

TOWN OF WEST HARTFORD

TOWN COUNCIL PUBLIC HEARING

March 22, 2022, 7:15 p.m.

(Transcribed Remotely)

**Re: Application Filed on Behalf of Prospect
Plaza Improvements, LLC, Owner of 245
Prospect Avenue, Special Development District
#11, More Commonly Known as Prospect Plaza.**

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

Town Council Members Present:

MAYOR SHARI CANTOR

LEON DAVIDOFF

MARK ZYDANOWICZ

ALBERTO CORTES

ADRIENNE BILLINGS-SMITH

CAROL BLANKS

BEN WENOGRAD

LIAM SWEENEY

MARY FAY

RICK LEDWITH

Town Manager

GINA VARANO, ESQ.

Assistant Corporation Counsel

ESSIE LABROT

Town Clerk

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

For the Applicant:

MURTHA CULLINA

280 Trumbull Street, 12th Floor

Hartford, Connecticut 06103

By: KARI L. OLSON, ESQ.

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860-240-6085

1 **PRESIDENT CANTOR:** So we will
2 call the 7:15 public hearing to order. This
3 is an application filed on behalf of Prospect
4 Plaza Improvements, LLC, owner of 245
5 Prospect Avenue, Special Development District
6 Number 11, more commonly known as Prospect
7 Plaza.

8 The stated purpose of the
9 application is to request modification to the
10 existing conditions of approval of the SDD in
11 order to remove restrictions on current uses
12 and permit all uses allowed in the underlying
13 zoning district for the parcel.

14 Roll call, Ms. Labrot?

15 **MS. LABROT:**

16 Ms. Billings-Smith?

17 **COUNCILOR BILLINGS-SMITH:**

18 Present.

19 **MS. LABROT:** Ms. Blanks?

20 **COUNCILOR BLANKS:** Present.

21 **MS. LABROT:** Ms. Cantor?

22 **PRESIDENT CANTOR:** Here.

23 **MS. LABROT:** Mr. Cortes?

24 **COUNCILOR CORTES:** Here.

25 **MS. LABROT:** Mr. Davidoff?

1 COUNCILOR DAVIDOFF: Here.
2 MS. LABROT: Ms. Fay?
3 COUNCILOR FAY: Present.
4 MS. LABROT: Mr. Sweeney?
5 COUNCILOR SWEENEY: Here.
6 MS. LABROT: Mr. Wenograd?
7 COUNCILOR WENOGRAD: Here.
8 MS. LABROT: And

9 Mr. Zydanowicz?

10 COUNCILOR ZYDANOWICZ: Here.
11 MS. LABROT: Thank you.

12 PRESIDENT CANTOR: Thank you
13 very much, Ms. Labrot. And we will begin
14 with a presentation from the Applicant.

15 MS. OLSON: Good evening,
16 Mayor Cantor and members of the Council.
17 Thank you for entertaining us tonight. My
18 name is Kari Olson.

19 I represent Prospect Plaza
20 Improvements, LLC, and DLC Management in this
21 application for an amendment to the existing
22 SDD Number 11, which is the zone that
23 overlays the Prospect Plaza property. I'm
24 sure you're all familiar with it; located at
25 the northwest corner of Kane and Prospect,

1 visible from the highway.

2 With me tonight is Greg Oshins
3 and his colleague, Jack O'Brien. Greg is the
4 vice president of development for DLC
5 Management. They manage the property, and
6 Jack O'Brien his associate assists in that
7 endeavor.

8 So we're here tonight to
9 request that you amend the conditions of the
10 original SDD Number 11 to allow all of the
11 uses currently permitted in the underlying BG
12 zone for this property. This request has
13 been approved unanimously by the Planning and
14 Zoning Commission, finding that it is
15 consistent with your plan of conservation and
16 development. It was also unanimously
17 recommended for approval by Design Review.

18 Regional Council of
19 Governments had no concerns from a regional
20 standpoint, and your Director of Development
21 Mr. Dumais expressed no concerns either.

