

TOWN OF WEST HARTFORD

TOWN COUNCIL PUBLIC HEARING

August 6, 2024, 6 p.m.,

Legislative Chambers

**Re: APPLICATION FILED ON BEHALF OF
SF WH PROPERTY OWNER, LLC, THE OWNER OF SPECIAL
DEVELOPMENT DISTRICT (SDD) #6, MORE COMMONLY KNOWN
AS THE CORBIN COLLECTION, TO AMEND THE EXISTING
SDD TO ACCOMMODATE A NEW PROPOSED INDOOR
RECREATION OR AMUSEMENT FACILITY WITH RESTAURANT
IN THE UPPER LEVEL OF THE FORMER SEARS BUILDING.
CONTEMPLATED IMPROVEMENTS INCLUDE FACADE,
SIGNAGE AND SITE MODIFICATIONS.**

Reporter: Lisa L. Warner, CSR #061

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

Council Members:

MAYOR SHARI CANTOR

DEPUTY MAYOR BEN WENOGRA

CAROL BLANKS

ALBERTO CORTES

TIFFANI MCGINNIS

DEBRA POLUN

BARRY WALTERS

Alternates:

ZONING ALTERNATE JUDY CASPERSON

(For Councilor Mark Zydanowicz)

ZONING ALTERNATE BURKE DOAR

(For Councilor Mary Fay)

Town Manager:

RICK LEDWITH

Corporation Counsel:

DALLAS DODGE, ESQ.

Town Clerk/Council Clerk:

LEON DAVIDOFF

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

For SF WH Property Owner, LLC:

ALTER & PEARSON, LLC

701 Hebron Avenue

Glastonbury, Connecticut 06033

Phone: 860.652.4020 Fax: 860.652.4022

BY: ROBIN MESSIER PEARSON, ESQ.

rpearson@alterpearson.com

Also present:

**GREGG ZIKE, Senior Vice President, First
Washington Realty**

**JONATHAN GOFF, Vice Present of
Construction, Level99**

CHRIS MILLARD, architect, Phase Zero Design

**KEVIN SISCO, design engineer, Bohler
Engineering**

1 (Commenced at 6 p.m.)

2 PRESIDENT CANTOR: I'm calling the 6
3 p.m. public hearing to order. Application filed
4 on behalf of SF WH Property Owner, LLC, the owner
5 of Special Development District (SDD) number 6,
6 more commonly known as the Corbin Collection, to
7 amend the existing SDD to accommodate a new
8 proposed indoor recreation or amusement facility
9 with restaurant in the upper level of the former
10 Sears building. Contemplated improvements include
11 facade, signage and site modifications.

12 Roll call, Mr. Davidoff.

13 MR. DAVIDOFF: Good evening, Madam
14 Mayor.

15 Councilor Blanks.

16 COUNCILOR BLANKS: Present.

17 MR. DAVIDOFF: Mayor Cantor.

18 PRESIDENT CANTOR: Here.

19 MR. DAVIDOFF: Councilor Cortes.

20 COUNCILOR CORTES: Here.

21 MR. DAVIDOFF: Mr. Doar for Councilor
22 Fay.

23 ZONING ALTERNATE DOAR: Here.

24 MR. DAVIDOFF: Councilor McGinnis.

25 COUNCILOR MCGINNIS: Here.

1 MR. DAVIDOFF: Councilor Polun.
2 COUNCILOR POLUN: Here.
3 MR. DAVIDOFF: Councilor Walters.
4 COUNCILOR WALTERS: Here.
5 MR. DAVIDOFF: Deputy Mayor Wenograd.
6 DEPUTY MAYOR WENOGRAD: Here.
7 MR. DAVIDOFF: Ms. Casperson for
8 Councilor Zydanowicz.

9 ZONING ALTERNATE CASPERSON: Here.
10 PRESIDENT CANTOR: Thank you, Mr.
11 Davidoff. And thank you again to Mr. Doar, Ms.
12 Casperson, for joining us again, very seasoned,
13 very excited to have them sitting at the table
14 with us again.

15 All right. We will begin with a
16 presentation by the applicant. Hello, Attorney
17 Pearson.

18 (Pause - projector difficulties.)
19 MS. PEARSON: Well, we do have
20 hand-outs, if we have to proceed that way. It did
21 work last night. I can tell you that.

