



WEST HARTFORD

**West Hartford Town Council Meeting Minutes
50 South Main Street Legislative Chambers, Room 314
Wednesday, November 30, 2022 at 6:30 PM**

1. Call to Order

The meeting was called to order at 7:37 PM

**Present: Councilors Blanks, Mayor Cantor, Cortes, Davidoff, Fay, Polun, Deputy Mayor Sweeney and Zydanowicz; also present: Zoning Alternate: Diana Sousa
Absent: Councilor Wenograd**

2. Proclamations

NONE

3. Public Forum

NONE

4. Consent Calendar

**WITHOUT OBJECTION, MOTION TO PLACE ITEMS 5A, 5B, 7B THROUGH 7L, 10A, 10B AND 10C ON THE CONSENT CALENDAR (SWEENEY)
MOTION CARRIES (8 YEA, 0 NAY)**

**MOTION TO ADOPT THE CONSENT CALENDAR (SWEENEY)
SECOND (DAVIDOFF)
MOTION CARRIES (8 YEA, 0 NAY)**

5. Approval of Minutes

A. Town Council Meeting Minutes 11-09-2022

CONSENT

B. Public Hearing Minutes 11-09-2022 - 433 South Main Street, Amendment to SDD#15 - An application filed on behalf of Corporate Center West Associates, LLC, owner of 433 South Main Street, located within Special Development District (SDD) #15. The application seeks permission to amend the existing SDD to create a new mixed-use development, which contemplates a new development parcel and the construction of an approximately 2,417 s.f. new Starbucks building along South Main

Street. In addition, associated improvements including the reconfiguration of the parking layout, installation of new landscaping, lighting and pedestrian amenities are proposed.

CONSENT

6. Unfinished Business

A. **433 South Main Street, Amendment to SDD#15** - An application filed on behalf of Corporate Center West Associates, LLC, owner of 433 South Main Street, located within Special Development District (SDD) #15. The application seeks permission to amend the existing SDD to create a new mixed-use development, which contemplates a new development parcel and the construction of an approximately 2,417 s.f. new Starbucks building along South Main Street. In addition, associated improvements including the reconfiguration of the parking layout, installation of new landscaping, lighting and pedestrian amenities are proposed.

**MOTION TO APPROVE, SUBJECT TO CONDITIONS (SWEENEY)
SECOND (DAVIDOFF)**

MOTION CARRIES (9 YEA, 0 NAY)

**YEA: COUNCILORS BLANKS, MAYOR CANTOR, CORTES, DAVIDOFF, FAY,
DEPUTY MAYOR SWEENEY, POLUN, ZYDANOWICZ AND ZONING ALTERNATE
SOUSA**

NAY: NONE

7. New Business

A. Resolution Authorizing the Execution of a Lease with WHFH Development Corporation for Property Located at 10-50 Starkel Road

**WITHOUT OBJECTION, MOTION TO REFER TO TOWN PLAN AND ZONING
COMMISSION (TPZ) AND SET FOR PUBLIC HEARING ON JANUARY 10, 2023 AT
7:00 PM.**

MOTION CARRIES (8 YEA, 0 NAY)

B. Reappointment of Kathleen Hindman and Matthew Horowitz to the Civilian Police Review Board for terms to expire December 31, 2025

CONSENT

C. Reappointment of Javier Colon, Susan Rothenberg and Mirela Panaitisor to the Commission on the Arts for terms to expire December 31, 2025

CONSENT

D. Reappointment of Jason Mirsky and Erin Conneely to the Advisory Commission for Persons with Disabilities for terms to expire December 31, 2025

CONSENT

E. Reappointment of Andrei Tarutin and Pamela Howard to the Historic District Commission for terms to expire December 31, 2027

CONSENT

F. Reappointment of Dawn Ennis, Essam Boraey and Kristyn Rosen-Jacobs to the Human Rights Commission for terms to expire December 31, 2025

CONSENT

G. Reappointment of Lazaro Guzman and Alan Lebow to the Pension Board for terms to expire December 31, 2027

CONSENT

H. Reappointment of Mary Reilly to the Senior Citizens Advisory Commission for a term to expire December 31, 2027

CONSENT

I. Reappointment of John Tucker and Steven Dembo as Town Council Zoning Alternates for terms to expire December 31, 2025

CONSENT

J. Reappointment of Howard Dashefsky and Heather Alix to the West Hartford Prevention Council for terms to expire December 31, 2025

CONSENT

K. Reappointment of Angelo DiMatteo, Michael Johnson, Todd Douglas Doyle and Carolyn Boorman to the Zoning Board of Appeals for terms to expire December 31, 2025

CONSENT

L. Appointment of Mark D'Addabbo to the West Hartford Housing Authority for a term to expire December 31, 2027

CONSENT

8. Reports of Town Manager

A. Town Manager's Report

Town Manager Richard Ledwith presented his report to the Council.

