

**WEST HARTFORD TOWN COUNCIL MEETING  
SEPTEMBER 24, 2015  
LEGISLATIVE CHAMBER**

**ITEM # - MEETING CALLED TO ORDER - 8:12 P.M.**

President Slifka: Okay. We're gonna call the Council Meeting to order and begin with the Pledge of Allegiance.

**ITEM #2 - PLEDGE OF ALLEGIANCE**

President Slifka: Welcome, Ms. Porrini, filling in tonight. Can we have a Roll Call please?

**ITEM #3: ROLL CALL - COUNCILORS BARNES, CANTOR, CAPTAIN, CASPERSON, DAVIDOFF, HALL, KINDALL, AND SLIFKA WERE PRESENT. COUNCILOR DOAR WAS ABSENT.**

President Slifka: Thank you. I'd like to begin by entertaining a motion to suspend the rules for the purpose of presenting a proclamation.

Councilor Cantor: So moved.

Councilor Kindall: Second.

President Slifka: All those in favor

All: Aye.

President Slifka: Those opposed? Motion carries, so I'm gonna go up to the podium but if I could ask Kevin Farmer to join me, who is the executive director of the Independent Transportation Network of Central Connecticut. Mr. Farmer thought he would've been out of here about an hour ago, so he's earning this. So we're gonna read this proclamation in a moment, but this is very special for us because I don't know that first that all of our residents know about the fact that this program is in existence. It has been in existence and succeeding for some time as you're gonna see. It's very personal to me and to Ms. Cantor as well because it goes back a number of years, and just very quickly it was about 2003 and I had seen a program on PBS that featured a woman in, who was from Maine, who had started this program to address a situation where her child had been injured by a driver who should not have been behind the wheel anymore but who wasn't behind the wheel because he wanted to be, it was because he had no alternative. There was no other way for him to get around. And she started this wonderful organization called the Independent Transportation Network, and we here at the council thought it was a good idea and asked our staff to see if it could come to reality here, and now we fast forward many years. There've been a lotta fits and starts, but it's under some great leadership now with Kevin and has had some great success, and that's what we want to

recognize tonight, but it's better that you, after I... it's better you hear from Kevin directly, but I know that in particular Ms. Cantor and I, and Ms. Cantor has taken over a lot of the leg work on this that I used to do a long time ago, are particularly grateful to Mr. Farmer and to all the volunteers who have made this a reality and hopefully will make it even bigger in the future. So:

Whereas, ITN Central Connecticut, or the Independent Transportation Network of Central Connecticut, has served the greater Hartford and Middletown area since 2009; and

Whereas, ITN Central Connecticut is part of a national and international movement embodied by ITN America, which is celebrating its twentieth anniversary by conducting a nationwide storybook tour; and

Whereas, ITN Central Connecticut is a community-oriented, grassroots nonprofit which serves area seniors 60 and over and adults 18 and over with visual impairments utilizing a membership-based transportation network offering rides in private automobiles by volunteer drivers; and

Whereas, ITN Central Connecticut provides rides anytime for any reason, thereby preserving freedom and dignity for its riders and nurturing and sustaining friendships between riders and drivers; and

Whereas, ITN Central Connecticut recently surpassed the 10,000 mile—10,000 ride milestone; and

Whereas, ITN Central Connecticut seeks to grow its base of volunteers, riders, and supporters to better serve its constituents as well as others who could benefit from this service,

Whereas, the town council heartily endorses ITN Central Connecticut's current and future plans to grow better to serve the community; and

Whereas, the town council extends their best wishes to ITN Central Connecticut as it celebrates its 10,000<sup>th</sup> ride and to ITN America as it celebrates its twentieth anniversary,

Now Therefore Be It Proclaimed that I, Mayor Scott Slifka, do hereby proclaim September 24th, 2015, as ITN Central Connecticut Day in honor of their outstanding volunteer service to seniors and visually impaired adults in the town of West Hartford and the region.

And you're getting the declaration at the end of the—the day's almost over, but I want you to know I signed it before, so it was your day all day, so, welcome, Kevin. Thank you for your work, and congratulations on the 10,000<sup>th</sup> ride. Thank you very much.

Mr. Farmer: ITN Central Connecticut is honored to receive this proclamation from the town of West Hartford, and we're deeply grateful to the town council and to the entirety of the town of West Hartford for all it's done for us over the past six years, since we first gave a ride in April 2009. We have office space here in Room 216 in Town Hall, and we appreciate that very much. And we, as I look around this room, I can see that there are individual donors who help us to do our work every day, and we appreciate that. I just want to recognize two of my board members who are here with us this evening. Don Jensen from Wethersfield. Don is the number one driver of all time. He has done more than 2000 of our 10,000 rides. And Mary Silverberg, who's a resident of West Hartford and has helped West Hartford in so many ways serving on commissions and committees for the town. Thank you, Mary. Our greatest need is to grow so we can serve our community, which is West Hartford, Hartford, Avon, Farmington, and eleven towns down through Middletown, Connecticut. We need additional volunteers and we need financial supporters, and this proclamation and this evening will help us along that pathway. Thank you very much. Thank you.

President Slifka: Okay. Back to the agenda, so we're up to #4.

#### **ITEM #4 - APPROVAL OF MINUTES - RECEIVED**

Councilor Cantor: Number four. I move that we approve Public Hearing Minutes on Clarifying the Applicability of Pedal Cab Requirements, 8-18-15.

Councilor Kindall: Second.

President Slifka: Motion is made and seconded. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. Ah, and now we're up to Public Forum, #5. Is there a sign-up sheet, Mr. O'Brien?

#### **ITEM #5 - PUBLIC FORUM**

President Slifka: Okay, and two people have signed up, and they will each have three minutes to speak. Okay, and the first is Steve Woolbert, and if everyone could just state their name and address for the record when you get here.

Mr. Woolbert: My name is Steve Woolbert. I live at 72 Sedgwick Road in West Hartford for the last 34 years. I'm a past president of West Hartford Girls' Soccer, a board member of the Connecticut State Soccer Association, Olympic development, and on and on. That's not why I'm here tonight. It's not about me. It's about a really good person named Paul Glover who has worked diligently for this town and the youth since the seventies. I'm also a board member of Field of Dreams, which raises money to maintain our fields and things like that. Before there was a Field of Dreams, there was a Paul Glover. And there was a Paul Glover fighting with his employer at that time, Chandler Evans to do something with the complex over on Flatbush Avenue which they

weren't using, so he's the man who started this ball rolling and really got a lot of enthusiasm, and then when Field of Dreams, we just steamrolled it through, and I think naming these fields for Paul is just, is a just thing to do, and I urge you to do it. It's the right thing to do. Thank you.

President Slifka: Thank you very much. The next speaker is Tom Binder.

Mr. Binder: Yeah, I'm Thomas Binder, 63 Briarwood Road, West Hartford. Been a town resident for twenty years. Here to support Paul Glover. Again, I was the West Hartford Girls' Soccer past president also. I'm also a board member of the Field of Dreams. I've known Paul for over ten years, over a decade, and he's always there. If you look at town soccer and the Field of Dreams and those fields that were made, we all know it's only there because of Paul. And I think I just want you to all know that we just think this is a no-brainer decision and the fields should be named after Paul Glover. All right. Thank you.

President Slifka: Thank you. That concludes the sign-up sheet. Is there anybody who did not sign up who wished to speak to an item on the agenda? Please come up. And right here, yes, and I happen to know who you are, but you might want to...officially you still have to state the—your name and address for the record.

Mr. Slifka: Sure. Jonathan Slifka, 45 Fairfield Road as of a few weeks ago. I'm here to speak about your recognition today of the 25<sup>th</sup> anniversary of the ADA. Very important legislation that was passed 25 years ago. I'm here to personally thank the council on behalf of the disabilities commission here in town, which I believe just celebrated its nineteenth anniversary yesterday as well as my role in the governor's office as a liaison to the disability community and also just to thank the town as well for all the strides you've made over the many years regarding accessibility in the town from the curb cut-outs in Blue Back Square to of course the Miracle Field which is near and dear to my heart, so again, just here to thank you for recognizing that, so appreciate it. Thanks very much.

President Slifka: Thank you. And point of personal privilege, I know we've had—some of you have had family members here at other times—this is amazing to me, the first time I've had a family member before us. Anyway, you can imagine how proud I am. So, that does—okay, we've concluded the sign-up sheet. Thank you, John. And was there anybody else who did not sign up who wished to speak? Okay. With that, we get to #6, Report from the Town Manager. Mr. Van Winkle.

## **ITEM #6 - REPORTS OF TOWN MANAGER**

Mr. Van Winkle: Thank you, Mr. Mayor. Just a couple of quick items. The state department of environmental protection is going to be doing maintenance work on Trout Brook—Trout Brook brook if you will. Trout Brook was constructed through federal dollars many decades ago and from time to time has to be cleaned. It has, the sediment has to be removed from the areas where it collects and vegetation has to be removed from the banks of the brook. It was last done in 1999 but is about to be redone, and so the state

will be coming in with trucks and workers for a \$4.5 million project to remove sediment from Trout Brook from the area that begins approximately at Asylum and heads south to about I-84 as well as some work on the Piper Brook section and Elmwood. But most of the heavy work is in the West Hartford Center area. The work begins mid-October. You'll see lots of trucks. They'll be working through this fall season and into the winter and expect it to continue with this work until about June '16, so we're gonna see a lot of activity down in the brook, something we don't normally see. Just want everybody to recognize it's the state of Connecticut coming and doing the maintenance work that they have to do.

President Slifka: Mr. Van Winkle, I coincidentally had a constituent contact me about this, whether the state has shared with us if chemicals or anything like that is going to be used in this process, if we've been able to weigh in on that and if any, to the extent that they are, have they addressed the concern about any of that flowing into the brook?

Mr. Van Winkle: Yes, the state Department of Environmental Protection is the agency doing this work, and they are using approved chemicals that are allowed to be used in the area of brooks, so they are sensitive to that issue as they are the Department of Environmental Protection and do use these rules against others to ensure they do the right thing. So they are doing the right thing by the rules that are allowed for those sorts of vegetation. The things that you might put on vegetation to kill the vegetation and then remove it. So there are others who believe that we should be doing more than what law allows us to do, but they are following the rules and regulations of the state, so it is their choice. We don't have any regulatory authority, obviously, over the state of Connecticut to tell them they can't do—we've had some discussions with them about what they are doing, and they just confirmed to us that they are doing what is allowed under the reg—state and federal regulations. Yep. Okay, and just one other thing. This Saturday, we're gonna be paving Mountain Road from Lostbrook through Albany Avenue. We've milled that area, and they're gonna be in paving. It will run September 26<sup>th</sup>, this Saturday, from 7 a.m. to 5 p.m., and I just wanted to mention to everybody that Gledhill will remain open during this, and if you need to get in there, there'll be police there to help you get into Gledhill. This is the fall planting season. We want to make sure that the public knows. Don't worry about all the pavers. We're gonna get you into where you need to get. That's really all I have. I'd be glad to answer questions if there's anything.

