

TOWN OF WEST HARTFORD

**TOWN COUNCIL PUBLIC HEARING
September 26, 2023, 7 p.m.,
Legislative Chambers**

**Re: Ordinance Concerning Development Bonus
Standards in the Neighborhood Business Design
District, the Neighborhood Business District
and the Shopping Center District.**

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

Town Council Members Present:

MAYOR SHARI CANTOR

MARK ZYDANOWICZ

ALBERTO CORTES

CAROL BLANKS

BEN WENOGRA

MARY FAY

TIFFANI MCGINNIS

DEB POLUN

TODD DUMAIS

Town Planner

RICK LEDWITH

Town Manager

TOWN CLERK

LEON DAVIDOFF

1 (Begin: 7 p.m.)

2
3 PRESIDENT CANTOR: Okay. It
4 is now 7 p.m., and we will begin with the
5 public hearing, the 7 p.m. public hearing
6 ordinance concerning development bonus
7 standards in the neighborhood business design
8 district, the neighborhood business district,
9 AND the shopping center district.

10 Rollcall, Mr. Davidoff?

11 THE CLERK: Thank you, Madam
12 Mayor.

13 Councilor Blanks?

14 COUNCILOR BLANKS: Present.

15 THE CLERK: Mayor Cantor?

16 PRESIDENT CANTOR: Here.

17 THE CLERK: Councilor Cortes?

18 (No response.)

19 THE CLERK: Councilor Fay?

20 COUNCILOR FAY: Here.

21 THE CLERK: Councilor
22 McGinnis?

23 COUNCILOR MCGINNIS: Present.

24 THE CLERK: Councilor Polun.

25 COUNCILOR POLUN: Here.

1 **THE CLERK: Deputy Mayor**
2 **Sweeney.**

3 **(No response.)**

4 **THE CLERK: Counselor**
5 **Wenograd?**

6 **COUNCILOR WENOGRAD: Present.**

7 **THE CLERK: Counselor**
8 **Zydanowicz?**

9 **COUNCILOR ZYDANOWICZ: Here.**

10 **PRESIDENT CANTOR: Thank you,**
11 **Mr. Davidoff.**

12 **Okay. Mr. Ledwith, we will**
13 **begin with the presentation.**

14 **MR. LEDWITH: Thank you, Madam**
15 **Mayor. And for the record, Rick Ledwith,**
16 **Town Manager. Tonight's public hearing is to**
17 **discuss an ordinance concerning development**
18 **bonus standards in the neighborhood business**
19 **design district, the neighborhood business**
20 **district, and the shopping center district.**

21 **This ordinance was discussed**
22 **in detail with our Community Planning and**
23 **Economic Development Committee meeting at its**
24 **May 3rd meeting, and as a result of our Town**
25 **Planner looking proactively at our zoning**

1 ordinances, and more specifically at our
2 incentive-based zoning standards that were
3 adopted in our central business district and
4 our transit-oriented development district,
5 and potentially applying those standards to
6 other districts where incentive-based zoning
7 would be appropriate.

8 In addition to discussing
9 this with CPED, this zoning change did
10 receive positive referrals from both our Town
11 Planning and Zoning Commission and the
12 Capital Resource Council of Government.

13 Through you, Madam Mayor, I
14 would invite our Town Planner Mr. Todd Dumais
15 to join us at the podium to provide a summary
16 of this ordinance.

17 MR. DUMAIS: Thank you,
18 Mr. Ledwith. Madam Mayor, members of the
19 Council, for the record, Todd Dumais, Town
20 Planner. And as the Town Manager said, this
21 is really a continuation of the Council's
22 proactive efforts dating back to 2017, and
23 more recently 2020 with the adoption of the
24 plan of conservation and development, and
25 build upon the recent success of a new zoning

1 tool, an incentive-based approach that the
2 Manager has correctly identified that began
3 in the central business district that
4 culminated last December in the approval of
5 the LaSalle Road Center Park Place in-fill
6 development project, and more recently
7 several projects that are under permitting
8 review in the transit-oriented development
9 district, also utilizing a similar bonus
10 standard.

11 So tonight we're here to talk
12 about amendment to Section 177-16-5. This is
13 a standard that's in place that provides
14 currently an alteration of standards in the B
15 and D district, but it's limited to the B and
16 D. That's the neighborhood business design
17 district. As a zoning tool, that alteration
18 of standards hasn't been particularly
19 successful and resulted in any other actual
20 developments under its standard.