22 We've also provided, and it
23 should be in the record, our outreach letter
24 where we sent a letter to all abutters
25 indicating what our intention was. I believe

1 Mr. Oshins received one phonecall from the
2 owner of the condo association that abuts the
3 property just looking for clarification, but
4 with no objection.

5 So by way of background, this
6 SDD was created in 1966. At that time it was
7 an industrial zone. And the Council at that
8 time amended or adopted the SDD Number 11 to
9 allow for, actually at that time, a grocery
10 store. Over the years this Council has
11 amended that SDD on repeated occasions
12 allowing for new uses like a bank with
13 drive-thru, obviously the retail plaza that's
14 there, and a number of other uses.

15 You've also approved a number
16 of facade improvements and other site
17 improvements, most recently a pretty
18 significant facade improvement, which was
19 done in 2015, and which again evidences that
20 the owner of the property is really committed
21 to the success of this plaza.

22 So that really leads me to the
23 main reason that we're asking for this
24 amendment. It's become difficult for
25 Prospect Plaza to market the property to

1 potential tenants because of the condition
2 that any use currently has to be approved by
3 this Council. What that does is it adds a
4 layer of uncertainty and cost when trying to
5 attract new businesses to the plaza.

6 Make no mistake, the amendment
7 that we are requesting will not in any way
8 take away your authority to oversee the
9 development of the site generally. Facade
10 improvements, landscaping, parking. Any
11 other site improvements we would still have
12 to come to the Council for approval, but at
13 least knowing what uses were permitted would
14 give a level of comfort to the property owner
15 and any potential tenant before they started
16 investing in the cost to come before you for
17 further approvals. Again this is consistent
18 with good planning, it's consistent with what
19 you have done at other properties.

20 I note that SDD -- I believe
21 it's 103, was recently amended to remove a
22 similar condition. And it's also the way
23 that all of the major retail centers in the
24 town have been treated. In other words, you
25 look at the underlying zone as the basis, the

1 building blocks upon which the SDD is then
2 built.

3 So just again for the record,
4 the purpose of the special development
5 district, we're consistent with that -- and
6 I'm paraphrasing slightly. The purpose of
7 the SDDs, under your current regulations, are
8 to permit and encourage variety and
9 flexibility and land development that will be
10 in harmony with the objectives of the
11 comprehensive plan for the Town's
12 development, which may require changes in the
13 regular standards applying to the permitted
14 uses of land in the zoning district in which
15 it is located.

16 So as you can see, this very
17 old condition from 1966 really is not
18 consistent with your current planning
19 objectives, and the SDD actually contemplates
20 that the special development district will
21 build upon the underlying uses in the zone.

22 I would also just want to hit
23 upon your plan of conservation and
24 development and that again, as Planning and
25 Zoning found, we are consistent with it. One

1 of your economic development goals, according
2 to your POCD, is to promote growth and
3 retention of existing businesses and
4 development of new business opportunities, to
5 strengthen the community's tax base in an
6 innovative manner while preserving and
7 protecting the residential character of the
8 surrounding neighborhoods.

9 Again, at this time we're not
10 asking to change anything at the plaza, only
11 to allow the underlying uses that they be
12 permitted. Basically -- well, I shouldn't
13 say as of right, because we obviously would
14 have to come back to you for any kind of site
15 improvements, et cetera.

16 Another goal of your POCD, is
17 to ensure that residents have convenient
18 access to goods and services, and that there
19 are employment and entrepreneurial
20 opportunities for residents and nonresidents,
21 and that the Town is not over reliant on
22 residential properties to support its tax
23 base.

24 Because this SDD more readily
25 facilitates the ability of the owner of this

1 property to lease it, two new uses that are
2 again permitted in the underlying zone, it
3 increases access to goods and services as
4 well as enhancing the Town's overall tax
5 base. Nobody likes to see dark space in a
6 plaza.

7 And at this time I'm going to
8 conclude, and I'm going to ask if Greg would
9 like to add anything?

10 GREG A. OSHINS: I think I did
11 that right. Thank you, Kari. So just to
12 echo what Kari was speaking about, first I
13 just wanted to say on behalf of DLC
14 Management and the owners of Prospect Plaza,
15 I wanted to thank the Council for hearing our
16 application.