President Slifka: Okay, are there any questions for the manager? Okay. Mrs. Hall.

Councilor Hall: Back in regard to the Trout Brook project. So this is such a big project because the state had delayed doing this for many years. So as part of our communication with them, did they say what their plan was for the future? Are they going to do this every couple of years now? Or—do we have any idea what their future plans?

Mr. Van Winkle: Yes, the work was last performed in 1999 and has been delayed. The state normally would've been back at an earlier time to remove sediment. Because of the delay in the work, there's more sediment to be picked up. More trucks to roll through the brook and pull the sediment out of the brook, so they recognize that they have extended

the time for this maintenance and they should be doing it on a more formal basis. They haven't given us a specific schedule, but I know that discussion did go on.

Councilor Hall: And then just another question. So I read in the paper the other day that a West Hartford company has applied to be a dispensary for medical marijuana, and their address was in Crossroads Plaza, so I'm trying to think back to when that was approved, and I didn't realize that we had an area over in Crossroads Plaza that would've been zoned for it. Do you have any more information there?

Mr. Van Winkle: Sorry. We do not have an area in Crossroads Plaza, in Bishop's Corner, that would allow that business to occur there, but certainly a business that is headquartered there, has offices there, could apply for that permit and do it elsewhere. Not in West Hartford. Could be in another community, but our ordinance for that marijuana production was limited to the IG zone with some distance limitations in other areas, other, against other uses. It's quite restrictive, so it's not likely that we would even have a facility in West Hartford then, and no one has contacted us about a facility in West Hartford, so although there's a company here that may be in that business, I'm not sure they'll be in that business in West Hartford.

President Slifka: That's their filing address for the business. I don't think there's actual application in on a location in town. They happen to be a business that has an office in West Hartford. Mr. Barnes?

Councilor Barnes: Could I ask a follow-up question to that? So at the time that they file their application, does the application have to improve a proposed situs for whatever business they want to conduct?

Mr. Van Winkle: It is my understanding that when they—and I'm not the state of Connecticut, they filed with the of state of Connecticut—but it was my understanding from those hearings that we had a while back that they had to have a site where they felt they were going to be able to manufacture this product, so they haven't contacted us. No one's talked to us about a site, so again I believe what we're talking about is a filing address and not a facility in our community.

Councilor Barnes: But is that something we can find out about by contacting the state to determine what the proposed situs is in the application?

Mr. Van Winkle: Um, yeah. It's all public information. Certainly all of those, you know, this company's filing address is in West Hartford. There could be a company in Bristol that is filing to build in West Hartford, right? So it could be anywhere. But our ordinance that you adopted is exceptionally restrictive in how this can occur in West Hartford, and it substantially limits where that might occur. We have had no contact—zero contact—from anybody through our planning office, through economic development or anything else, a landlord, that would suggest that someone might be applying for a facility in West Hartford, so I could say firmly to you we don't have anything here that we might know of. When they file with the state of Connecticut, presumably there will be some address on that..and we can—we'll certainly look at that. It did surprise us.

Councilor Barnes: I guess just contact Commissioner Harris and find out.

Mr. Van Winkle: Yeah.

Councilor Barnes: So I'll give him a call. Thank you.

President Slifka: Anything else for the manager? Ms. Kindall.

Councilor Kindall: No, just to follow up on that point, just from the press reports, I believe that the three application—the three new licenses are for the southwestern part of the state anyways. That they're not looking to have any facilities in this area, that it's all in the Fairfield County and down in that area, so, and having not looked at any of the applications, not having any responsibility for the applications, but from the press reports, that seems to be what they were looking for, not—not anything in this area.

President Slifka: Okay, anyone else? All right. Thank you, Mr. Van Winkle. We're up to #7.

**ITEM #7 - CONSIDERATION OF CONSENT CALENDAR – ITEMS 14 AND 15, 20-25 TO RECEIVE**

Councilor Cantor: Number 7, I move that we place Items 20 through 25 on the Consent Calendar.

Councilor Kindall: Second.

President Slifka: Motion is made and seconded. Any discussion? Seeing none, all those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. We're up to #8 under Unfinished Business.

**UNFINISHED BUSINESS:**

**ITEM #8 – APPLICATION ON BEHALF OF PROSPECT PLAZA IMPROVEMENTS, LLC ("PROSPECT PLAZA"), THE OWNER OF THE PROPERTY KNOWN AS 18-54 KANE STREET AND 245 PROSPECT AVENUE, TO AMEND SPECIAL DEVELOPMENT DISTRICT (SDD) #11 FOR PROPOSED FAÇADE, LANDSCAPE, PARKING LOT AND SIGNAGE IMPROVEMENTS AT PROSPECT PLAZA**

**APPROVED WITH CONDITIONS, VOTE 8-0**

Councilor Cantor: Application on behalf of Prospect Plaza Improvements, LLC (Prospect Plaza), the owner of the property known as 18-54 Kane Street and 245 Prospect

Avenue, to amend Special Development District #11 for Proposed Façade, Landscape, Parking Lot, and Signage Improvements at Prospect Plaza. I move that we adopt.  
Councilor Kindall: Second.

President Slifka: Okay. Motion is made and seconded. I do think we need to add, well it was covered in the record, but we do need to add officially an amendment that it would, I'm gonna ask Mr. Alair and Mr. O'Brien to make sure I get this—correct me wherever I may get it wrong—but we'd like to introduce a, like to entertain a motion to adopt the conditions of approval that were discussed at the Public Hearing. They were—the document was passed around. We made two changes to it. It was to Section 2C where the—we changed the solid waste collection time for weekdays from 8 a.m., the, beginning at 8 a.m., we changed that to 7 a.m. We made a second change in Section D3, site lighting, where we deleted the second sentence in the paragraph which reads all lighting should be turned off no later than 10 p.m. and then what's thereafter. And this set was part of the motion. This set will control, to the extent that they're, it is inconsistent with the set that already exists on this, on this Special Development District.

Mr. O'Brien: Right. That's perfect. Perfectly stated.

President Slifka: Okay. If not artistically stated or...

Councilor Cantor: So moved.

Councilor Kindall: Second.

President Slifka: Okay, thank you. Phew. All right. Now we're just to discussion on the conditions of approval. Is there any discussion on the conditions of approval? Okay. All those in favor of the conditions of approval?

All: Aye.

President Slifka: Those opposed? Motion carries. Okay, we turn to discussion on the application itself as amended with the conditions of approval. Anybody have any comments? Mrs. Hall?

**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.

**2. Conditions of Approval**

All existing conditions of approval previously adopted with respect to this Special Development District shall remain in full force and effect except to the extent that they are inconsistent with those conditions adopted here.

**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**

Solid waste collection shall be the responsibility of the property owner/manager.

Solid waste collection within the Special Development District shall be permitted between 7:00 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.

**d. Special Site Use or Operational Requirements**

**i. 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, sidewalks, lighting, signage, storage, refuse and litter control, building exteriors and other site amenities proposed in the plans. The maintenance plan shall also contain provisions dealing with snow removal from those pedestrian walkways for which the Applicant is responsible. Specifically, the snow removal plan shall call for the removal from required walkways of all snow or ice deposits so as to render those walkways safe for pedestrian passage at all times. Accumulated snow which is stored on-site shall not encroach into parking spaces or vehicular travelways.

ii. Landscaping and Fencing

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

iii. Site Lighting

All outdoor lighting shall be down-shielded so as to prevent glare onto adjoining properties.

**e. Utilities to be underground**

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

**f. 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.

**g. 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 Community Services Department, 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.

**h. Final Plans**

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

Councilor Hall: I would very much like to thank the applicant for doing this. I get off exit 43 most of the time, and we have that beautiful welcome to West Hartford and all of the plantings and the foliage and the brick wall, and you just get off the exit before that, and it's a different experience, so I just think this is going to be a huge improvement to anyone coming into West Hartford for the first time, getting off that exit, and want to thank you very much for doing that and investing in the community. Thanks.

President Slifka: Thank you, Mrs. Hall. Anyone else? Mr. Davidoff.

Councilor Davidoff: I'll be brief, Mr. Mayor, believe it or not, on a zoning application. I just want to highlight two of the remarks made by DRAC and I would share them as well. The DRAC is our Design Review Advisor Committee, and they said that they appreciated the applicant's active participation in the process and its ultimate consideration and inclusion of the DRAC's comments in the revised and final plans, and that was quite apparent as noted by the materials that were being used, the plantings, and in the eleventh hour, the ability to also meet the things in our Complete Streets Policy with respect to pedestrian accessibility of the site and a bike policy with a place for people to park their bikes. And then the conclusion that DRAC came forward with was the landscape and façade enhancements of the plan are well designed and will visually improve the aesthetics of the shopping center, and I would concur. So like Mrs. Hall, I appreciate the investment in our community, the reinvestment in our community, and I wish the tenant good luck and success in attracting the upscale tenants that they're looking for in the future, and I think improvements such as this will enable them to be more successful. Thank you very much.

President Slifka: Mr. Davidoff. Anyone else? Ms. Casperson.

Councilor Casperson: Thank you, Mr. Mayor. I would also like to thank the applicant. Seeing the reinvestment in our town in all corners is so exciting, and it's shedding a great light on a great part of our community as well, and for a highly utilized shopping center, we're looking forward to the new tenants that are coming on board. I also appreciate your willingness to hear our ideas and to take into consideration all of your abutting neighbors, and really appreciate as well the detail to the lighting. I think that the, your neighbors who will appreciate that you are increasing their home values by the upgrades that you're doing in that plaza, so I don't think that they're gonna mind the lighting. That you're, besides the beauty of it, I think that you're greatly improving the neighborhood.

And lastly, I would also like to thank you just for being very open to us and whatever traffic calming measures that you can make, that would make it an even better place to walk in. Thank you so much.

President Slifka: Thank you, Ms. Casperson. Mr. Captain?

Councilor Captain: Thank you, Mr. Mayor. I too would like to thank the applicant for their reinvestment in our community, and I just wanted to say that I really appreciated the recognition and what I believe is your absolute dedication to the public safety of that complex, and the lighting as appropriate for the safety of your tenants, your customers, and the employees working in, on that property, so thank you for that.

President Slifka: Thank you Mr. Captain. Mrs. Kindall?

Councilor Kindall: Obviously I will join everybody else in the chorus and say thank you for reinvesting, and thank you for making it look, you know, I think it will look very nice, and I'm really looking forward to seeing it. And I just wanted to give a special shout out to Attorney Alair for running out and getting the Special Development District conditions and being able to respond so promptly to the inquiry. Thank you.

President Slifka: Thank you. Mrs. Cantor.