22 MR. DAVIDOFF: It did or didn't?
23 MS. PEARSON: Did.
24 (Pause - projector difficulties.)
25 MS. PEARSON: We really can proceed

1 with paper copies, if need be.

2 PRESIDENT CANTOR: Okay. Let's start.
3 Mr. Davidoff, if you can continue to work on it
4 and see if you can get it going, then we can flip
5 to the screen. Sorry to anybody that is
6 inconvenienced by this. Go ahead.

7 MS. PEARSON: Well, happily it's not
8 one of those applications where I'm going to speak
9 to you for three hours.

10 PRESIDENT CANTOR: We're happy too.
11 (Laughter.)

12 PRESIDENT CANTOR: Sorry.

13 MS. PEARSON: That's okay, that's okay.

14 So to begin our presentation, my name
15 is Robin Pearson. I'm an attorney with the firm
16 of Alter & Pearson in Glastonbury, Connecticut.
17 I'm here this evening on behalf of the applicant
18 who's the property owner. It is SF WH Property
19 Owner, LLC, which is wholly-owned by FWR, which
20 are the initials for First Washington Realty.
21 I've provided the clerk with the sign affidavit.
22 The signs have been posted for the requisite
23 period of time.

24 I'd like to introduce those who are
25 here with us this evening who will not be

1 presenting but are here to answer any questions
2 that you might have. And first is Gregg Zike. He
3 is the senior vice president with First Washington
4 Realty. He just waved to you.

5 Jon Goff is on his way. We know he's
6 going to be here momentarily. He is the vice
7 president of construction for the proposed tenant
8 which is Level99. You may indeed have some
9 questions for him regarding the proposed use.

10 Also here is Chris Millard. He is our
11 architect, and he is with Phase Zero Design.

12 So with that, as I mentioned, they're
13 only going to be doing questions, should you have
14 any. I'm going to just quickly go through the
15 slide presentation, but oops, I'm not going to be
16 doing that. So we'll go through the handout that
17 we've given you, and I will use that to just
18 acquaint you with the entire application. And
19 then I expect that you might have some questions
20 for us.

21 And I would like to begin by saying
22 that seldom have I come before you with an
23 application with really so little for me to say.
24 And that is because what you have before you is a
25 Special Development District amendment application

1 to SDD number 6 for only one thing, and that is to
2 approve an increase, a slight increase, in the
3 number and size of signs for this proposed tenant.
4 Everything else we're going to show you today has
5 nothing to do with anything that you need to vote
6 on. It's simply the sign change which is before
7 you tonight for your consideration.

8 And you should note that there are some
9 changes to the elevation to the extent of coloring
10 and materials that are used, but nothing that
11 would trigger an SDD amendment. Indeed, had there
12 been no sign changes, this could all have been
13 handled administratively by town staff and you
14 would not have the opportunity to hear all about
15 this exciting project. And speaking of exciting,
16 I'd like to say that seldom do I have an
17 opportunity to come before you to talk about
18 something that is really so interesting, unusual
19 and really exciting and new for West Hartford.

20 You folks had the foresight back in
21 2017 to realize that there could be a shift in
22 marketing in town for many of your businesses and
23 existing structures where retail was not as, you
24 know, brick and mortar stores were not as strong
25 in terms of a market as they might have been

1 before, and that there was a real interest brewing
2 nationwide really in different kinds of amusement
3 facilities associated typically with restaurants
4 and the service of alcohol in those restaurants.

5 And you adopted a regulation, and I do
6 believe that it's fair to say that reg, which is
7 titled Indoor Recreation or Amusement Facilities
8 Excluding Nightclubs, Dance Clubs and Dance Halls,
9 the intent of that regulation really is met
10 incredibly well by this particular proposal. So
11 your vision has finally come to fruition, we
12 believe, with the proposed use of this 40,000
13 square foot space above what was the old Sears
14 building.

15 So Level99 is proposing to occupy that
16 space with what is a state-of-the-art high-end
17 social gaming playground with restaurant featuring
18 over, plus or minus really, 50 plus physical and
19 mental challenge games for all ages. So as I
20 said, I do believe that what they are proposing
21 fits your definition to a tee, but again, you're
22 not considering the use itself, you're only
23 considering the signage.