17 To echo what Kari said,
18 amending the SDD to be consistent with the
19 underlying zoning really goes a long way in
20 helping our leasing team maintain the
21 vitality of the shopping center. The retail
22 environment is ever changing, and being able
23 to know in advance that we have certain
24 flexibility to put certain uses into place
25 really goes a long way in helping us.

1 So I wanted to say thank you.
2 PRESIDENT CANTOR: Thank you
3 very much.

4 MS. OLSON: And with that,
5 unless there's questions I again want to
6 thank you for your time.

7 PRESIDENT CANTOR: Thank you.
8 So we will go to public participation now. I
9 don't think there's anybody signed up.

10 We're just checking.

11 A VOICE: No Madam Mayor, no
12 one has signed up to speak.

13 PRESIDENT CANTOR: Okay.
14 Thank you very much. And so now we can open
15 it up to the Council. Are there any
16 questions for the Applicant? Comments or
17 questions? Mr. Cortes?

18 COUNCILOR CORTES: I thought
19 it was, you know, I read through the packet
20 and I was kind of confused of what was going
21 on. You know, it just seemed that -- I'm
22 like, it's -- so I have a lot of questions,
23 basically.

24 MS. OLSON: Okay.

25 COUNCILOR CORTES: So

1 currently the way it stands, if they want a
2 new tenant it has to go kind of like a
3 process, almost like a new business. Is that
4 what I'm understanding right now?

5 MS. OLSON: Yeah. That
6 because of this condition from 1966, it's
7 Condition Number 9, every new use installed
8 at the property, even if it's allowed in the
9 BG zone has to come before the Council. So
10 what happens is when somebody comes to
11 Prospect Plaza and they're considering
12 whether to lease space there, they currently
13 have to tell that tenant if it's a new use.

14 And we give you an example of
15 the DashMart. You'll see that in the packet.
16 That, to be honest with you, you know, COVID
17 has changed a lot of things -- that that
18 proposed use is deemed to be a warehouse
19 distribution use under your regulations.
20 It's more like retail on the go.

21 But the bottom line is, it's
22 not expressly permitted currently in this
23 SDD. So what happens is, is that the DLC
24 Management has to say, we'd love to have you
25 come, but we've got to tell you we're not a

1 hundred percent sure you're going to be
2 allowed in this location even though you're
3 allowed in the underlying zone, because we
4 have to go to the Council and make sure that
5 it's an okay use.

6 And again, that's aside and
7 apart from any improvements to the property,
8 any facade changes, you know, signage,
9 anything else that needs to happen, parking
10 counts; all of that still completely under
11 your control, but it adds that layer. And so
12 it makes it difficult to attract tenants who
13 can go down the road to other BG properties
14 within the town of West Hartford, or even
15 across the Hartford town line -- which this
16 rests right on that line to other commercial
17 zones where they don't have that uncertainty.

18 And I will say both the
19 Planning and Zoning Commission and Mr. Dumais
20 both agree that this is a better
21 administrative process so that at least they
22 also know when an applicant comes what to
23 tell them. Is it permitted or is it not?

24 And because the underlying BG
25 zone is the building blocks, there's nothing

1 inconsistent with allowing those uses.

2 Right? If you think it's an appropriate use
3 for the BG zone it should be appropriate for
4 this location.

5 COUNCILOR CORTES: So I want
6 to thank the owner for all the work because
7 that has been, you know like, pretty vibrant
8 in the nineties, pretty busy. And then, you
9 know, once we lost ShopRite it kind of
10 turned, you know, started looking sad.

11 And you know, I could not
12 understand why, you know, empty space is
13 there and why it's so hard. So now, you
14 sitting before me, it's pretty clear to what
15 the issue is and I think, you know, a step in
16 the right direction. Thank you.

17 MS. OLSON: And that's another
18 example. Floor & Decor, they had to come to
19 the Council to get permission for a retail
20 use, which they couldn't guarantee was going
21 to be approved. You know, we certainly
22 assumed you would probably approve it -- but
23 again it adds a layer of cost and uncertainty
24 that a major retailer like that, you know,
25 might choose to go elsewhere. You know?