Councilor Cantor: I also wanted to say thank you to, to investing in a plaza that is, has deteriorated over time, and you were very, very honest in your presentation on what needs to be done, and I appreciate the candidness and the challenges that this, you know, that you've watched, so I appreciate that. I also appreciate, like Mr. Captain said, the input and the coordination with the town staff and obviously our commissions. So thank you very much and best of luck.

President Slifka: Thank you Mrs. Cantor. That leaves you and me, Mr. Barnes.

Councilor Barnes: You're the mayor. I'll go. Thank you to the owner for bringing this to us and providing this facelift to this plaza. On a personal note, my family and I frequent Prospect Pizza, probably for the last fifteen years, so you know, you can add new tenants just so long as you keep Prospect Pizza. Thank you.

President Slifka: Thank you, Mr. Barnes. I echo everyone else's sentiments and would just add one thing that I think I appreciated the analogy that you guys made to the improvements that were made in Bishop's Corner recently. I think that was, you know, sometimes the people's plans, we get excited about 'em and maybe the ideas get a little grandiose, and I think in this case, you kinda grounded it in reality, and this is exactly what we're trying to do. It's a somewhat modest-type transformation that actually can be transformational, if that makes any sense. And if the Bishop's, so if somebody looked and this and says, well, there's only, you know, a handful of things being done. It's kind of a brief application and all that, is it really—is it really that huge an impact? And I'd say, yes, listen to what they said and look what happened in Bishop's Corner and see how just some of the visual cues could completely—and addressing the parking lot—could

completely transform the plaza, so well done and we wish you the best of luck. So, having exhausted everything, could we have a roll call please, Ms. Porrini?

Councilors Barnes, Cantor, Captain, Casperson, Davidoff, Hall, Kindall and Slifka voted YES.

President Slifka: Congratulations. Okay, up to #9, Mrs. Cantor?

**ITEM #9: RESOLUTION AUTHORIZING EXECUTION OF “SMALL CELL” LEASE AGREEMENT WITH VERIZON WIRELESS**

**ADOPTED**

Councilor Cantor: Resolution Authorizing Execution of “Small Cell” Lease Agreement with Verizon Wireless. I move that we adopt.

Councilor Kindall: Second.

President Slifka: The motion is made and seconded. Oh. Wow, you’re early. I didn’t realize you’d be here for this one. Mrs. Rubino-Turco.

Ms. Rubino-Turco: I’m here to speak about the Verizon Wireless lease that we have made over at Veteran’s Memorial Skating Rink. As you know, we face a challenge to keep our rink with a fiscal—a strong fiscal background. We want to make it break even or make money, and it’s in a difficult, challenging fiscal situation because of all the subsidies that we have to give to the public schools, the three different teams that come in and the youth hockey league, so we’re always looking around for—excuse me—for ways to increase revenue, and in ways that won’t affect our programming. And this is a perfect example where we can creatively raise a little bit of extra money where it really doesn’t have any impact on the facility, and so I’m pleased that we were able—that Pat Alair was able to work with Verizon to make this lease and we hope that it can be implemented quickly.

President Slifka: Thank you. Any discussion, questions? Mrs. Hall?

Councilor Hall: Thank you as always for being very proactive and looking for sources of revenue. Just for our audience, can you talk about how physically this is going to look on the building? What, how high it is or whatever...

Ms. Rubino-Turco: Certainly. So the Verizon Wireless is proposing to put up one short antenna that is gonna be disguised as a chimney. There are already chimneys on the facility. It’s gonna be in the back of Veteran’s. If you think of it, there’s a low roof in the front, there’s a large roof in the middle, and then there’s a low roof in the back, and it’s in the back. It will be affixed to the back wall, and it’ll stick up, I think it’s nine feet. I can—so it’s pretty innocuous. It’s a single antenna that has a lot of—can catch and improve the reception in the region. It’s kind of a dead zone, so Verizon approached us to look for locations to put this up, and we jumped at the chance because I saw it as

additional revenue, as again, to help Veteran's bottom line and also because it really doesn't make any difference to the operation of the facility.

Councilor Hall: Thank you.

President Slifka: Anyone else? Mr. Barnes—oh, Ms. Kindall, sorry.

Councilor Kindall: Does the Siting Council have to approve this then? Or will, is it just with respect to this agreement? Or is—where is—where are we in the process?

Ms. Rubino-Turco: So last month you received this and you sent it to the TP&Z, and they have reviewed it and approved it, and so now it's back here for your approval. Does that...

Councilor Kindall: And do we—no, and the Siting Council is a state agency. For the siting of cell towers. And do we know that it has to go to them or not? Depending how tall it is and whether it's a tower, there's all kinds of technicalities.

Mr. Alair: The state's definition of a tower, and truly I'm not joking about this, is anything that is taller than it is wide. So technically...

Councilor Captain: I'm a tower?

Mr. Alair: And I tower above you, sir.

Mr. Alair: But, yes, yeah.

Councilor Cantor: I'm not.

Mr. Alair: ..And what has happened over time is that the Siting Council has developed what one may call a détente with municipalities over what it will regulate. Something like this, which technically could qualify as a tower, typically does not require Siting Council approval.

Councilor Kindall: Given that, what about public outreach? And have we heard anything from the neighborhood with respect to this proposal?

Mr. Alair: I don't believe we have done any public outreach regarding the antenna. The short answer is no.

Councilor Kindall: Okay. Only because if it goes to the Siting Council, the Siting Council has a public outreach...

Mr. Alair: Yeah.

Councilor Kindall: ...requirement on the basis of the telecommunications company.

Mr. Alair: Given the location, the only houses, residents in the neighborhood that might possibly be effected are—I've forgotten the name of the street—immediately to the west of the skating rink, and I'm certain that we could mention it. Bring...it's not...Yeah. It was one of the first zoning appeals I did when I came to work for the town, and I can't remember the name of the street. No. The street that never was.

Councilor Kindall: Mr. Van Winkle, you were gonna say something.

Mr. Van Winkle: I'm not going to try for the street, I just would say that it is not a big structure.

Councilor Kindall: Right.

Mr. Van Winkle: And so, you know, usually the Siting Council does an outreach because they're putting a, an antenna that's gonna stick way above a building somewhere in the community. This is a modest structure. Most people wouldn't even notice it's there on the back of this building, so there was never really a need for a public outreach, I didn't think. Certainly there was a TPZ meeting that discussed this and then you're discussing this. It's been on your agenda, so. We didn't feel we needed to set something up.

Councilor Kindall: And I'm not suggesting that maybe you did, I just, if it did happen, it would be interesting to know what the reaction was. Thank you.

President Slifka: Thank you. Mr. Barnes?

Councilor Barnes: One question. The monthly payment of \$500. Can you just tell us how you reached that amount?

Mr. Alair: It was what they were willing to pay is the short line.

Councilor Barnes: You are a tough negotiator.

Mr. Alair: I am as hard as they come.

Councilor Barnes: You do deals.

Mr. Alair: We do deals. The, this is a somewhat new product. These, what are, what is called a microcell. They are infill in between larger towers and as a result, they have a smaller radius. They have a smaller coverage area, and micro—the different telco companies are putting them up in different places around the state, and as a result, there really isn't a market yet. There are two other municipalities that we checked with who have permitted these things, and they've had their own reasons for wanting to do it, financial as well as others, and one of them was at 400 a month, one of them was at 500 a month, and that is essentially all that Verizon would pay. The short answer was if we asked 'em for a penny more, they would find another site if they could.

Councilor Barnes: Okay. And does the lease agreement provide for, you know, revisiting the amount in the future if there becomes more of a market for this?

Mr. Alair: There is an escalator provision built into the lease. And I should say, it's a longer, longer-term lease than frequently we talk about here. We often look at leases in the five- to ten-year range. This, I believe, is twenty. Is it twenty or twenty-five?

Ms. Rubino-Turco: It's twenty-five.

Mr. Alair: Twenty-five. And the reason for that, quite simply, is the investment in the network that Verizon is making and the way it connects with all of their other towers makes it part of something that they can't undo easily. They need that time to first recapture the investment and then second to work with it within their network, so it is a longer-term lease than we usually have.

Councilor Barnes: Very good. Thank you.

President Slifka: Anything further? Okay. Then seeing nothing further, all those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. To #10 under New Business.

**NEW BUSINESS:**

**ITEM #10 - APPLICATION ON BEHALF OF 527 PROSPECT, LLC, THE OWNER OF THE PROPERTY KNOWN AS 527 PROSPECT AVENUE, TO AMEND SPECIAL DEVELOPMENT DISTRICT (SDD) #123 BY REPLACING THE EXISTING PLANTED LANDSCAPE SCREENING WITH A NEW SEVEN (7') FOOT TALL CEDAR PRIVACY FENCE ALONG THE WESTERLY PROPERTY LINE**

**(See Attachment A)**

**SET FOR PUBLIC HEARING ON OCTOBER 27, 2015, AT 7:00 P.M. AND REFERRED TO TPZ, DRAC, CRCOG AND CITY OF HARTFORD**

Councilor Cantor: Application on behalf of 527 Prospect, LLC, the owner of the property known as 527 Prospect Avenue, to amend Special Development District (SDD) 123 by replacing the existing planted landscape screening with a new seven foot tall cedar privacy fence along the westerly property line. I move that we set for Public Hearing October 27, 2015, at 7 p.m., refer to TPZ, DRAC, CRCOG, and Hartford Town Clerk.

Councilor Kindall: Second.

President Slifka: Okay. Motion is made and seconded. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. We're up to #11, Mrs. Cantor?

**ITEM #11 - RESOLUTION ESTABLISHING GLOVER PARK SOCCER COMPLEX**

**ADOPTED**

**WHEREAS**, Paul Glover has volunteered for 38 years as a coach in the West Hartford Girls Soccer League, both recreation and travel divisions; and

**WHEREAS**, Mr. Glover has volunteered to coach in the West Hartford Women's Soccer Club since its inception in 1995 and continues to serve on its board as a Coaches Representative; and

**WHEREAS**, Mr. Glover was president of the Board of WH Girls Soccer League, and is presently junior division coordinator; and

**WHEREAS**, Mr. Glover helped co-found the West Hartford Girls Travel League; and

**WHEREAS**, Mr. Glover currently serves on the Board of Directors of Field of Dreams; and

**WHEREAS**, Mr. Glover was instrumental in helping the Town purchase what has come to be known as the Goodrich Soccer Complex from what was known as Goodrich Corporation at the time; and

**WHEREAS**, Mr. Glover helped secure permission to use the Goodrich Corporation's parking lot for soccer use in evenings and on weekends; and

**WHEREAS**, Mr. Glover has been named Connecticut Junior Soccer Association Coach of the Year and a March of Dimes Women in Sports hero

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF WEST HARTFORD THAT** the property which has come to be known as the Goodrich Soccer Complex is hereby officially named Glover Park Soccer Complex.

Councilor Cantor: Number 11, Resolution Establishing Glover Park Soccer Complex. I move that we adopt.

Councilor Kindall: Second.

