

VERBATIM PROCEEDINGS

WEST HARTFORD TOWN COUNCIL MEETING
RE: ORDINANCE REVISING THE UNIT DENSITY
CALCULATION FOR MIXED-USE DEVELOPMENTS

JULY 21, 2015

TOWN OF WEST HARTFORD
50 SOUTH MAIN STREET
WEST HARTFORD, CONNECTICUT 06107-2431

POST REPORTING SERVICE
HAMDEN, CT (800) 262-4102

HEARING RE: WEST HARTFORD TOWN COUNCIL MEETING
JULY 21, 2015

1 . . .Verbatim proceedings of a hearing re:
2 Ordinance Revising the Unit Density Calculation for Mixed-
3 Use Developments, was held before the Town Council Meeting
4 held at 50 South Main Street, West Hartford, Connecticut
5 on July 21, 2015

6

7

8

9 MR. SCOTT SLIFKA: Okay. We're going to
10 call the 6:25 public hearing to order. This is Ordinance
11 Revising the Unit Density Calculation for Mixed-Use
12 Developments.

13 Could we have a roll call, please? Mrs.
14 Labrot is not here. Are we allowed to otherwise take it?

15 MS. JUDY CASPERSON: We are not.

16 MR. SLIFKA: She was making a phone call on
17 our behalf, so you guys all know, yes. When you're back,
18 roll call, please.

19 MS. ESSIE LABROT: Mr. Barnes?

20 MR. CHRIS BARNES: Present.

21 MS. LABROT: Ms. Cantor?

22 MS. SHARI CANTOR: Here.

23 MS. LABROT: Mr. Captain?

24 MR. HARRY CAPTAIN: Here.

HEARING RE: WEST HARTFORD TOWN COUNCIL MEETING
JULY 21, 2015

1 MS. LABROT: Ms. Casperson?

2 MS. CASPERSON: Here.

3 MS. LABROT: Mr. Davidoff?

4 MR. LEON DAVIDOFF: Here.

5 MS. LABROT: Ms. Hall?

6 MS. DENISE HALL: Here.

7 MS. LABROT: Ms. Kindall?

8 MS. CLARE KINDALL: Here.

9 MS. LABROT: And Mr. Slifka?

10 MR. SLIFKA: Here.

11 MS. LABROT: And we have Mr. Williams for
12 Mr. Doar.

13 MR. CHRIS WILLIAMS: Here.

14 MR. SLIFKA: Okay. Official welcome to Mr.
15 Williams. He had to sit through that prior one. Okay.
16 We have a presentation from the administration. Mr.
17 Dumais is here.

18 MR. TODD DUMAIS: Thank you, Mr. Mayor.
19 I'm here -- Todd Dumais, Town Planner, for the record.
20 I'm here to present a proposed amendment to Section 177-
21 11, which is our Zoning Ordinance section that deals with
22 dwellings in business districts.

23 I apologize. My video presentation is not
24 working, so we'll have to make due with a brief handout.

HEARING RE: WEST HARTFORD TOWN COUNCIL MEETING
JULY 21, 2015

1 Section 177-11 deals with mixed use in
2 town, and, specifically, it gives us our standards for
3 allowing residential uses in our business or industrial
4 districts.

5 Since I've been here, this section of
6 ordinance has been amended twice; once consistent with the
7 Plan of Development to reintroduce housing to be permitted
8 in the BG district, primarily the district that's along
9 Park Road, and in other limited locations, and, also, more
10 recently, to reintroduce housing into our industrial
11 districts, and it sets up specific standards on how to
12 apply those residential uses.

13 One element of the existing ordinance could
14 be considered anti-mixed use, and that's the area that
15 we're going to talk about tonight, which is the proposed
16 elimination of standard B-3 and B-4. It's the same
17 requirement. I'll read it.

18 What it states is the requirements for
19 maximum floor area ratio and maximum lot coverage of all
20 buildings shall be met separately for the residential and
21 business uses.