9. Reports of Corporation Counsel

A. Corporation Counsel's Report

NONE

10. Communications

A. Communication from Kate Hamilton resigning from the Commission on Veterans' Affairs effective November 11, 2022

CONSENT

B. **SDD#113-R2-22** – 65 Memorial Road - Notice of Town Planner's intention to approve, pursuant to section 177-44C (9)(d)(e)(f), a request filed on behalf of Blue Back Capital Partners, LLC owners and managing partners of 65 Memorial Road, 40 South Main Street and 75 Isham Road for revisions to the approved Special Development District plan (SDD #113) known as Blue Back Square. The request is for approval of a minor architectural amendment to the existing Rutherford Building, additional signage along South Main Street and the elimination of an accessory structure on Isham Road.

CONSENT

C. **SDD#94-R1-22** – 511 New Park Avenue - Notice of Town Planner's intention to approve, pursuant to section 177-44C (9)(d)(e), a request filed on behalf of Chick-Fil-A, for revisions to the approved Special Development District plan (SDD #94) located at 511 New Park Avenue, also known as West Hartford Place. The request is for a new accessory structure and minor architectural changes related to the installation of a freestanding awning and building mounted canopy system to support the drive-through service lanes.

CONSENT

11. Announcements

The Mayor announced upcoming events and information.

12. Adjournment

**WITHOUT OBJECTION, MOTION TO ADJOURN (CANTOR)
MOTION CARRIES (8 YEA, 0 NAY)**

The meeting adjourned at 8:13 PM.

SDD#15-R1-22
CONDITIONS OF APPROVAL
433 SOUTH MAIN STREET

1. Approval of Application

The Town Council hereby finds that the proposed plan, as approved, will be:

- (a) In harmony with the overall objective of the Comprehensive Plan, as defined in Article I of this chapter.
- (b) Superior to a plan possible under the regular standards of the Town's zoning ordinances.
- (c) In harmony with the actual or permitted development of adjacent properties.

The application is hereby approved, subject, however, to the "Conditions of Approval" set forth below. These conditions are adopted in addition to any conditions previously adopted in connection with the approval of this Special Development District plan or any previous amendment thereto except insofar as any previously adopted condition of approval is inconsistent with the application or the conditions adopted herewith. In the event of any inconsistency, the most recently adopted condition shall apply.

2. Conditions of Approval

A. Official Plans

Implicit in the approval of the Special Development District is the condition that the premises shall be used only in accordance with the official application materials, plans and associated exhibits related to the application as supplemented or modified by any amended plans and documents or representations submitted during the public hearing process. Any other use shall require the express approval of the Town Council in accordance with the Zoning Ordinances of the Town of West Hartford.

B. Premises Contact

The Applicant shall provide the Town Planner, from time to time, as necessary, with the name (or title) of a person and a telephone number where that person can be reached or where messages for that person may be left, to act as a liaison between the Town and the Applicant. The identity of the party and the telephone number may be changed from time to time by notice to the Town Planner. If different individuals should be contacted regarding different aspects of operations within the area of the Special Development District, multiple contact people should be designated as necessary. This information shall also be provided to any adjoining property owner requesting same.

C. Solid Waste-Operational Condition

1. Solid waste collection shall be the responsibility of the property owner.
2. Solid waste collection within the Special Development District shall be permitted between 8:00 a.m. and 6:00 p.m. on weekdays and between 9:00 a.m. and 5:00 p.m. on Saturdays. Waste collection shall not be permitted on Sundays, except in emergency situations.
3. On-site solid waste containers including recyclable containers shall be maintained and operated in a neat and orderly manner. No storage of waste materials, cardboard, wood pallets, etc., shall be permitted outside of the approved refuse enclosures.