1 So it just gives us -- at this
2 point they can't compete for tenants the same
3 way because of this added layer of
4 uncertainty. They can't say for sure that a
5 use is permitted at this site.

6 PRESIDENT CANTOR: Thank you.
7 Mr. Cortes. Thank you. Ms. Fay?

8 COUNCILOR FAY: Thank you,
9 Mayor Cantor.

10 I did go through this, but are
11 there any restrictions for what would not be
12 allowed? I understand the need to cut
13 through the bureaucracy, and a tenant can't
14 wait to go through our process to know yea or
15 nay. That makes fully good sense, but are
16 there any restrictions on what would be
17 allowed there in the application or from the
18 planning, the planning people's perspectives?

19 MS. OLSON: Yeah. So the
20 restrictions would be from your zoning
21 regulations which has an actual use table.
22 And so again we would be subject only to
23 allowing those uses that you've already
24 determined or you're Planning and Zoning
25 Commission has already determined -- I should

1 say -- are allowable in that BG zone. So
2 that would be the restriction.

3 Obviously, it's not
4 industrial. We couldn't have the industrial
5 uses. It's not residential. We couldn't
6 turn it into multifamily unless we came back
7 to you.

8 COUNCILOR FAY: Thank you.

9 PRESIDENT CANTOR: Thank you,
10 Ms. Fay. Mr. Sweeney?

11 COUNCILOR SWEENEY: Thank you
12 for coming today. And this is very helpful.
13 I actually have a question for Rick. Do we
14 have any other plazas that would have this in
15 town?

16 MR. LEDWITH: Through you,
17 Madam Mayor. That's a good question. I'd
18 have to find out. Do you know offhand, Gina?

19 MS. VARANO: So through you,
20 Madam Mayor. I asked that same question of
21 the Town Planner Todd Dumais. And he said
22 that there was really no other plaza that had
23 the same restriction as did this one.

24 PRESIDENT CANTOR: Thank you,
25 all. Great question. Ms. Blanks?

1 COUNCILOR BLANKS: Thank you.
2 Through you, Madam Mayor. Thank you for
3 coming tonight -- and I always preface this
4 because that's my neighborhood. So number
5 one, I am delighted to see that, you know,
6 we're trying to get this space active again.

7 And I would agree with you,
8 once upon a time it was quite active. I do
9 even remember going all the way back to the
10 Edwards Supermarket.

11 MS. OLSON: Which was the
12 original approval of this SDD. Wow.

13 COUNCILOR BLANKS: So when I
14 was reading through the documents, because I
15 was trying to remember if there was a
16 supermarket in there a long time ago, what
17 was it? And so my mother was a big fan of
18 that.

19 So I'm really pleased to see
20 that we're looking to get this space active
21 again. Because you're right, it seems like
22 when ShopRite left it started to go down.
23 And then COVID hit and then it just like
24 wiped it out. And I also would visit the
25 plaza for the nail salon. So I guess I have

1 a vested interest, because I am very much
2 interested in seeing it come back.

3 MS. OLSON: Well, I'm pleased
4 to hear that. And I -- what I can tell you,
5 since we filed our application with you,
6 thanks to an approval by the Planning and
7 Zoning Commission for a 24-hour use, there
8 will be a Planet Fitness going into where the
9 hibachi used to be.

10 So that huge amount of dark
11 space soon will be filled. And again
12 allowing this -- so the Prospect Pizza is
13 going to move to allow Planet Fitness to take
14 over that space. They're going to move down
15 a few. And we were just looking at, I don't
16 know how many spaces are going to be left
17 empty, but again if you approve this we have
18 somebody waiting in the wings who's willing
19 to come. And it may only be one or two dark
20 spaces left, small dark spaces left, which
21 they will obviously actively pursue to fill.

22 PRESIDENT CANTOR: Terrific.
23 Thank you Ms. Blanks. That's great news.
24 Any other questions? Mr. Davidoff?

25 COUNCILOR DAVIDOFF: You

1 alluded to the Floor & Decor application. I
2 sat on that application and I thought it was
3 a well done application.

