I mean, I'm wondering if a
8 tenant comes in prior to the completion --
9 well, it wouldn't be built by then anyway.
10 So that probably makes all the sense in the
11 world.

12 Anyway, Mr. Zydanowicz any
13 questions on that?

14 COUNCILOR ZYDANOWICZ: No,
15 Madam Mayor.

16 PRESIDENT CANTOR: You're all
17 set? Okay. All right. Anything further?

18 I see Attorney Pearson. Thank
19 you.

20 MS. PEARSON: I just want to
21 say for the record that's not a condition
22 that's unacceptable to the Applicant. That's
23 not an unusual condition. That's acceptable.

24 PRESIDENT CANTOR: Okay.
25 Appreciate that. That's an important

1 comment.

2 Okay. Mr. Wenograd, is your
3 hand up -- or you're just stretching? Oh,
4 no. You're good. Okay. I wasn't sure. All
5 right. I think that's it. And nothing
6 further from the Applicants. And with that
7 we will, if there's no objection, we will
8 close the public hearing.

9
10 (Whereupon, the above proceedings
11 were concluded at 8:48 p.m.)
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CERTIFICATE

I hereby certify that the foregoing 117 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the Public Hearing in Re: APPLICATION FILED ON BEHALF OF JJJ NEW BRITAIN AVENUE ASSOCIATES, LLC, OWNER OF 12 GROVE STREET, 1105-1115 NEW BRITAIN AVENUE, AND 5 NEWINGTON ROAD, held via teleconference on February 8, 2022.

Robert G. Dixon, CVR-M 857
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My Commission Expires: 6/30/2025