22 For this purpose, the land area available
23 for business uses shall be the difference between the
24 total lot area and the area required for the residential

HEARING RE: WEST HARTFORD TOWN COUNCIL MEETING
JULY 21, 2015

1 uses.

2 All of those words, what I tried to do is
3 condense it into a picture for you. That image is the
4 Bruegger's Bagel's building. That's what I like to call
5 it. It's the building at the corner of South Main and
6 Farmington.

7 It's been a really I consider handsome
8 building. It's been in town since the 1920s. Those words
9 could be condensed into a formula below, which is, if you
10 have a lot area, you take the lot area, and if you're
11 providing residential dwelling units in that lot area, you
12 have to subtract out the required residential dwelling lot
13 area from the lot area. Whatever you're left with is the
14 area leftover for possible business use.

15 I chose this example to show you there's a
16 building that's been in town since the 1920s that has
17 multiple residential apartment units on the upper floors,
18 more than five, and vibrant ground floor retail.

19 We couldn't build this building today for
20 many reasons, but, specifically, as it pertains to this
21 section of our ordinance.

22 If we were to apply this formula to the lot
23 area in which that building sits, it's about 5,000 square
24 feet. There are more than five dwelling units, which

HEARING RE: WEST HARTFORD TOWN COUNCIL MEETING
JULY 21, 2015

1 means they need at least 5,000 square feet of land area.

2 Five thousand minus 5,000 leaves us with
3 zero land available for business uses, so that vibrant
4 ground floor retail couldn't exist, because of this
5 standard, so we're proposing its elimination.

6 What we're not proposing is currently any
7 changes to FAR, building height, building coverage, or
8 working requirements.

9 What we're simply stating is, if you can
10 build a building within the current confines of how high a
11 building can go and meets its parking requirements, we
12 shouldn't care how uses are allocated within an existing
13 building.

14 We feel it's consistent. If we turn to our
15 Plan of Conservation and Development with promoting the
16 principles of smart growth, which is one of the
17 overarching goals of the Plan of Conservation and
18 Development, smart growth, one of the key principles of
19 smart growth is to provide for mixed land uses, and our
20 Plan of Conservation and Development also defines that as
21 an element of smart growth.

22 One of the policies that the Plan of
23 Conservation sets forth is to encourage development and
24 redevelopment proposals to incorporate principles of smart

HEARING RE: WEST HARTFORD TOWN COUNCIL MEETING
JULY 21, 2015

1 growth, so we feel that this minor tweak to the ordinance
2 is very consistent with continuing to promote smart growth
3 and mixed use development, as the Town has done for the
4 past number of years.

5 With that, that's my presentation, and I'm
6 open to any questions.

7 MR. SLIFKA: Okay. Are there questions for
8 Mr. Dumais? Mrs. Kindall?

9 MS. KINDALL: What was the purpose of this
10 ordinance? What was it intended to accomplish?

11 MR. DUMAIS: It was intended to accomplish
12 an elimination of a standard that is inherently anti-mixed
13 use. We're seeing a lot of development interest
14 throughout town, specifically in the areas where our Plan
15 of Development says we should focus it; Park Road and the
16 center, and the lots that are available are left for
17 development.

18 We might see redevelopment of an existing
19 building, and, to accomplish that on a small parcel, even
20 if you're just doing internal conversions, it's
21 problematic, because of this standard.

22 MS. KINDALL: So was the standard basically
23 imposed to keep purity of functions, and now that we're in
24 more of a mixed use, it's not appropriate? I'm just

HEARING RE: WEST HARTFORD TOWN COUNCIL MEETING
JULY 21, 2015

1 trying to figure out why this was in existence to begin
2 with.

3 MR. DUMAIS: Sure. It's hard. That's a
4 good question. We couldn't find an answer, as to why that
5 standard when in to begin with.

6 Certainly, we didn't have FAR when zoning
7 ordinances were enacted in the 1920s, and the next --

8 MS. KINDALL: Okay, English. FAR?

9 MR. DUMAIS: FAR, Floor Area Ratio.

10 MS. KINDALL: Thank you. So we didn't have
11 floor area ratios in the 1920s.

12 MR. DUMAIS: It wasn't until the 1940s that
13 they started to modify the standards, and then later, in
14 the 1960s, we kind of had a comprehensive rewrite of the
15 zoning ordinance all together, which approaches what we
16 kind of would consider our modern zoning.