4 MS. OLSON: Nice.

5 COUNCILOR DAVIDOFF: What that
6 application allowed us to do was to look at
7 how that use was going to interact with the
8 rest of the development. So we were able to
9 add additional conditions that were very
10 important to the Council with respect to
11 where pickups were going to be, if there was
12 going to be bicycles, where the entrances
13 were going to be. And things that were
14 concerned, there was concern about the
15 retaining wall that fronted Prospect. I
16 recall that pretty well.

17 So by adopting your proposal
18 this evening we would no longer be able to
19 address those things. And tonight you point
20 out -- is that correct?

21 MS. OLSON: I disagree. I
22 think most of the conditions -- because I
23 read the approval, too, and all the minutes
24 on the Floor & Decor those were outside.
25 Many of them were outside improvements

1 related to parking, security, where the
2 dumpsters would go, as you pointed out.

3 I think -- was there enhanced
4 landscaping with the Floor & Decor?

5 GREG A. OSHINS: There was.
6 There was also a slight modification of the
7 building footprint.

8 MS. OLSON: Building
9 footprint. Right, because you wanted to
10 change the entrance.

11 GREG A. OSHINS: That's
12 correct.

13 MS. OLSON: All of that you
14 still have control over, all of it.

15 GREG A. OSHINS: And facade,
16 facade changes, et cetera.

17 MS. OLSON: Uh-huh. You would
18 still have control over that. The only thing
19 that would change is they would be able to
20 say your use that you're proposing is allowed
21 in this zone. We still are part of an SDD
22 and if you want to make these major changes
23 or if there's going to be a change to the
24 parking count, or lighting or signage, or
25 whatever, we know full well that we have to

1 come back and see you.

2 But the bigger concern is, is
3 that without knowing that it's a permitted
4 use they invest all that time and energy in
5 applying to you for all of those other
6 parameters without any assurance that they
7 would even be allowed to come to the plaza at
8 all as a permitted use, so.

9 COUNCILOR DAVIDOFF: All
10 right. Can we talk about the
11 DoorDash/DashMart?

12 MS. OLSON: Sure.

13 COUNCILOR DAVIDOFF: Because I
14 think that's part of what precipitated
15 tonight's hearing.

16 MS. OLSON: It was an example,
17 yeah.

18 COUNCILOR DAVIDOFF: So that
19 is a proposed tenant. Correct?

20 MS. OLSON: That is a proposed
21 tenant.

22 COUNCILOR DAVIDOFF: Can you
23 discuss what their model is and how that
24 operates?

25 MS. OLSON: Absolutely. So I

1 think everybody is kind of familiar with
2 DoorDash, which became a big hit when COVID
3 became problematic. So the DashMart is sort
4 of a spinoff of DoorDash. It's like a
5 convenience store on the go.

6 And what happens is
7 individuals go online and they order
8 sundries. It could be household products,
9 food, snacks. Give me some other examples?

10 GREG A. OSHINS: Baby diapers
11 or any convenience store related items.

12 MS. OLSON: And so what
13 happens is they put their order in, and then
14 the order is put together at the DoorDash.
15 They can either -- or the DashMart, excuse
16 me. The person who orders it then either
17 comes into the storefront and picks it up
18 themselves or they have a delivery service that
19 takes it out to them.

20 So it's something that will
21 maintain a storefront appearance. It would
22 be almost like a takeout restaurant, I guess
23 is the best way to describe it. Takeout
24 restaurant, but for convenience, household
25 items. And because of that, it's really a

1 hybrid between a retail use and a
2 distribution use.

3 But again, it's only planning
4 to occupy about 5,000 square feet of the
5 plaza. It's going to have shelves that get
6 stocked and that the employees pick items
7 from in order to fulfill orders.

8 And as I said, it will have a
9 storefront appearance. People will have the
10 ability to come and pick up their orders, or
11 there will be independent contractors who
12 will deliver those orders. And these
13 DashMarts don't just support residences --
14 which I would point out there's a really nice
15 condo complex right next door that probably
16 could benefit from having this service. And
17 since we don't know where COVID is going, it
18 could become really necessary -- but they
19 also support businesses. You know, if a
20 business is out of paper towels they can
21 contact and have it delivered.