D. Special Site Use or Operational Requirements

1. Maintenance Plan

The Applicant shall, prior to the filing of the Special Development District on the Land Records, submit for review and approval by the Town Manager or his designee, a yearly maintenance plan for the Special Development District. Said plan shall designate the individuals responsible for establishing maintenance objectives and an ongoing schedule of maintenance activities to ensure the aesthetic quality and cleanliness of the site. The maintenance plan shall include, but not be limited to, a timetable for all required installation and maintenance activities with respect to plantings, landscaping and screening; access driveways, parking area; curbing, sidewalks and berms; lighting; signage, storage, refuse and litter control; building exteriors and other site amenities proposed in the plans; pest management plan.

2. Snow Removal

The maintenance plan referred to in Condition D(1) shall contain provisions dealing with snow removal. Specifically, the snow removal plan shall call for the removal from required off-street parking areas, and fire lanes of all snow deposits greater than four (4) inches in depth. Accumulated snow shall be removed from the site or stored on-site in a designated snow storage areas where such storage will not encroach into required parking spaces.

3. Property Maintenance-Sweeping

Motorized sweeping equipment may be used only between 8:00 a.m. and 6:00 p.m. on Mondays through Fridays and between 9:00 a.m. and 5:00 p.m. on Saturdays. Motorized sweeping equipment shall not be permitted on Sundays.

4. Landscaping and Fencing

Applicant will maintain all landscaped areas including mowing, weeding and brush removal and be responsible for replacement of plantings where necessary.

5. Site Lighting

All outdoor lighting shall be down-shielded and consistent with the locations and specifications outlined on the plan.

6. Stormwater Maintenance Plan

The Applicant shall, prior to the filing of the Special Development District on the Land Records, submit for review and approval by the Town Engineer and Town Planner, a yearly maintenance plan for the storm water infrastructure on-site. Said plan shall be consistent with the inspection and maintenance notes outlined on the plans and shall address all outstanding comments from the Engineering Division

7. Construction

- a. During construction, all personal vehicles of the contractors, subcontractors and material suppliers serving the site shall be parked on the site. Construction related parking on South Main Street is strictly prohibited, unless such parking is necessary for construction work activities.
- b. The Applicant shall ensure that construction activities comply with the noise ordinances of the Town of West Hartford (West Hartford Code of Ordinances) in all respects. It is specifically noted that West Hartford Code of Ordinances §123-2M only exempts construction activity from the provisions of the Town's noise limits "between the hours of 7:00 a.m. to one hour after sundown, Monday through Saturday."
- c. Prior to any site disturbance, the Applicant shall conduct a pest assessment to be performed by a licensed pest control company and shall submit the findings to the West Hartford Bloomfield Health District for review and approval.

E. Utilities to be underground

Any new electrical, telephone, cable television and other utility services shall be placed underground.

F. Engineering Inspections, Certification and Final Approval of Improvements

The Applicant shall submit to the Town Planner, for review and approval by the Town Engineer, final as-built plans certifying that all improvements have been completed to the approved SDD plans. Such certification shall be made by a licensed architect and/or registered professional engineer.

G. Computer Media Information

All mapping and construction plans shall be prepared in electronic format using the Connecticut Geodetic System for inclusion into the Town's Geographical Information System.

H. Final Plan Review

Implicit in the SDD approval is the requirement that the record plans and exhibits establish the minimum standard of design and improvement for this project. As specific drawings for the project are prepared, refined and detailed, the filed SDD plans and exhibits shall serve to identify the major standards for the quality of design and improvements. The Town Planner in cooperation with Town staff, including but not limited to the Fire Department and the Department of Community Development, shall coordinate the final review and approval of the project design to insure compatibility and consistency with the Special Development District Plans approved by the Town Council. No building permit shall be issued and construction shall not begin until all appropriate Town Departments have reviewed and approved the plans as submitted to the Town.

I. Final Plans

Final plan submissions and supporting documents shall address the Town Council conditions of approval.

J. Traffic Calming

The Applicant shall consult with the Town Engineer and, if recommended by the Town Engineer, install traffic calming measures adjacent to or in close proximity to internal crosswalks.

K. Bicycle Racks

The Applicant shall install additional bicycle racks near the proposed front entrance on South Main Street.