17 At that time, this standard was in place,
18 and there was no mention in the record of why it was
19 crafted. Back then, we were, in the '60s, kind of
20 planning principles. We were still separating land uses.

21 It wasn't good to comingle land uses.
22 Zoning, when it was initially created back in the 1920s
23 and earlier, it was really to separate incompatible land
24 uses. It's only since that time we realized certain areas

HEARING RE: WEST HARTFORD TOWN COUNCIL MEETING
JULY 21, 2015

1 it doesn't make sense to separate.

2 In fact, that's detrimental to the vibrancy
3 and the benefit of the community.

4 MS. KINDALL: So this particular ordinance,
5 I mean zoning that you want us to get to eliminate was
6 really intended for keeping things separate, and now we
7 have a purpose of trying to keep things together and have
8 a more mixed use, is that accurate?

9 MR. DUMAIS: That's correct. That would be
10 my interpretation.

11 MS. KINDALL: Thank you.

12 MR. SLIFKA: Thank you. Anyone else? Mr.
13 Captain?

14 MR. CAPTAIN: Thank you, Mr. Mayor. Would
15 you say that the new construction that we did where the
16 Masonic Temple is violated this ordinance?

17 MR. DUMAIS: That's a great question, Mr.
18 Captain. It didn't violate the ordinance. In their
19 zoning chart, they had to account for deducting out the
20 residential from the available land area.

21 What they did have there was the Masonic
22 Temple parcel, plus the adjoining parcel, which was very
23 large, so the two parcels combined there wasn't an issue
24 allocating these uses, so they had available FAR available

HEARING RE: WEST HARTFORD TOWN COUNCIL MEETING
JULY 21, 2015

1 coverage. It didn't present a problem on a large site,
2 such as that.

3 MR. SLIFKA: So that was a very good
4 question. Thank you, Mr. Captain. So what that drives to
5 is you can do redevelopment of whatever variety of mixed
6 use on sites where there is no sort of backyard, or like
7 surplus land. I think that's what you're describing with
8 the Masonic Temple.

9 You said they had a larger parcel, but
10 really what they had was kind of a small version of open
11 space right behind it. They took advantage of that.

12 They aren't just a landlocked parcel, so to
13 speak, as this. I keep pointing to your exhibit, but the
14 Bruegger's Bagel building is.

15 MR. DUMAIS: They had that fact pattern,
16 and they also had the shopping plaza where Abe Kaoud's
17 Oriental Rug is. He owned that plaza, so that whole
18 parcel, including the parking lot, was merged with the
19 Masonic parcel, so that became one large development
20 parcel, so they weren't landlocked, and they had the land
21 area.

22 In this example, even with this change of
23 interpretation for FAR and mixed uses, still couldn't
24 build it, because there's no parking provided, so we're

HEARING RE: WEST HARTFORD TOWN COUNCIL MEETING
JULY 21, 2015

1 saying you still have to provide for the parking and meet
2 the FAR overall in the underlying zoning district, but
3 this shouldn't be a further impediment to meeting, you
4 know, the current standards that exist in every zoning
5 district.

6 MR. SLIFKA: But based on what you said at
7 the introduction, assuming parking is satisfied, that,
8 unless we make this change, that, today, perhaps the most
9 iconic building in West Hartford Center would not be --
10 would be illegal to construct?

11 MR. DUMAIS: That's one of the factors
12 contributing to this, yes.

13 MR. SLIFKA: It's quite an irony. Anybody
14 else? Okay. Nobody had signed up to speak to this. Is
15 there anybody, who did not sign up, who wishes to speak to
16 this subject matter?

17 Okay. Nothing further, then we'll close
18 this public hearing.

19 (Whereupon, the hearing adjourned at 8:40
20 p.m.)