22 So it really does provide,
23 consistent with your plan of conservation and
24 development, goods and services to support
25 the neighboring businesses and residences.

1 And I said again, it's going to have a
2 storefront appearance so it won't be dark
3 space anymore.

4 COUNCILOR DAVIDOFF: So I just
5 want to clarify. So when somebody places
6 their order, they're not going to be walking
7 in as though you walked into a Walgreens or
8 CVS and walk down aisles, and pick out your
9 own things. It's a very limited pickup -- or
10 a spot.

11 So it's basically a warehouse
12 of goods that is occupying the majority of
13 the 500 square feet. So is that correct?

14 MS. OLSON: I would agree with
15 that.

16 COUNCILOR DAVIDOFF: So the
17 use that currently is not permitted, is the
18 warehouse use. Is that correct?

19 MS. OLSON: It's actually
20 permitted in the BG zone.
21 Warehouse/distribution is a permitted use in
22 the BG zone.

23 COUNCILOR DAVIDOFF: So you
24 could do this without coming here?

25 MS. OLSON: Well, no, because

1 of the SDD condition. That's why we're
2 asking for that to be lifted --

3 COUNCILOR DAVIDOFF: Now does
4 this compete with like Gopuff or something?
5 Or some company that's --

6 GREG A. OSHINS: Yes. So
7 this is similar --

8 COUNCILOR DAVIDOFF: So I'm
9 familiar with that one because there's one in
10 Newington Center, in a plaza. And what my
11 fear is -- okay? Is it looks like it's
12 vacant. Okay? The windows are dark, they're
13 closed. You have no idea.

14 Cars just pull up. Sometimes
15 they pull up in the fire lane, things that
16 you wouldn't expect to happen in a, quote,
17 retail plaza. Okay?

18 So how would this be
19 different, is my question? Where will people
20 pick up the deliveries, and how will that
21 operate?

22 GREG A. OSHINS: Sure. So
23 first of all, you're concerned. We have --
24 we share the same concern because as owners
25 of a retail shopping center, our retail

1 tenants want to be part of a retail
2 experience. Having something that looks like
3 a vacant storefront next to them doesn't help
4 their business.

5 So we took care and when we
6 evaluated in our ongoing discussion with this
7 particular tenant in what that storefront
8 might look like. And we actually included --
9 I believe we included a picture of the
10 storefront in our application. Did we Kari,
11 if you can recall?

12 We may not have in this
13 conversion, but we have a rendering of the
14 storefront that shows window decals that
15 they've put on and an inviting storefront
16 appearance.

17 And to the point that you
18 made, when people come to pick up their items
19 from this particular tenant or prospective
20 tenant, they walk through the front door like
21 they would any other retail store and they're
22 greeted in the lobby where there's a window
23 where they would then pick up their items.
24 So very much there's a retail experience, but
25 to Kari's point they're not necessarily going

1 into the shelves and picking items off the
2 shelves themselves. That's being bagged up
3 for them to pick up.

4 So it's not going to look like
5 a dark vacant store. But yes, you're
6 correct, that the majority of the space will
7 be allocated to what -- I would approach it
8 more as a stockroom, or what you would
9 typically see in the last portion of a retail
10 store that wasn't a sales area.

11 MS. OLSON: And I would just
12 want to add to that, again like a takeout
13 restaurant, I mean, I've been to takeout
14 restaurants that have no indoor seating that
15 literally you're going into the counter to
16 pick up your food, or whatever. So it's very
17 similar to that.

18 And obviously, Prospect Pizza
19 has takeout as well. You know, they're
20 prohibited from parking -- people are
21 prohibited from parking in the fire lane in
22 front to pick up their pizzas. They have to
23 find a parking space. It would be the same
24 thing.

25 I mean, I'm sure we think we

1 could have designated parking spaces
2 potentially.

3 GREG A. OSHINS: So DoorDash's
4 model is to have passenger cars coming and
5 pick -- their delivery drivers drive just
6 ordinary cars, and their policy -- and we
7 would of course keep them to this in a lease,
8 that they would be confined to actual
9 customer parking spaces, not double parked in
10 fire lanes, not pulling up in the driveway.
11 That's not something obviously that we would
12 think would enhance public safety anymore
13 than anyone else.