24 So if you turn to our next slide, what
25 we have provided, it's page 2, is an outline of

1 the entire SDD that is, SDD, Special Development
2 District, SDD number 6. It's one of the earliest
3 ones established in West Hartford. That is why it
4 has such a low number. And the portion of the
5 Special Development District that is affected by
6 this application is the northern portion, and you
7 can see that it is outlined with a dotted line.
8 You can see the Sears building which is on the
9 easterly side of the site. And you can also
10 appreciate the proximity of the residential
11 neighborhood. And I just wanted you to be aware
12 of that configuration behind that shopping center
13 because we are going to be giving you a quick
14 update on our outreach efforts. So the portion of
15 SDD number 6 that's at issue is 1445 New Britain
16 Avenue.

17 If you turn to page 3, that zeros in on
18 the location. And again, you can see that the
19 Sears building, that upper level, is labeled
20 proposed Level99.

21 If you turn to page 4, these are
22 elevations or photos taken of the existing
23 exteriors of the shopping center. In particular,
24 the one in the upper left-hand corner I'd like you
25 to take a look at. We are proposing signage in

1 that location and changing that facade as well as,
2 if you go to the lower left-hand corner, we're
3 going to be adding some signage at that location.
4 I really wish we did have the slides because shown
5 on the screen the change that we're proposing is
6 really quite nice.

7 If you go to rendering number 5, you
8 can see what we have proposed for the change.

9 We are up now?

10 (Pause.)

11 MS. PEARSON: And I do believe I failed
12 to introduce Mr. Sisco, who is running our IT
13 here, but he is also a design engineer with Bohler
14 Engineering and can speak to any of the site
15 changes, minimal as they are, that are taking
16 place. Thank you. Excellent. Can you go to the
17 next one for me?

18 All right. So now you can get a good
19 feel for the aesthetic changes that are being
20 made. Again, these in and of themselves aren't
21 triggering your review for the SDD. They include
22 changes to the color of the edge of the facade
23 compared to what is existing now. It provides
24 much more contrast and interest.

25 There is also a mural that's proposed

1 at this location, and it is a soft rendering
2 abstract of hop leaves.

3 The other changes at this location
4 include the -- I'm sorry, the new signage for the
5 restaurant which will be above the entrance. When
6 you wish to visit Level99, you will go through
7 this entrance and up the stairs, or elevator, to
8 get to Level99 above.

9 The other addition and change is the
10 inclusion of this Level99 sign on this location
11 facing towards New Britain Avenue, and
12 importantly, facing towards the parking field
13 where people will most likely want to park as
14 opposed to trying to squeeze into that tight area
15 between REI and Shake Shack. So it is proposed
16 for wayfinding purposes and makes sense for this
17 particular use. Next slide.

18 DRAC had asked us if we would do a
19 nighttime rendering of what's proposed, and that's
20 what this shows. We think it, too, is very
21 exciting and looks like a real improvement to this
22 particular location.

23 So that which you have to struggle to
24 decide this evening has to do with the increase in
25 the signage. So I mentioned to you that there

1 will be a new restaurant sign over the entrance.
2 But the reason this is before you now is because
3 when Seritage came in and did the entire
4 renovation for that part of the Special
5 Development District, the Corbin Collection's
6 part, one of the things they included in their SDD
7 application at that time was a sign criteria
8 package, and that package allocated only 200
9 square feet of signage for the tenant that might
10 some day occupy the top floor of Sears.

11 When we went to DRAC initially, we
12 proposed that Level99 sign that's at the top to be
13 200 feet, square feet, and then proposed the two
14 additional signs, the restaurant sign over the
15 door and the Level99 trademark sign on the side
16 facing New Britain Avenue. They said, Look, we
17 like everything you're doing, but we just think
18 that sign is too big. So they asked us -- we did
19 at least two, maybe three, I don't remember, I
20 think it was at least two sessions with them. And
21 they asked us to reduce it to what is before you
22 now which is 180 square feet for the Level99 sign.
23 The sign for the restaurant is 74 square feet.
24 And the logo on the side facing what we believe is
25 going to be the parking area for Level99 is 60

1 square feet. So that's the change that's before
2 you.