President Slifka: The motion is made and seconded. We, and I know Ms. Rubino-Turco is coming back up. We don't normally read our, our resolutions in full. They're pretty, quite lengthy, but I, it is appropriate to read this one, so I'll go ahead and do this. Resolution establishing Glover Park Soccer Complex. Whereas Paul Glover has

volunteered for 38 years as a coach in the West Hartford Girls' Soccer League, both recreation and travel divisions, whereas Mr. Glover has volunteered to coach in the West Hartford Women's Soccer Club since its inception in 1995 and continues to serve on its board as a coach's representative, and whereas Mr. Glover was president of the Board of West Hartford Girls' Soccer League and is presently Junior Division Coordinator, and whereas Mr. Glover helped co-found the West Hartford Girls' Travel League and whereas Mr. Glover currently serves on the board of directors of Field of Dreams and whereas Mr. Glover was instrumental in helping the town purchase what has come to be known as the Goodrich Soccer Complex from what was known as Goodrich Corporation at the time, and whereas Mr. Glover helped secure permission to use the Goodrich Corporation's parking lot for soccer use in evenings and on weekends, and whereas Mr. Glover has been named Connecticut Junior Soccer Association Coach of the Year and a March of Dimes Women in Sports Hero, now therefore be it resolved by the town council of West Hartford that the property which has come to be known as the Goodrich Soccer Complex is hereby officially named Glover Park Soccer Complex. Now obviously, we have to vote on this, but I will note that the names of all nine, all eight people at the table today and Mr. Doar, who is not here tonight, are signed onto this as sponsors, so I think we know where it is going. I also know that not on the resolution but I think should be included there is Mr. Glover is also a member of our Veterans Affairs Commission and probably numerous other ways he has served our state, nation, and community, but at this point, I'm gonna turn this over to Helen.

Ms. Rubino-Turco: Thank you, Mr. Mayor. When I was a girl...in Montgomery County, Maryland, I played soccer on a boys' team. I didn't think anything of it. That's just what we did. But when I got to high school, there was no girls' soccer team. And around that same time, there was a little girl in West Hartford who approached her father and said, Daddy, we need a coach, and that was Paul Glover, and he stepped up in the late seventies to begin coaching his daughter's soccer team. When you think about, how do you define civic engagement, you know, you look in the dictionary, and you can tell, you find that it means, you know, working to make a difference in your community. Something to improve, to promote the quality of life in your community. And I think that's a, that's one level. But I think on a larger level, that this, I believe that the civic action of one person has the potential to spark a movement that can lead to transformational change. Paul Glover? Really? Transformational change? Well, we went from what started as a vibrant girls' soccer league led to a women's soccer league which led to Field of Dreams which brought us to tonight. And without Paul Glover, I think that he was the spark in that movement, because he gave breath to those girls, and Louis Brandeis once said that the most important political office is that of the private citizen, and tonight we're honoring a private citizen who volunteered more than most. He gave his time not only to his own girl, but to scores and scores of girls in our community and as well as the women and the veterans, etc., so, Paul Glover.

Mr. Glover: Thank you. Thank you. Helen told me to rush right over here after soccer practice tonight because we were gonna be on at seven o'clock. So in terms of West Hartford coaching soccer, what you see is what you get. Just me. No, there's a lotta people out there coaching soccer a lot younger than I am, and they're doing a very good job. I, I was talking to my brother in upstate New York very recently. He was just

honored by having a swimming complex in his town named after him for his forty years of work in the swimming venue, and he, and I told him that I heard there was something going on in this town to try to honor this old man, and he kinda looked at me with a smile, and he says, you know, bro, they usually do that posthumously. And then he said, how you feelin'? But I've had 38 great years. I hope to have two more, because I figure if I do forty, I'm gonna get it down just right. I'm not sure though. But I have a problem of course. I've kinda grown long in the tooth. I can't hear so well. I can't see so well. And every season when I put on my cleats for the first time my old knees look up at me and say, oh, god, not again, so, but I'm gonna try for two more years. I—I really don't know what to say to this town council for the great honor you've given me. It's been my reward to work with young people. I think it would be anybody's reward if they could have an avocation to do so. And in my 38 years, I've met thousands of people in this town. All great people. They all work hard. They all work together outside of their regular jobs, and they do a lot for the youth in this town. So it's been my great honor and my pleasure to work for 38 years in this avocation of teaching youth soccer and young women and adult soccer, and I want to thank you very much from the bottom of my heart. Thank you. Thank you very much. Helen told me to keep it short.

President Slifka: We could use that, some of that on this side of the mics. You know, we, a couple of things, and we've, I think, you know, hearing from Helen, hearing from the people who spoke earlier in the night about Mr. Glover, the large cheering section who, I don't know if everybody at home can see them, but they're here for him tonight, and I know that they could all speak equally eloquently about things Paul has done for them individually, but in the sake of time, they, they're just, their presence is what we're noting. But we, this is, absolute—almost unprecedented. I was speaking with Mr. Van Winkle a little time, while ago, and you know, it's the school board that actually that names schools in town, so the last time we named anything as a community was the Bristow School, roughly ten years ago or so. The, but this body has not named anything in, I think, at least forty years, and it could be a little bit longer, so we hope that the, you know, the act of naming, Paul, will do, be some measure of an appropriate gesture for everything that you've done in this community, but I hope to add to that by noting we never do this for anybody else, and so that, that's worth noting as well. You have to be, well, glad you can be alive, you know, I was gonna say, most of the time the rule has been you had to have passed away before we did it. I'm glad we have waived that rule and hopefully going forward will, but that it's, there is no higher gesture, I think, that a community can give, and we, when this was being put together a few weeks ago, and I really thank Helen for leading this and everybody behind Helen who helped put this together and allow us the act of doing this. I was prepared to say, as I thought about it, I was prepared to talk about the fields and talk about you know, how I was, I was part of that, I was on the council at the time. It was much tougher than, to accomplish than these five or six sentences would do justice to it. Then something else happened and I realized, you know what, that actually isn't why I'm here to thank Paul Glover. It was about two weeks ago that I coached my daughter's first soccer practice. And I realized that the real thank you is what Helen was saying, is that it's not that you helped me have a community where we had more fields. It's that as a dad, you gave me a chance to coach my daughter, and that many years ago that wouldn't have existed for somebody in my position, and wow, when you think about that, there's nothing we could do to repay that,

but, Paul, I hope this does some measure of an appropriate gesture for everything you've given to this community. So thank you for that. Anybody else? Yes, please, Mrs. Hall.

Councilor Hall: I didn't play soccer in West Hartford nor did our kids, and the first time I met Mr. Glover was through the Veterans Committee, and I never knew he had this soccer background. I just knew him as a great volunteer on the Veterans Committee. So more than anything, what I'd like to do is thank you for providing such a wonderful example to our community of someone who gets involved, who doesn't look for fanfare, who just goes out and does what needs doing. And, you know, I hope there's a lotta students out there who might watch this tonight and learn what it's like to be that...civic activist who just goes out and does what needs doing to make their, their town, their community, their family a better place, so I just want to thank you for all you've done for the town.

President Slifka: Okay. Anybody else? Mr. Captain.

Councilor Captain: Thank you, Mr. Mayor. I've been involved with the town for what seems to be going on for a long time now, since 2001, and it's given me the pleasure of meeting many, many people and the many, many people who volunteer for the various offerings that our town has, but there truly is only a handful of people that, or individuals that you can associate a name with the actual thing that they advocate for. Paul Glover is one of those people. His advocacy for the fields was tenacious. And to threaten the fields with something like, you might not remember, but it came up that maybe the new middle school should go at Flatbush and South Quaker, and I looked at somebody and I said, you're gonna need to have to get that past Paul Glover, because that's how tenacious of an advocate he was for those fields, for getting people together to support those fields, funding for those fields, caring for those fields, and it really is an honor to honor an individual whose name is so associated with those playing fields, and I'm sure we're all very, very happy to put our names on this this evening. Thank you.

President Slifka: Thank you, Mr. Captain. Mrs. Casperson?

Councilor Casperson: Thank you, Mr. Mayor. So as someone who moved into West Hartford fifteen years ago, our daughters had played soccer in other places and it was that thing that helped them cement their relationship with so many people in different areas of town, and I was able to, for my first time, coach them. It was an amazing experience, and just anytime I've ever seen you on a field, it's been inspiring, and I just appreciate everything that you've done to, for children and for the adults, because many times you hear the fervor and the excitement of all of the adults who play, and that's not in every community, and really appreciate what you've done to keep that spirit going in West Hartford, and this honor will help that spirit live on. Thank you.

President Slifka: Thank you, Mrs. Casperson. Mr. Davidoff?

Councilor Davidoff: Thank you, Mr. Mayor. I think the key point I get from this evening is we're making history, and the reason I say that is Mr. Glover is surrounded by friends and family, and people will ask us, who was Paul Glover? Generations from now,

and hopefully my children will live here and they'll say, did you ever meet the gentleman or know the gentleman whose name is associated with this field? And now there's a story to tell, and it's a really great story, and like your brother said, it's really good to recognize somebody with an honor instead of in memory of, and may you be blessed with many more happy occasions in your life to see this moment live on longer and that when people drive by this complex, they can really appreciate all the dedication and hard work you did for our community without expecting this evening to come forward, so as one West Hartford resident who never met you before, I'm totally moved by your achievements, your accomplishments, and what you've done to add to life in West Hartford. And I heart—wholeheartedly thank you for everything you've done.

President Slifka: Mr. Davidoff. Ms. Cantor?

Councilor Cantor: I, I have a little unique perspective. I have four sons, so I didn't have we, we were in the "Zeke" land over there, but I, so my four sons were born. My little one was born in '96, and he was born with a heart condition and had multiple heart, open-heart surgeries, and I, I was in a cloud, and I didn't have the opportunity to exercise. I always was an active athlete. I was captain of the Hall High swim team and gymnastics teams and ran track. And I remember somebody coming up to me and said, you should think, when he was sort of out of that danger, real danger zone, someone said to me, you should come and play women's soccer, and I said, geez, I don't know, I haven't been, you know, doing this, and—it will, it will bring you back. It will make you feel better. And so sure enough, I joined the purple team and I made a lot of friends, and it really gave me the energy and the space that I needed to sort of start to make my own life again at that point, and it was, and it really was because of you, and I, you know, you've touched all of us in different ways, and I just want to thank you very much.

President Slifka: Thank you, Mrs. Cantor. Mrs. Kindall?

Councilor Kindall: Like Helen, I was born in the dark ages, and there was not women's softball and there wasn't women's soccer, and I think folks today just take all that for granted that there all these women's teams. There were dance classes. And I did those. But I just, so on behalf, and I'll keep it short, 'cause I also, like Mr. Davidoff, we haven't met before, but I am touched, and I owe you a debt of gratitude, and on behalf of all of us old folks who didn't have those opportunities, we thank you for giving daughters, cousins, sisters those opportunities. Thank you.