14 COUNCILOR DAVIDOFF: And my
15 last question is, obviously for it to be
16 successful there needs to be a large
17 turnaround in items that are purchased, you
18 know, constantly moving the inventory which
19 would also necessitate deliveries.

20 So with respect to deliveries
21 to this particular business, where would that
22 fall into this SDD approval process? That's
23 my question.

24 So sometimes we say deliveries
25 can only happen between this hour and this

1 hour because we don't want to interfere with
2 residential life. As you know, we're putting
3 one of the largest apartment complexes right
4 next door to it. It's being converted,
5 several hundred units of housing. Okay? I
6 don't think people want to hear trucks
7 backing up at all hours a night just to
8 satisfy a 5,000 square-foot retail store. So
9 you know, we have to balance.

10 So are we losing -- is the
11 Council losing that ability to sort of put
12 the conditions necessary to keep that harmony
13 between the residential use, which is right
14 there and this new retail type use?

15 MS. OLSON: You do have
16 limitations on hours of operation in your
17 current existing zoning regulations, but I'm
18 going to let Greg address what the plan is.
19 I mean, you can appreciate that every single
20 tenant in that place has some delivery needs.

21 Floor and, you know, they all
22 require either food deliveries or merchandise
23 deliveries or -- So let me turn it over to
24 Greg to indicate what they think the
25 delivery --

1 **GREG A. OSHINS:** This
2 particular tenant doesn't utilize large
3 trucks for their deliveries, unlike some of
4 the other tenants in the shopping center who
5 as a matter of fact do.

6 And like any retail tenant,
7 their delivery schedule wouldn't be any
8 different than any other retail tenant that
9 we have elsewhere in the shopping center with
10 periodic deliveries happening during business
11 hours, and that would be happening from the
12 loading area in the rear of the store, not
13 happening from the front of the store where
14 it would disrupt customer access and traffic.

15 **COUNCILOR DAVIDOFF:** Thank
16 you. I appreciate your answers and a better
17 understanding of the concept. Great.

18 **MS. OLSON:** Thank you for the
19 questions.

20 **PRESIDENT CANTOR:** Thank you,
21 Mr. Davidoff. Are there any other questions
22 for the Applicant?
23

24 **(No response.)**
25

1 **PRESIDENT CANTOR:** Okay, I'm
2 going to read into the record a letter from
3 Town Planning and Zoning Commission dated
4 March 9, 2022, recommending approval of the
5 application; a letter from the Design Review
6 Advisory Committee dated March 17, 2022,
7 recommending approval of the application; and
8 a letter from Capitol Region Council of
9 Governments dated March 4, 2022, finding no
10 apparent conflict with regional plans and/or
11 policies, or concerns of the neighboring
12 towns.

13 And we still have no sign-up.
14 No one signed up to speak?

15 **A VOICE:** That's correct.

16 **PRESIDENT CANTOR:** That's
17 correct. All right. Is there anybody in the
18 audience that would like to speak to this
19 public hearing? We did have the public
20 participation, but we are willing to
21 entertain that again.

22
23 (No response.)

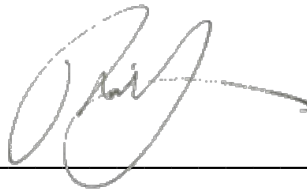
24
25 **PRESIDENT CANTOR:** All set.

1 **Okay. All right. With that we will close**
2 **the public hearing, and thank you very much.**
3

4 **(Whereupon, the above proceedings**
5 **were concluded at 7:47 p.m.)**
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CERTIFICATE

I hereby certify that the foregoing 33 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 PROSPECT PLAZA IMPROVEMENTS, LLC, OWNER OF 245 PROSPECT AVENUE, SPECIAL DEVELOPMENT DISTRICT #11, MORE COMMONLY KNOWN AS PROSPECT PLAZA, (transcribed remotely) held before the West Hartford Town Council, at Town Hall, 50 South Main Street, Room 314, West Hartford, Connecticut, on March 22, 2022.



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