3 These are changes to the site that are
4 not included or required to come before you for a
5 decision, but we want you to know what they are.
6 We are proposing a crosswalk at this location to
7 get people from that parking field over to the
8 area in front of the entrance to the new tenant
9 space.

10 We had originally come to DRAC with a
11 lighted, a lit crosswalk with lights embedded in
12 both the, either the curb or on the road itself.
13 And we were told, very interesting but it just
14 doesn't work for West Hartford because we have a
15 very strong dark sky compliant lighting regulation
16 and that would not be appropriate for that goal to
17 minimize lighting that's reflected up into the
18 sky. So we took that out. Level99 wanted to do
19 some really interesting things. But we do have
20 proposed in front of the entrance pavers that are
21 laid out, you can see in this sort of blue
22 pattern, to direct people clearly to the Level99
23 entrance.

24 The other changes that are taking place
25 are in the back of the facility. This is where

1 the trash shoot and compactor that will take care
2 of the trash is going to be located as well as in
3 this area a grease trap to service the restaurant.
4 And that's it for site changes. Again, not
5 something that you have to decide.

6 We wanted to make sure that you had a
7 clear understanding of the very effective trash
8 treatment system that's being proposed here.
9 Indeed, I think the planner said something to the
10 effect of he deems this to be a model trash system
11 for a use such as this. So you can see the arrow
12 points to what is an opening in the existing
13 building. This is where the trash shoot for
14 Level99 will be inserted and will go into its own
15 compactor. This is a compactor. As you can see
16 next door, so the system is entirely enclosed.
17 The trash goes into the shoot, goes into the
18 compactor and is just squeezed and squeezed until
19 it's ultimately picked up. So there is nothing
20 that's getting out of that enclosed system.

21 What the planners seem to be, Todd
22 Dumais was pretty pleased with was, he said, You
23 know, back of the houses should look more like
24 this across West Hartford. So this is, it's very
25 clean. It's very neat. You can see that the

1 recycle bins are here. Again, this is the shoot
2 that it will be connected to. The grease system,
3 which goes underground into the chambers and then
4 is taken care of, so it too never sees the light
5 of day. And our compactor itself will go into
6 this location connected to that trash shoot.

7 This is the floor plan for Level99. A
8 floor plan is required to be provided with an SDD
9 application or amendment. The only thing I note
10 is this could change, but the thing that won't
11 change is the categorization of the types of uses
12 that are involved, and therefore there will be no
13 impact at all on, you know, parking requirements.

14 So we are showing, this is the large
15 gaming space, a very sizable restaurant. There
16 is, because this is such a unique use, there is a
17 workshop back here where the, you know, the
18 techies think about all kinds of new games and put
19 them together and set the whole thing up and run
20 the operation. And again, you come in from below
21 and then enjoy yourself in the Level99 experience.
22 This is just fun stuff, so we're going to show you
23 what is, you know, hopefully you'll have an
24 opportunity to enjoy it in the near future.

25 These are photos from other Level 99s.

1 This is the entrance area. Once you come up, you
2 have to go to one of these kiosks. You can see
3 them here and on the other side where you sign in,
4 you buy your tickets, you decide how long you want
5 to stay, what you want to do. You get a band that
6 is your way of getting through and registers you
7 for the various rooms at various times.

8 These are, this is what you might
9 encounter as you go through with the various
10 setups. I didn't quite appreciate what this was
11 when I looked at it the other night, but it's
12 someone walking on a balance beam going through
13 moving hatchets or axes. So there are physical
14 challenges as well as physical challenges, it's
15 mind games, it's everything. Physical, you know,
16 this is a rock climbing kind of setup. The kids
17 are going to love it, lots of game room
18 opportunities for kids and physical challenges,
19 puzzles.

20 I'm going to go back because I like
21 this one. Puzzles and mind games, and it can take
22 Wordle to a whole new level for you. And when
23 your brain gets tired, you can go into the
24 restaurant. A full, we gave you a copy of the
25 menu, it's a very full menu. This is sort of like

1 a Mission Impossible bending your way through
2 light beams. They do a lot with art and different
3 kinds of games, and it's called an art hunt.

4 This is an example of what the
5 restaurant area would look like. You can
6 certainly just go to the restaurant and not go to
7 play the mind games at all.