President Slifka: Mr. Barnes?

Councilor Barnes: Sure. I'm now sorry that my three daughters did not play soccer and missed a tremendous opportunity here. Adult soccer—I'll tell my wife and my, my kids. So I will keep it short. Congratulations, Mr. Glover. A well-deserve—well-deserved honor. Thank you.

President Slifka: And with that, we should make it official. All those in favor?

All: Aye.

President Slifka: Those opposed? Of course not. Motion carries. Congratulations, Mr. Glover.

President Slifka: Okay. Now we're up to #12, Mrs. Cantor?

**ITEM #12 - RESOLUTION OFFICIALLY RECOGNIZING 2015 AS THE 25<sup>TH</sup> ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT.**

**ADOPTED**

**WHEREAS**, the West Hartford Advisory Commission for Persons with Disabilities was established effective September 23, 1986 in order to:

- improve public awareness and understanding of the rights and special needs of persons with disabilities;
- to affirm the commitment of the Town and the community to the proposition that every person, regardless of handicap or other disability, shall have the opportunity to realize his or her fullest potential and participate as fully as possible in the life of the community; and
- to encourage the elimination of barriers of every kind which stand in the way of persons with disabilities living and working in the community; and

**WHEREAS**, the Americans with Disabilities Act (ADA) was signed into law on July 26, 1990, by President George H.W. Bush, as a civil rights law that prohibits discrimination and guarantees that people with disabilities have the same opportunities as everyone else to participate in the mainstream of American life -- to enjoy employment opportunities, to purchase goods and services, and to participate in State and local government programs and services; and

**WHEREAS**, this landmark federal legislation has brought meaningful change throughout cities and towns across the country, including West Hartford

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF WEST HARTFORD THAT** the Town officially recognizes 2015 as the year of the 25<sup>th</sup> Anniversary of the Americans with Disabilities Act in recognition of the Town's continuing commitment to providing equal access and opportunities for people with disabilities to places of housing, employment, education, recreation, worship, among others.

Councilor Cantor: Number 12. Resolution Officially Recognizing 2015 as the 25<sup>th</sup> Anniversary of the Americans with Disability Act. I move that we adopt.

Councilor Kindall: Second.

President Slifka: The motion is made and seconded. So we, uh, we're gonna read this as well, and I know it's unusual, we're gonna read more than one resolution, but I think it's important to know why, why we're doing this. So this says, whereas the West Hartford Advisory Commission for Persons with Disabilities was established effective September 23, 1986, in order to improve public awareness and understanding of the rights and special needs of persons with disabilities, to affirm the commitment of the town and the community to the proposition that every person regardless of handicap or other disability shall have the opportunity to realize his or her fullest potential and participate as fully as possible in the life of the community and to encourage the elimination of barriers of every kind which stand in the way of persons with disabilities living and working in the community and whereas the Americans with Disabilities Act or ADA was signed into law in July 26, 1990, by President George H. W. Bush as a civil rights law that prohibits discrimination and guarantees that people with disabilities have the same opportunities as everyone else to participate in the mainstream of American life, to enjoy employment opportunities, to purchase goods and services, and to participate in state and local government programs and services, and whereas this landmark federal legislation has brought meaningful change throughout cities and towns across the country including West Hartford, now therefore be it resolved by the town council of West Hartford that the town officially recognizes 2015 as the year of the 25<sup>th</sup> anniversary of the Americans with Disabilities Act in recognition of the town's continuing commitment to providing equal access and opportunities for people with disabilities to places of housing, employment, education, recreation, worship, among others. And everybody on this council has sponsored this, and I, kind of in line with what we just saw with the discussion about Mr. Glover, I just want to give you a, kind of a before and after about, in Mr. Glover's situation, we talked about, you know, what things were like for girls in town who wanted athletic opportunities and women who wanted those opportunities before Mr. Glover took his action and what happened after. So before there were no opportunities. This one man stepped up, and now we've transformed the life experience for, for people in that situation in our community. This case, my brother is still in the audience. He testified to this earlier but didn't give you a lot of detail. So this law was passed in 1990. My brother started elementary school in roughly 1983. There was no Americans Dis— with—Americans with Disabilities Act at the time. Now what does that mean? Right now we take for granted, and most of us who are not disabled take it even more for granted, that there are going to be curb cuts where a wheelchair could go up that. There will be elevator access in every building that you go into. That there will be ramps in the appropriate places and things and parking spots and all that so that people who are disabled can properly get out of their vehicles. But there was a time when it was not so. And when my brother started elementary school with me, there were no law requiring those things and they were in, they were in short supply, and so just to get in and out of school every day, what my, what we arranged was my family paid the eighth grade boys a small little stipend so they would carry my brother from the front door into his classroom and then down to the cafeteria and then to other, the auditorium or the gym or wherever was appropriate, and at the end of the day, back out the door to his bus again, which meant he had zero independence at that stage in life. And then I, he may remember the day that we were late for the bus and I was three years older and was not even maybe today, not svelte enough to pick him up and carry him, but the boy who was supposed to do it was running late, and I said, let's get to the bus and I picked him up,

and I promptly dropped his head onto a desk. He wasn't injured, thankfully, but we ended that experiment at that time. But, you know, laugh about it now but say, well, he was put at risk just so he could get in and out of school every day, and so I won't go on and on about a personal experience today except to say that I think, why, why would we honor something like this today is that, is that, and I like the fact, too, that we mentioned that George H. W. Bush was the president who signed this into law. This is one of the, you know, preeminent bipartisan achievements of the nation, is that my brother's life was transformed. My family's life was transformed by virtue of the changes that were made in every community across this country by this law, and that it's a great example of where government can and should step in and do something good to change people's lives. But remember that it wasn't always so, and so with that, I thank the members of the dis—the advisory commission for disabilities in West Hartford. Mary Silverberg was here this evening earlier. I'm gesturing to where she was sitting. She's not there now. But her presence is still there—who brought this to our attention and asked us if we would honor it so that it would get its appropriate due. Anyone else? Mrs. Hall?

Councilor Hall: I have been following you on all this stuff this evening, but I feel like I also want to congratulate the town for wholeheartedly embracing the spirit of the ADA. I look at everything that the town does that goes over and above what this might require, and I think specifically the work of our advisory committee, and you go into the library, and you see all of the tools that we've purchased for people who are sight impaired so that everything that's in the library isn't closed off to them as well. So it's, I think it's a real testament to the people that not only work at the town but are volunteers on that committee, who have made West Hartford a much more accessible place for everyone, so thank you.

President Slifka: Thank you Ms. Hall. Anyone else? Okay. With that, all those in favor?

All: Aye.

President Slifka: Those opposed? The motion carries. We're up to 13. Mrs. Cantor.

**ITEM #13 - RESOLUTION AUTHORIZING CONVEYANCE OF LAND AT 310A CUMBERLAND ROAD**

**SET FOR PUBLIC HEARING ON OCTOBER 27, 2015, AT 7:25 P.M. AND REFERRED TO TPZ**

**WHEREAS**, the Town of West Hartford owns a parcel of property on Cumberland Road which is approximately 10 feet wide by 150 feet deep and is located between the homes at 310 Cumberland Road and 316 Cumberland Road; and

**WHEREAS**, this property is identified on the Town's Geographic Information System as 310 Cumberland Road but is identified herein as 310A Cumberland Road to avoid confusion with the residential property next door.

**WHEREAS**, the Town has owned this property since 1949 when it was acquired along with several other parcels through a foreclosure action; and

**WHEREAS**, the Town has no interest in retaining this property, the abutting property owner at 316 Cumberland Road has expressed an interest in acquiring it and the other abutting property owner at 310 Cumberland Road has no such interest; and

**WHEREAS**, returning this property to the tax rolls and eliminating the Town's maintenance obligations will provide a modest benefit to all the Town's taxpayers

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF WEST HARTFORD THAT** the Town Manager is hereby authorized to execute such documents as may be necessary and appropriate to convey the parcel of Town-owned land known as 310A Cumberland Road to the abutting property owner for no consideration.

Councilor Cantor: Thirteen. Resolution Authorizing Conveyance of Land at 310A Cumberland Road. I move that we set for Public Hearing October 27 at 7:25 p.m., refer to TPZ—and refer to TPZ.

Councilor Kindall: Second.

President Slifka: Motion is made and seconded. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. All right, we are up to Announcements.

#### **ITEM #16 - ANNOUNCEMENTS**

President Slifka: The—this—okay, speaking of unprecedented things, it is—oh, I'm sorry—They're on consent.

Councilor Cantor: Oh, no, I said twenty through twenty-five.

President Slifka: You didn't say fourteen—oh.

Mr. O'Brien: You could, you could add these with unanimous consent of the council, yes. So you can just make a motion to add the two of them to Consent Calendar.

Councilor Cantor: I move that we place Items 14 and 15 on the Consent Calendar.

Councilor Kindall: Second.

President Slifka: Motion is made and seconded. All those in favor?

All: Aye.

President Slifka: Those opposed? Okay, that sounds unanimous, so it passes. Thank you. Sorry for the confusion. Back to announcements—a much more exciting things than Consent Calendars. Webster Hill—I didn't miss anything else, did I?

[Speaker]: No.

President Slifka: Okay. Webster Hill School obtained a Guinness World Record. It is now official. The Guinness World's Record Association of London has named Webster Hill Elementary School as the record holder of one of the—of the world's largest origami butterfly with its measurements of 4.36 by 3.29 meters. This monumental act was recorded on March 11th in the school's gym under the direction of math tutor Madelyn Filomeno and physical education teacher Eileen Shahverdian. Fifth-grade students Amy Ni and Annie Lopez-Lopez folded a 7.3 meter craft paper square into the world's largest origami butterfly. Pretty cool. I don't think—I think that is our first world record here. Back to other events. The West Hartford—Fourth Annual West Hartford Relay and Growing Great Schools will kick off two great events on Saturday, September 26<sup>th</sup> at Town Hall. The kids' five-mile relay features four-person teams where each runner completes two loops around Blue Back Square. This event begins at 8 a.m. for kids ages two through grade five. The 20k relay consists of one 5k route that starts and ends at Town Hall. This event begins at 9:15 a.m. for teams of two or four and is geared toward middle school and high school students as well as adults. One hundred percent of the proceeds are donated to the West Hartford Public Schools physical education department, and this relay has donated more than \$18,000 towards student health over the last three years. If you'd like to register, go to [westhartfordrelay.com](http://westhartfordrelay.com). The MDC household hazardous waste collection will be held at the Public Works garage, 17 Brixton Street, this Saturday, September 26<sup>th</sup> from 8 a.m. to 1 p.m. The event is free and open to the residents of any MDC town. National Take-Back Day is on September 26<sup>th</sup> from 10 a.m. to 2 p.m., again this Saturday. It provides an opportunity for the public to surrender expired, unwanted, or unused prescription and over-the-counter solid dosage medications for destruction. It's held in the Town Hall parking lot from 10 a.m. through 2 p.m., and the program is both free and anonymous. Non-acceptable things include intravenous solutions, injectable and needles, which will not be accepted, and of course illicit substances as well. The Pink Party will be on Thursday, October 1<sup>st</sup>, from 5 to 8 p.m. This is when West Hartford kicks off Breast Cancer Awareness Month in style. This is the Fourth Annual Pink Party, and it's in Blue Back Square. The rain date is the next day, October 2<sup>nd</sup>. Pink Party is a party with a purpose. It, event features entertainment and activities of all ages, a fashion show, food sampling, and dancing to the music of Shaded Soul. You can enter to win prizes in the raffle and many other things. All proceeds benefit the Susan B. Komen Breast Cancer Foundation. Something we'll all be at is the Park Road Parade, Saturday, October 3<sup>rd</sup>, 10:30 a.m. If that's not exciting enough that you'll see all of us, bring your whole family to see much of the other fun. There is over 100 contingents who are expected to march in this parade, year's parade. The parade features bands, clowns, dancers—I don't know if clowns counted us, but—dancers, floats, antique cars, dogs of all shapes and sizes, sports cars, mascots, color guards, businesses, civic and cultural organizations as well as other officials. West