21 So utilizing that as a
22 placeholder, the ordinance before you amends
23 that standard to build upon the past work to
24 try to encourage the use of the B and D
25 district, but also the neighborhood district,

1 the BN district, the shopping center district
2 to ensure appropriate
3 development/redevelopment within those
4 districts which further outlines the goals in
5 the POCD, and does so vis-a-vis your
6 authority as a special development district
7 tool and a zoning overlay process.

8 In doing so the ordinance sets
9 up five specific findings the Council must
10 make and those are that any development that
11 moves forward under that ordinance is
12 contextually sensitive, appropriate scale,
13 takes into account height and setback
14 requirements of adjoining restrictive
15 zones --

16 PRESIDENT CANTOR: Excuse me,
17 Mr. Dumais?

18 I just did get a text from
19 Mr. Cortes that said he's on his way.

20 MR. DUMAIS: Okay.

21 PRESIDENT CANTOR: And he'll
22 be year in about eight minutes. That was a
23 minute ago -- so seven minutes. So I think
24 we will respectfully recess.

25 MR. DUMAIS: Sure.

1 **PRESIDENT CANTOR:** And maybe
2 you could do a very quick little summary and
3 we will get right up to speed on it right
4 after.

5 I apologize for this, but it
6 happens to all of us. So anyway, thank you.
7

8 (Pause: 7:05 p.m. to 7:08 p.m.)
9

10 **PRESIDENT CANTOR:** Thank you.
11 So just, Mr. Davidoff, to note Mr. Cortes is
12 here, has joined us. And now we will quickly
13 recap a little bit of the presentation and
14 move forward. Thank you.

15 **MR. DUMAIS:** Sure.

16 **PRESIDENT CANTOR:** Thank you
17 for you patience.

18 **MR. DUMAIS:** Again for the
19 record, Todd Dumais, Town Planner.

20 At the risk of sounding
21 redundant, but for Councilor Cortes, I'll
22 just recap, this ordinance was first
23 discussed last May at a CPED meeting and was
24 unanimously received positively, and directed
25 staff to bring this back for a full

1 ordinance.

2 It seeks to utilize
3 incentive-based zoning tools that we've most
4 recently and successfully utilized as part of
5 the central business district, and more
6 recently the transit-oriented district. And
7 that pretty much catches us up to explaining
8 the detail of the ordinance, which is fairly
9 straightforward.

10 So the purpose is to try to
11 utilize and encourage the use of the
12 neighborhood business design district, the
13 neighborhood business district and the
14 business shopping center district with
15 appropriate development, or redevelopment
16 within those districts to further the goals
17 of the plan of conservation and development,
18 but does so utilizing the special development
19 district vehicle. So any application would
20 ultimately, for a specific property, need
21 coupled with an SDD and come back before the
22 Council.

23 There are five findings in the
24 ordinance that are outlined that are required
25 to be made that any development's

1 contextually sensitive design and scale
2 setbacks looking at adjacent properties.
3 That development incorporates adequate
4 landscaping and open space for any increased
5 intensity above that which is allowed as of
6 right, that the right sized adequate amount
7 of parking exists to meet the demand,
8 adequate street capacity exists on adjacent
9 streets to accommodate any projected traffic
10 increase as a result of the added development
11 rights, and that appropriate bicycle and
12 pedestrian amenities are included, but not
13 limited to parking and storage facilities.

14 The specific bonus standards
15 draw upon the transit-oriented development
16 district bonuses, and if you recall we
17 referenced those standards and they were
18 built around access management. So reducing
19 redundant or overuse of curb cuts on specific
20 properties, trying to get adjacent property
21 owners to share driveways so we could build a
22 more consistent pedestrian friendly
23 streetscape and more walkable environment.

24 In-fill development, that's a
25 similar goal where we try to fill in -- we

1 often have heard other planners refer to this
2 as the missing teeth of our urban fabric.
3 There's a couple parking lots in the Center
4 that keep getting utilized as part of
5 development and redevelopment. But when you
6 walk by a consist street wall of active
7 storefronts and streetscapes, and then
8 there's a parking lot that interrupts that
9 pedestrian activity, that's in-fill
10 development which we're trying to incentivize
11 and encourage.

12 The creation of public
13 space -- so privately created public space.
14 And in this context it also includes creation
15 or linkages to existing trail or network
16 systems, such as the Trout Brook Trail.
17 Remember, this originated as part of the TOD.
18 The Trout Brook Trail extends throughout the
19 TOD, but it also crosses over Farmington
20 Avenue, which currently has pockets of both
21 the BN, and the B and D. And then also a
22 development that can encourage
23 sustainability. So utilizing green roofs or
24 sustainable energy technologies could afford
25 a bonus.