8 So that's it. If you have any
9 questions, Mr. Goff is here, okay, in terms of the
10 activity.

11 So the only thing we'd like to bring to
12 your attention is that we did do outreach. We
13 sent 149 letters out to property owners within a
14 500 square foot radius of the entire Special
15 Development District inviting them both -- well,
16 the mailing, first of all, had a rendering and a
17 description of the uses that were proposed, but it
18 invited them to an open house on July 25th.

19 Mr. Zike was there. One person came, and they had
20 a lovely conversation, and she said she was very
21 excited about the potential use.

22 He did receive some information about
23 concerns that a neighbor had in this area behind
24 where they are. This would be right about here
25 (Indicating). And he has been in contact with

1 her, and you have his immediate response to her is
2 in the package that you received.

3 So that's it for our presentation. I
4 think it's fair to say that we meet the standards
5 that you're required to consider in deciding an
6 SDD. Basically it has to do with whether the
7 design makes sense. You have a positive report
8 from the Design Review Advisory Committee in your
9 packet. And I would just like to mention, we've
10 mentioned them a couple of times.

11 I'd like to read what they had to say
12 in a letter dated July 31st. They said it was a
13 unanimous recommendation to you for approval of
14 this. They said "...the committee specifically
15 noted that, as agreed to by the applicant, the 10
16 percent reduction in the primary tenant sign
17 ensures that the overall signage proposal meets
18 the DRAC's Signage Performance Criteria that
19 'Every sign should have a good scale and
20 proportion and be designed as an integral
21 architectural element of the building...'

22 "The committee appreciates the
23 applicant's active participation in the design
24 review process, including informal review sessions
25 and ultimate consideration and inclusion of the

1 DRAC's comments in the revised and final project
2 plan."

3 You also have a letter from the Town
4 Plan and Zoning Commission which makes a positive
5 recommendation to you. That came after last
6 night's meeting, dated August 6th. That should be
7 in the file.

8 And you have a comment from, a final
9 letter dated August 5th from Todd Dumais, the town
10 planner, that says the planning division reviewed
11 the above-referenced revised application materials
12 submitted in response to staff review comments and
13 notes that all prior staff comments are
14 satisfactorily resolved.

15 So with that, we hope you can approve
16 the sign changes and allow this SDD to be amended
17 in accordance with the materials we submitted.

18 PRESIDENT CANTOR: Thank you, Attorney
19 Pearson. We are going to go to public comment
20 first, which I don't think there are any, but we
21 need to go through the process.

22 Mr. Clerk, have you received any
23 written comments?

24 MR. DAVIDOFF: No comments.

25 PRESIDENT CANTOR: And the sign-up

1 sheet where Attorney Dodge, corporation counsel,
2 nobody signed up.

3 Is there anybody here that wants to
4 speak to this public hearing?

5 (No response.)

6 PRESIDENT CANTOR: Okay. I'm not
7 seeing any. I will open it up to any questions
8 from the Council. Obviously, this is a very
9 limited scope, so if you can keep it -- you might
10 be curious on something, and that's fine, but
11 obviously our purview is the change in this,
12 allowing the signage. Any comments or questions?

13 (No response.)

14 PRESIDENT CANTOR: No. Okay. I do
15 want to say I appreciate -- and I'm sure we'll
16 have a little more to say at the Council
17 meeting -- but the hard work was done when we, I
18 think, adopted the recreational, the ordinance to
19 allow this to come in. And so this is what we've
20 been waiting for. So I'm very excited to see this
21 plan. And this really, I feel like I'm a little
22 old, so I don't know how I'm going to -- I'm going
23 to let my kids go and then they'll let me know,
24 no, not a good fit. No, I'm teasing. It's
25 really, it's a really wonderful opportunity for

1 this space. And I want to say that the Seritage,
2 this particular center is doing great. And it's
3 remarkable how much interest it's had and how
4 successful it is, and I'm really, really grateful
5 for the investment.

6 All right. A letter dated August 6,
7 2024 from Town Plan and Zoning Commission
8 recommending approval.

9 As you said, a letter dated July 31st
10 from Design Review Advisory Commission
11 recommending approval.

12 A letter dated July 16, 2024, from the
13 Capitol Region Council of Governments reporting no
14 apparent conflict with regional plans and policies
15 or concerns of neighboring towns.