Hartford Community TV will air it live if you're not there on channel 5. And a big thank you goes out to all of the volunteers and sponsors, and again that is October 3<sup>rd</sup>, Saturday, at 10:30 a.m., and it steps off at Ringgold Street and ends at South Quaker Lane. The d— University of Saint Joseph will host a digital citizenship summit, a national conference aiming to improve student use of technology with a focus on online interaction including cyber bullying, security threats, online reputation, and issues of social media. This is a first-of-its-kind conference and will take place, again, October 3<sup>rd</sup> from 9 a.m. to 5 p.m. If you would like to attend it, you have to buy tickets. You can get them at tickets.usj.edu, and Mr. Van Winkle, I believe our own Jared Morin, our director of IT is actually a presenter at the, at this conference. And last on my list, at least, is the Jazz Brunch to benefit Gifts of Music on October 4<sup>th</sup>. It's presented by the West Hartford Rotary. It's at the Hartford Club, 46 Prospect Street downtown. It's from 12 to 4. The best jazz will come to Hartford with Jimmy Heath and friends and features a Mexican brunch menu. You have to buy tickets, and you can contact Jim Kilian at, I guess I can give Jim's number out, (860) 716-5335. Anyone else with an announcement? My gosh. I got 'em all tonight. I know, sucked all the air out of the room. So, we're up to 17, Report from Corporation Counsel. Mr. O'Brien.

#### **ITEM #17 - REPORTS OF CORPORATION COUNSEL**

Mr. O'Brien: We do not need executive session, and I have no announcements, and I'll be glad to answer any questions.

President Slifka: Thank you, Mr. O'Brien. Are there any questions for the corporation counsel? None. Thank you. So, we have no Appointments. According to Mr. O'Brien, no need for Executive Session, so we go to the Consent Calendar as properly amended before.

#### **ITEM #26 - CONSENT CALENDAR:**

##### **ADOPTED**

#### **ITEM #14 – RESOLUTION APPROPRIATING \$25,500 FROM THE ROCKLEDGE CAPITAL RESERVE FOR THE PURCHASE OF CAPITAL EQUIPMENT FOR ROCKLEDGE GOLF COURSE**

**WHEREAS**, a Rockledge Capital Project Reserve has been established for the purpose of funding improvements and equipment at Rockledge Golf Course, and

**WHEREAS**, the Capital Project Reserve is funded by Rockledge golfers who have paid a surcharge on greens fees and season tickets at Rockledge, and

**WHEREAS**, Rockledge needs to replace a forty-three year old gang mower which has significant mechanical issues and a twenty-eight year old blower which is used for leaf and debris cleanup, and

**WHEREAS**, there are sufficient funds in the Rockledge Capital Reserve to support these purchases,

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD**, that utilization of \$25,500 of the Rockledge Capital Project Reserve in the Capital Non-Recurring Expenditure Fund is authorized for the purchase of a Progressive Pro-Flex contour finishing mower (21,000) and a blower (\$4,500) for Rockledge Golf Course and that the Fiscal Year 2015-2016 Capital Non-Recurring Expenditure Fund Budget is hereby amended as follows:

Estimated Revenues

33-910800-30506-9399	Use of Fund Balance – Rockledge Reserve	\$25,500
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Appropriations

33-910800-30506-4058	Transfer out	\$25,500
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**AND, BE IT FURTHER RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD**, that the Fiscal Year 2015-2016 Leisure Service Fund Budget is hereby amended as follows:

Estimated Revenues

22-400900-40902-9386	Transfer in	\$25,500
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Appropriations

22-400900-40902-3193	Lawn Mower	\$21,000
22-400900-40902-3235	Equipment	\$ 4,500

**ITEM #15 – RESOLUTION TO AMEND THE FISCAL YEAR 2015-2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) BUDGETS BY APPROPRIATING PRIOR YEAR UNEXPENDED GRANT FUNDS**

**WHEREAS**, the Community Development Block Grant (CDBG) Fund and the CDBG-Housing Rehab Fund have unexpended grant monies available to carryover from the fiscal year 2014-2015 entitlement and it is the desire of the Town to make said funds available for grant activities in fiscal year 2015-2016,

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST HARTFORD**, that the fiscal year 2015-2016 CDBG (Fund 13) and CDBG-Housing Rehab Fund (Fund 14) budgets are hereby amended as follows:

**Fund 13**

Estimated Revenues:

13-401950-30506-9086	Public Facilities	PY Intergovernmental Revenue	\$460,087.70
13-401900-40191-9086	HANOC	PY Intergovernmental Revenue	\$7,380.26

Appropriations:

13-401950-30506-4058	Public Facilities	Capital Projects (on-going)	\$92,087.70
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13-401950-30506-4058	Public Facilities	Capital Project - Paving	\$150,000.00
13-401950-30506-4058	Public Facilities	Capital Project – Cornerstone Interior	\$118,000.00
13-401950-30506-4058	Public Facilities	Capital Project – Eisenhower Park Facility	\$100,000.00
13-401900-40191-1007	HANOC	Temporary Payroll	\$1,500.00
13-401900-40191-2285	HANOC	Grounds Maintenance	\$3,380.26
13-401900-40191-2508	HANOC	Special Events	\$2,500.00

**Fund 14**

Estimated Revenues:

14-301400-30403-9086 Housing Rehabilitation PY Intergovernmental \$100,000.00

Appropriations:

14-301400-30403-2622 Housing Rehabilitation Grant/Loan Control \$100,000.00

**ITEM #20 – FROM TOWN PLAN AND ZONING – RE: 245 PROSPECT AVENUE – RECOMMENDING APPROVAL**

**ITEM #21 – FROM TOWN PLAN AND ZONING – RE: RESOLUTION AUTHORIZING EXECUTION OF “SMALL CELL” LEASE AGREEMENT WITH VERIZON WIRELESS – RECOMMENDING APPROVAL**

**ITEM #22 – FROM DESIGN REVIEW ADVISORY COMMITTEE – RE: 245 PROSPECT AVENUE – RECOMMENDING APPROVAL**

**ITEM #23 – FROM INLAND WETLAND AND WATERCOURSES AGENCY RECENT PLANNING ACTION – RE: 27 WATERSIDE LANE**

**ITEM #24 – MINUTES FROM ADMINISTRATION AND TECHNOLOGY COMMITTEE – 9/2/15**

**ITEM #25 – MINUTES FROM PUBLIC SAFETY COMMITTEE – 9/3/15**

Councilor Cantor: I, I move that we adopt the comprehensive Consent Calendar.

Councilor Kindall: Second.

President Slifka: Motion is made and seconded. All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. There are no Communications or Petitions, so I'd like to entertain a motion to adjourn.

**ITEM #29 - ADJOURNMENT**

Councilor Cantor: So moved.

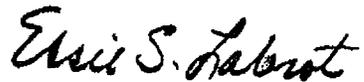
Councilor Kindall: Second.

President Slifka: All those in favor?

All: Aye.

President Slifka: Those opposed? Motion carries. Good night.

Meeting adjourned at 9:22 p.m.



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Essie S. Labrot  
Town Clerk/Council Clerk

/jw

**APPROVED AT OCTOBER 13, 2015, TOWN COUNCIL MEETING**



**527 Prospect, LLC**

527 Prospect Avenue  
West Hartford, CT 06107  
Telephone No.: (860) 549-8440  
Fax No.: (860) 549-8443

**RECEIVED**

**SEP - 1 2015**

TOWN CLERK/TOWN COUNCIL OFFICE  
West Hartford, CT

ITEM NO. 10  
FILE NO. 1004

August 28, 2015

**VIA HAND DELIVERY TO TOWN PLANNER**

Mayor Slifka and Honorable Members of the Town Council:  
Town of West Hartford  
50 South Main Street  
West Hartford, CT 06107

**RE: Amendment to Special Development District #123 for Changes to  
Landscaping Plan for 527 Prospect Avenue, West Hartford, CT**

Dear Mayor Slifka and Council Members:

By this letter, property owner 527 Prospect LLC submits this Application to amend a Special Development District for property located at 527 Prospect Avenue, West Hartford, CT. The only proposed amendment would be to the landscaping plan for Special Development District #123 to provide for a cedar fence between the subject property and an abutting landowner. This letter and accompanying plans and documents explain the amendment proposal more fully, and collectively constitute the application.

**Development of 527 Prospect Avenue, West Hartford CT.**

On May 22, 2012, we appeared before the town council to approve our renovation plans, which included a landscape design that called for a row of arborvitae bushes along the west border of the property. The plans were approved and realized at the property where we now operate a law firm, Walsh Woodard LLC (formerly Moukawsher & Walsh, LLC). We are extremely pleased with our move and everything about our new location.

At the hearing, however, there was a lot of discussion about the placement of the bushes and the types of plantings to be used. Unfortunately, none of us realized at the time that arborvitae require a lot of sun to thrive. The area where they are planted is, unfortunately, densely shaded by maple trees on Ms. Hunter's property that extend over our parking lot. The landscaper, John Zysk of Zysk Bros. Landscaping, Inc., informed us that he would not guarantee the arborvitae would survive because they require sun as do most hedgerow plantings.



527 Prospect, LLC

Town of West Hartford  
Planning and Zoning Department  
August 28, 2015  
Page 2

Additionally, he stated that the roots from the maple trees are very spindly and warned us that the existing trees would further hinder the ability of these arborvitae to ever thrive. We planted them at the time, however, because we could not delay to formalize an amendment and were advised to follow the approved plans. Attached is a current photograph of the arborvitae that were planted in September of 2012 (Exhibit 1). As you can see, they are dying or dead as predicted by Mr. Zysk, especially the ones immediately adjacent to the maple trees. In addition, attached is a letter from Mr. Zysk (Exhibit 2) regarding the dead arborvitae and their failure to thrive despite his company, Zysk Bros. Landscaping, Inc.'s, weekly maintenance.