1 And the bonuses we're talking
2 about that would be potentially eligible are
3 an increase in FAR primarily, or lot
4 coverage, or reduction in parking. And each
5 of those is at the choice of the specific
6 standard being sought, and then what that
7 particular parcel might need in the future.
8 So we wouldn't know until a specific
9 application comes in.

10 The two other components of
11 the ordinance amendment are to amend the
12 table of permitted uses. It's to actually
13 add in residential to the BS district. So if
14 you read the purpose of the BS district,
15 which we're not amending, it says that
16 residential is a permitted use. However if
17 we went and looked in the schedule of
18 permitted uses, it was never included. So
19 that's really a correcting issue.

20 And then the other amendment
21 is to the standard of uses, to point out that
22 these properties in these zones could be
23 eligible for increase in bonus standards for
24 a potential height in the B and D, but also
25 height in the BS and the BN, and then that

1 **stated increase in potential for FAR.**

2 **As the Town Manager said,**
3 **these have been referred to both the Planning**
4 **and Zoning Commission for their required**
5 **finding. They made a finding of consistency**
6 **with the plan of conservation of development,**
7 **as did the Regional Council of Government**
8 **made a finding that it's not inconsistent**
9 **with regional or adjacent communities' plans.**
10 **And they actually commended the Town for its**
11 **efforts to increase pedestrian bicycle**
12 **infrastructure, which is one of the**
13 **incentives in this tool.**

14 **As presented, I think if we**
15 **read the ordinance in its whole and totality,**
16 **and look at the plan of conservation and**
17 **development, it certainly promotes the growth**
18 **or intention of existing business and**
19 **development opportunity to strengthen the**
20 **community's tax base, which is one of the**
21 **goals of the POCD. And it does so by**
22 **utilizing some of the strategies and actions**
23 **specifically outlined in the POCD, such as**
24 **review commercial zoning districts to**
25 **identify potential areas for targeted**

1 modifications to provide for innovative
2 approaches to bulk standards and use
3 restrictions. So the bulk standards, these
4 are the development bonuses we're talking
5 about to FAR.

6 Strengthen connections and
7 pedestrian facilities, bicycle facilities and
8 routes, including the Trout Brook Trail to
9 encourage in-fill development, another action
10 item in the plan in the plan of conservation
11 and development. And then to encourage mixed
12 use and higher density development in
13 proximity to our existing commercial
14 districts, all of which this ordinance tries
15 to do.

16 So that's brief and concludes
17 my presentation. I'll be happy to answer any
18 questions that members of the Council or the
19 public may have.

20 PRESIDENT CANTOR: Thank you,
21 Mr. Dumais. This is something that I know
22 we've been thinking about and talking about
23 for a while. And I appreciate all of your
24 guidance and professional input into in this
25 particular change, because I think we will

1 see some really positive things from it.

2 But any questions from my
3 colleagues? And again, we did talk about
4 this in committee. And so, any questions?
5 Comments?

6
7 (No response.)

8
9 PRESIDENT CANTOR: All right.
10 Is there anybody signed up?
11 And Mr. Davidoff did we
12 receive any written comments?

13 THE CLERK: No, Madam Mayor.

14 PRESIDENT CANTOR: Okay. No
15 one signed up. Is there anyone here that
16 would like to speak to this public hearing?

17
18 (No response.)

19
20 PRESIDENT CANTOR: Okay. So
21 there's no rebuttal, I guess -- unless you
22 want to rebut yourself?

23 All right. One more time, any
24 questions from Councilors?

1 (No response.)

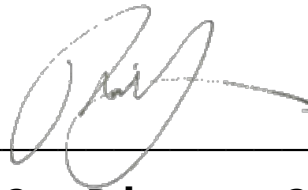
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3 PRESIDENT CANTOR: All right.
4 And reading into the record, as Mr. Dumais
5 already said, but a letter dated September 5,
6 2023, from Town Plan and Zoning Commission
7 recommending approval; a letter dated
8 September 15, 2023, from Capital Region
9 Council of Governments finding no apparent
10 conflict with regional plans and policies, or
11 the concerns of neighboring towns.

12 And with that, this public
13 hearing is adjourned.

14
15 (End: 7:15 p.m.)
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CERTIFICATE

I hereby certify that the foregoing 16 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the Public Hearing in RE: ORDINANCE CONCERNING DEVELOPMENT BONUS STANDARDS IN THE NEIGHBORHOOD BUSINESS DESIGN DISTRICT, THE NEIGHBORHOOD BUSINESS DISTRICT AND THE SHOPPING CENTER DISTRICT, held before the West Hartford Town Council, at Town Hall, 50 South Main Street, Room 314, West Hartford, Connecticut, on September 26, 2023.



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