16 There was one other comment on the
17 crosswalk. Is there the ability to add any
18 reflectors? This obviously would not be
19 conditional or anything, but just a curiosity, if
20 there would be an opportunity to have reflecting
21 lines, reflective paint lines as opposed to lights
22 that you had suggested.

23 MS. PEARSON: Yes, that's certainly a
24 possibility. So you're talking about reflective
25 paint?

1 **PRESIDENT CANTOR:** Reflective paint in
2 the crosswalk as opposed to obviously the light
3 for dark sky, but if a car is driving and then
4 it's lit up for the nighttime activity.

5 **MS. PEARSON:** Let me say that that is
6 not something that would have to come before you
7 for a design change. So if the owner of the
8 premises --

9 **GREGG ZIKE:** Yeah, we'll review it.

10 **MS. PEARSON:** And he said certainly
11 we'll look at it.

12 **PRESIDENT CANTOR:** Okay. Thank you.
13 Any other comment, question?

14 Yes, Mr. Doar.

15 **ZONING ALTERNATE DOAR:** Thank you,
16 Madam Mayor. Maybe our town manager would have to
17 answer. If the SDD where the size of the signs
18 are being changed in terms of their width and
19 their height, does that create, would REI then
20 have the right to change its sign now to meet --
21 because let's assume, for instance, Level99 is a
22 larger sign than what was allowed. Does that open
23 up the opportunity for everybody else inside the
24 SDD to then come before the Council or somebody
25 and apply for a larger sign?

1 MS. PEARSON: You know, that's a very
2 good question, and it's something that was raised
3 at DRAC. And there was some discussion about are
4 we opening the door for sign changes. And my
5 response to them, which they found satisfactory,
6 was there have been sign criteria changes
7 throughout both sides of that center over the
8 years. I mean, there were some very different
9 sign criterias in place on the other side of the
10 center.

11 So there's something that's been
12 adopted now. If they wish to come before this
13 Council and go to DRAC and argue for a change in
14 sign, they'd certainly be entitled to do that as
15 long as, of course, the owner of the center wanted
16 them to do that. But yes, the answer is it could
17 happen, but it could happen whether or not you
18 make this change. I mean, it has happened before.

19 I don't know if you can remember when
20 the first -- I've been doing this for long enough
21 that I remember the first renovation to the other
22 side of the center where everything got turned
23 white and sort of colonial looking and the signs
24 were, actually they were very small and framed in
25 wood and they had hanging circular things

1 underneath the walkways. And that whole system
2 has changed because, you know, ideas change,
3 design appreciation changes.

4 So it can certainly happen. So the
5 answer is yes it could. Anybody, whether or not
6 you approve this, can come in and, working through
7 the owner, ask for a change in the design size.

8 ZONING ALTERNATE DOAR: Thank you.

9 PRESIDENT CANTOR: Thank you, Mr. Doar.
10 One more round?

11 (No response.)

12 PRESIDENT CANTOR: Okay. So we will
13 close this public hearing. I thank you very much.

14 (Whereupon, the above proceedings
15 concluded at 6:34 p.m.)
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

I hereby certify that the foregoing 25 pages are a complete and accurate computer-aided transcription of my original stenotype notes taken of the WEST HARTFORD TOWN COUNCIL PUBLIC HEARING IN RE: APPLICATION FILED ON BEHALF OF SF WH PROPERTY OWNER, LLC, THE OWNER OF SPECIAL DEVELOPMENT DISTRICT (SDD) #6, MORE COMMONLY KNOWN AS THE CORBIN COLLECTION, TO AMEND THE EXISTING SDD TO ACCOMMODATE A NEW PROPOSED INDOOR RECREATION OR AMUSEMENT FACILITY WITH RESTAURANT IN THE UPPER LEVEL OF THE FORMER SEARS BUILDING. CONTEMPLATED IMPROVEMENTS INCLUDE FACADE, SIGNAGE AND SITE MODIFICATIONS, which was held before THE WEST HARTFORD TOWN COUNCIL, 50 South Main Street, Legislative Chambers, Room 314, on August 6, 2024.



**Lisa L. Warner, CSR 061
Notary Public
My commission expires:
May 31, 2028**