**Amendment to Landscaping Plan to Install Fence.**

We have discussed the problem of the dead or dying arborvitae with Ms. Hunter and our other abutting neighbors and, with their consent, we would request that the Town Council permit us to erect a 7' high cedar privacy fence that would be fully compliant with town regulations. The fence would be placed on our property in the same area that the arborvitae now exist and would provide an aesthetically pleasing and functional block between our parking area and Ms. Hunter's property. The dying or dead arborvitae currently situated on the western border where the proposed fence would be installed would be removed and disposed of. In addition, new plantings in the form of hosta and/or day lilies would be planted along the fence between it and the parking lot abutting the western border. By installing the fence in the place of the arborvitae, they will be a couple feet from our western border allowing us to access the back of the fence for landscaping maintenance. This plan is reflected in the attached letter from the landscaper, Zysk Bros. Landscaping, Inc. (Exhibit 2), who is responsible for the maintenance of the property landscaping as well as the blowup of the plan focusing on the proposed fence along the western border (Exhibit 3).

527 Prospect LLC has met with Town Planner, Todd Dumais on July 22, 2015 for guidance associated with this application. This application therefore reflects our best effort to comply with the Town's regulations as well as Mr. Dumais advice. In addition, we reached out to our neighbors on July 22, 2015 (Exhibit 4) and again on August 24, 2015 (Exhibit 4) enclosing a copy of the pertinent section of the proposed landscaping plan and a picture of the proposed fence and inviting them to meet with us to discuss the fence and answer questions. We have scheduled two specific meeting times when we are specifically available to answer questions and also invited calls or questions to our office at any time. Of our three abutting neighbors, the North and South neighbors have no objection to the placement of the fence and the neighbor to the west, Diane Hunter, has previously requested a fence along this western border. However, she has not specifically contacted us to discuss the matter since the letters (Exhibit 4) were mailed.



527 Prospect, LLC

Town of West Hartford  
Planning and Zoning Department  
August 28, 2015  
Page 3

**The Property meets all the Zoning Standards.**

The Property today meets all zoning standards. The Property as modified by this application will meet all zoning requirements. The plan will provide for the removal of the dead or dying arborvitae only along the west border, and installation of a new fence in place of the removed/relocated arborvitae providing a functional and aesthetically pleasing block between the parking area of the subject property and the property of the abutting land owner Diane Hunter.

**The Amendment is Appropriate for the Property.**

The requested amendment to the Special Development District designation is appropriate for the Property for the following reasons:

- (1) The plan as proposed is in harmony with the overall objectives of the Comprehensive Plan and the specific intent of the RO zone.
- (2) The proposed plan is superior to one possible under the regular standards of the Town's zoning regulations; and
- (3) The plan will clearly be in harmony with the actual or permitted development of adjacent properties. There will be no deleterious change in the character of the surrounding neighborhood.

Thank you for your consideration of our request.

Respectfully submitted, 527 PROSPECT LLC

By:   
\_\_\_\_\_  
D. Lincoln Woodard  
Member duly authorized

DLW:mrm



527 Prospect, LLC

Town of West Hartford  
Planning and Zoning Department  
August 28, 2015  
Page 4

List of Enclosures:

- Exhibit A: Owners Affidavit;
  - Exhibit B: Property Description;
  - Exhibit C: Affidavit of Interest;
  - Exhibit D: Description of Proposed Uses;
  - Exhibit E: June 5, 2008 letter from Director of the West Hartford-Bloomfield Health District;
  - Exhibit F: One hardcopy and one CD of the Proposed Landscaping Plan entitled: "Improvement Location Survey-Proposed Prepared for 527 Prospect, LLC #527 Prospect Avenue, West Hartford Connecticut, 06105, Scale: 1"=20', Job No. 1786, Date: March 13, 2012" consisting of 1 sheet revised June 16, 2015.
- 
- Exhibit 1: Photograph of the arborvitae along the western border of the property.
  - Exhibit 2: Zysk Bros. Landscaping, Inc. letter.
  - Exhibit 3: Blowup of plan section focusing on fence area along western border of the property.
  - Exhibit 4: Letters to abutting property owners, July 22, 2015 and August 24, 2015.
  - Exhibit 5: (Reduced) Prior Approved Landscaping Plan entitled: "Site Landscaping Plan for 527 Prospect, LLC #527 Prospect Avenue, West Hartford Connecticut, 06105, Scale: 1"=10', Job No. 1786, Date: March 13, 2012" consisting of 1 sheet revised April 12, 2012.

Application fee by check made payable to the Town of West Hartford.

**EXHIBIT A**



527 Prospect, LLC

527 Prospect Avenue  
West Hartford, CT 06107  
Telephone No.: (860) 549-8440  
Fax No.: (860) 549-8443

July 31, 2015

Honorable Members of the West Hartford Town Council  
Town of West Hartford Town Hall  
50 South Main Street  
West Hartford, CT 06107

Re: Application for Amendment to Special Development District for 527 Prospect Avenue, West Hartford, Connecticut

Dear Mayor and Honorable Members of the Town Council:

527 Prospect LLC is the owner of property known as 527 Prospect Avenue, West Hartford, Connecticut, and as such, hereby files this application for an amendment to the Special Development District. This letter is being provided for the purpose of meeting the requirements of Section 1 77-44(c)(1) of the West Hartford Zoning Regulations requiring written "application" by all of the property owners.

Respectfully submitted, 527 PROSPECT LLC

By:

D. Lincoln Woodard, Its duly authorized Member

**EXHIBIT B**



## 527 Prospect, LLC

527 Prospect Avenue  
West Hartford, CT 06107  
Telephone No.: (860) 549-8440  
Fax No.: (860) 549-8443

### DESCRIPTION OF PREMISES

All that certain parcel of land known as 527 Prospect Avenue situated in the Town of West Hartford, County of Hartford and State of Connecticut being more particularly bounded and described as follows:

A certain piece or parcel of land, together with the buildings and improvements thereon, situated in the Town of West Hartford, County of Hartford and State of Connecticut, known as No. 527 Prospect Avenue, and also known as Lot No. 2 and the northerly 31.19 feet of Lot No. 3 on a certain map entitled "Subdivision Property of Thomas D. Faulkner and Chas. J. Neale West Hartford scale 1" = 40' July 1917 A. B. Alderson Civil Engineer", which map is on file in the Town Clerk's Office, to which reference may be had, and being more particularly bounded and described as follows, to wit:

- NORTHERLY: by land now or formerly of William A. Schaffenberg, also known as Lot No. 1 on said map, a distance of One Hundred Fifty (150) feet;
- EASTERLY: by Prospect Avenue, a distance of Eighty-One and Nineteen One-Hundredths (81.19) feet;
- SOUTHERLY: by land now or formerly of Rose S. McIntyre et al, being the remaining portion of Lot No. 3, as shown on said map, a distance of One Hundred Fifty (150) feet; and
- WESTERLY: by land now or formerly of Bluma R. Katz, being Lot No. 19, as shown on said map, a distance of Eighty One and Nineteen One-Hundredths (81.19) feet.

# EXHIBIT C



527 Prospect, LLC

527 Prospect Avenue  
West Hartford, CT 06107  
Telephone No.: (860) 549-8440  
Fax No.: (860) 549-8443

July 31, 2015

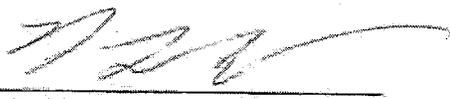
**AFFIDAVIT OF INTEREST**

The undersigned, being duly sworn, hereby deposes and says:

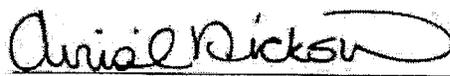
The names of any person, firm or corporations having a direct or indirect interest in a personal or financial sense in the application by 527 Prospect LLC to amend Special Development District for property located at 527 Prospect Avenue, West Hartford, Connecticut are:

- (1) Michael J. Walsh, Member, Moukawsher & Walsh LLC
- (2) Lincoln Woodard, Member, Moukawsher & Walsh LLC
- (3) Karolina Dowd, Member, Moukawsher & Walsh LLC

Executed in West Hartford, Connecticut, on the 30<sup>th</sup> day of July, 2015.

By:   
D. Lincoln Woodard

Subscribed and sworn to before me this 30<sup>th</sup> day of July, 2015.

  
Commissioner of the Superior Court  
Notary Public  
My Commission Expires 12/31/2018

**AIRISEL NICKSON**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES DEC. 31, 2018

**EXHIBIT D**



## 527 Prospect, LLC

527 Prospect Avenue  
West Hartford, CT 06107  
Telephone No.: (860) 549-8440  
Fax No.: (860) 549-8443

### **DESCRIPTION OF PROPOSED USE**

527 Prospect LLC proposes to amend the existing Special Development District #123 to allow for changes to the landscaping plan to erect a fence, all with regard to the previously approved office building at 527 Prospect Avenue, West Hartford, CT. No noise, vibration, radiation, odor or dust, smoke, gas fumes, or other atmospheric pollution is expected to be produced from the operation and maintenance of the office building and related parking area, other than customarily generated from such uses.

**EXHIBIT E**

WHBHD



June 5, 2008

Barbara Bergren  
77 Cambridge Drive  
South Windsor, CT 06074-0887

**Re: Sewage Disposal Adequacy Confirmation  
527 Prospect Avenue  
West Hartford, CT**

Dear Ms. Bergen,

The sanitary sewer line that services the above-referenced property appears adequate under normal conditions to accept the peak flow expected to result from the proposed use of this property described in your correspondence of June 4, 2008 to this office.

It is our understanding the site located at 527 Prospect Avenue seeks a change in zone from single family (R-6) to Residential Office District (RO) then to Special Development District (SDD) designation to permit the use of the premises as a professional office. Additionally, it is our understanding you are targeting a legal/accounting type firm and there are only proposed cosmetic improvements to the exterior and interior of the building.

Finally it is our understanding the site improvements includes the expansion of parking from four to six spaces. The foot print of the property is to remain approximately 1,600 square feet.

Contingent upon an acceptable sewer discharge plan by the MDC and an acceptable storm water discharge plan by the Town Engineer, please consider this letter as our statement of adequacy under Section 177-44. C.(1)(e) of the Code of the Town of West Hartford.

Sincerely,

Steven J. Huleatt, MPH, RS  
Director of Health

Sewer adequacy letter

West Hartford-Bloomfield Health District  
693-C Bloomfield Avenue, Bloomfield, CT 06002  
(860) 561-7900 • Fax: (860) 561-7918

**EXHIBIT F**



**EXHIBIT 1**



# EXHIBIT 2

Zysk Bros. Landscaping, Inc.  
30 Brixton Street  
West Hartford, CT 06110  
Phone 860-953-0057 Fax 860-953-5296  
[zyskbros@sbcglobal.net](mailto:zyskbros@sbcglobal.net)

July 23, 2015

RE: Proposed amendment to construct fence along West border of 527 Prospect Avenue, West Hartford

To West Hartford Town Council Members:

I am the owner of Zysk Bros. Landscaping, Inc. and I was the contractor hired to complete the landscaping designed and approved by the Town in 2012. Since that time I have been hired by Walsh Woodard to maintain the lawn and other landscaping. As a result my employees are on the property every week and I visit the site approximately 3 to 5 times per year.

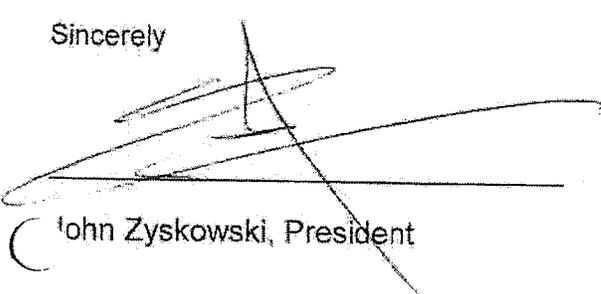
At the request of the owners, I am writing this letter to explain that despite diligent efforts on the part of my company and the owner of the property, the arborvitae planted along the western border of the property are dying or have died.

In fact, when I learned that the Town required the arborvitae be planted in this location as part of the approved landscape design, I did not believe that they would survive and informed the owners that I could not guarantee any of the arborvitae planted along the western border. My concern was that the arborvitaes would not survive because they require sun as do most hedgerow plantings and the maple trees bounding Diane Hunter's property line overhang and therefore create shade over the arborvitaes. Additionally, the roots from the maple trees are very spindly and further hinder the ability of these arborvitaes to thrive. This is precisely what has caused these plantings to fail.

Therefore, I agree with the owners that the best alternative is to remove the arborvitae from the western border and replace them with privacy fence, and also plant shade-appropriate plants in front of the fence facing the parking lot of the property. I suggest plants such as day lilies and hosta. Both are hardy shade plants that will not be affected by the accumulation of plowed snow in the winter time.

This is consistent with the overall layout of the property and will be an aesthetic compliment to the existing design.

Sincerely

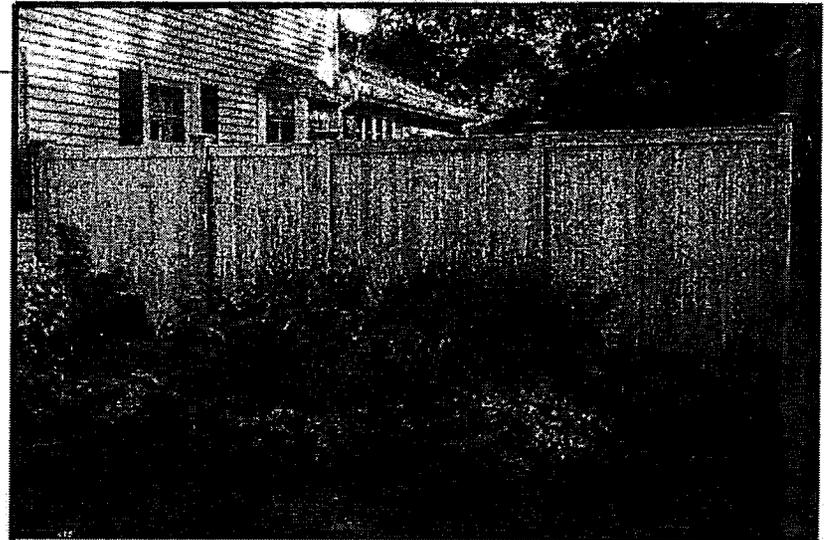
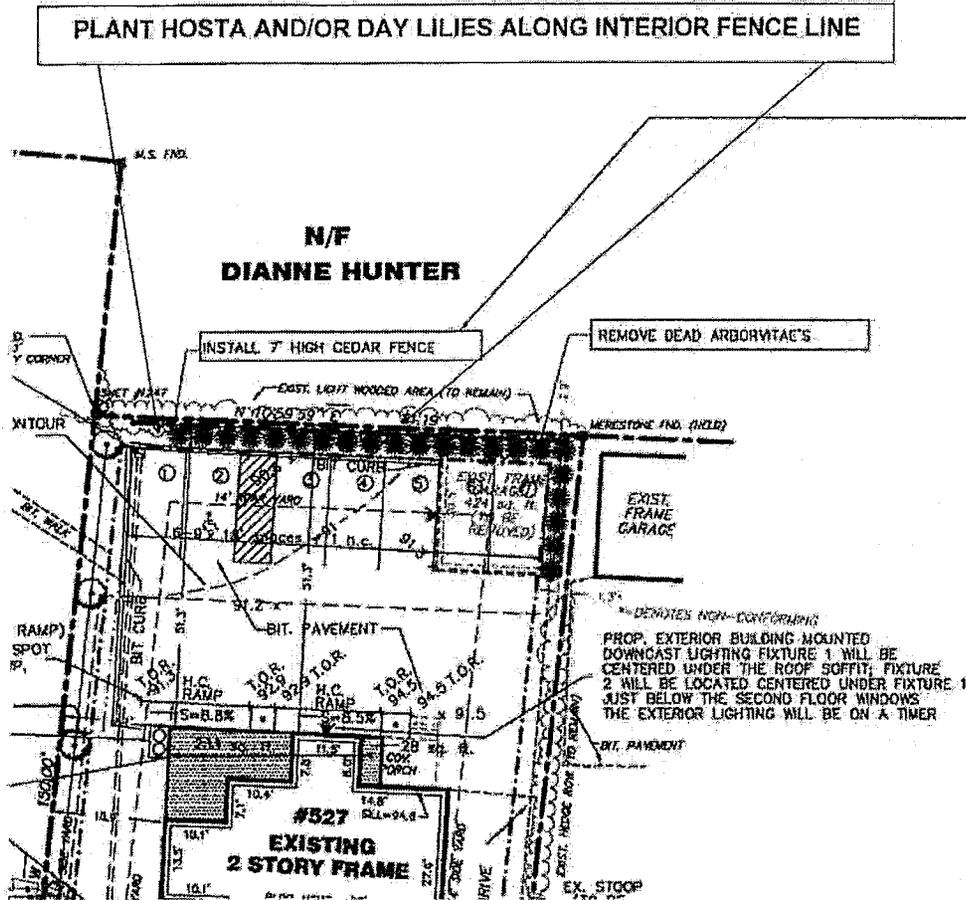


John Zyskowski, President

**EXHIBIT 3**

# BLOWUP OF PLAN SECTION SHOWING FENCE ALONG WESTERN BORDER

527 PROSPECT AVENUE, WEST HARTFORD, CT 06105



**PHOTO OF PROPOSED 7' HIGH CEDAR FENCE**

**FENCE SPECS:**

- PANEL = 7' HIGH PREMIUM GRADE CEDAR "CLASSIC PRIVACY FENCE"
- POST = 10' LONG x 5"x5" POST WITH FEDERAL CAPS

**EXHIBIT 4**



527 Prospect, LLC

527 Prospect Avenue  
West Hartford, CT 06107  
Telephone No.: (860) 549-8440  
Fax No.: (860) 549-8443

July 22, 2015

***VIA CERTIFIED MAIL/  
RETURN RECEIPT REQUESTED***

Diane Hunter  
9 Lowell Road  
West Hartford, CT 06119

**Re: 527 Prospect Avenue**

Dear Ms. Hunter:

As you know, many of the arborvitae that we had planted along the rear property line to provide privacy and blockage from our parking lot are now dead or dying. We are planning to remove the arborvitae at the rear of the property and install a 7' high cedar privacy fence in their place. This fence will only extend along the west border (abutting your property) and will not extend along the north and south borders. I enclose with this letter an excerpt of the engineer's landscaping plan showing where the fence will be installed as well as a picture of the cedar fence we intend to install. The reason I am sending you this certified letter is because the Town of West Hartford requires us to give all of our abutting neighbors notice of our plans and an opportunity to meet with us and hear our plans in detail.

In accordance with the town regulations, we will be available at our office on July 30, 2015 from 1pm until 3pm to discuss the fence plans and are happy to answer any questions you may have. Certainly, you are welcome to call or email me as well if you have questions.

Very truly yours,



D. Lincoln Woodard

DLW:mmm



527 Prospect, LLC

527 Prospect Avenue  
West Hartford, CT 06107  
Telephone No.: (860) 549-8440  
Fax No.: (860) 549-8443

July 22, 2015

***VIA CERTIFIED MAIL/  
RETURN RECEIPT REQUESTED***

Edward Weigen  
521 Prospect Avenue  
Hartford, CT 06105

**Re: 527 Prospect Avenue**

Dear Ed:

I hope this letter finds you well. As you may have noticed, many of the arborvitae that we had planted along the rear property line to provide privacy and blockage from our parking lot are now dead or dying. We are planning to remove the arborvitae at the rear of the property and install a 7' high cedar privacy fence in their place. This fence will only extend along the west border (abutting the Hunter property) and will not extend along the north and south borders. I enclose with this letter an excerpt of the engineer's landscaping plan showing where the fence will be installed as well as a picture of the cedar fence we intend to install. The reason I am sending you this certified letter is because the Town of West Hartford requires us to give all of our abutting neighbors notice of our plans and an opportunity to meet with us and hear our plans in detail.

In accordance with the town regulations, we will be available at our office on July 30, 2015 from 1pm until 3pm to discuss the fence plans and are happy to answer any questions you may have.

Certainly, you are welcome to call us at any time if you have questions.

Very truly yours,

D. Lincoln Woodard

DLW:mrm



527 Prospect, LLC

527 Prospect Avenue  
West Hartford, CT 06107  
Telephone No.: (860) 549-8440  
Fax No.: (860) 549-8443

July 22, 2015

**VIA CERTIFIED MAIL/  
RETURN RECEIPT REQUESTED**

Elias and Florence Farrah  
531 Prospect Avenue  
Hartford, CT 06105

**Re: 527 Prospect Avenue**

Dear Mr. & Mrs. Farrah:

I hope you are both well. I am writing because the Town requires us to give you written notice of our intent to replace the dying arborvitae with a cedar fence. I enclose with this letter an excerpt of the engineer's landscaping plan showing where the fence will be installed as well as a picture of the cedar fence we intend to install.

As you may have noticed, many of the arborvitae that we had planted along the rear property line to provide privacy and blockage from our parking lot are now dead or dying. We are planning to remove the arborvitae only at the rear of the property and install a 7' high cedar privacy fence in their place. This fence will only extend along the west border (abutting the Hunter property) and will not extend along the north and south borders. I discussed this with David and we will keep the ones next to your garage.

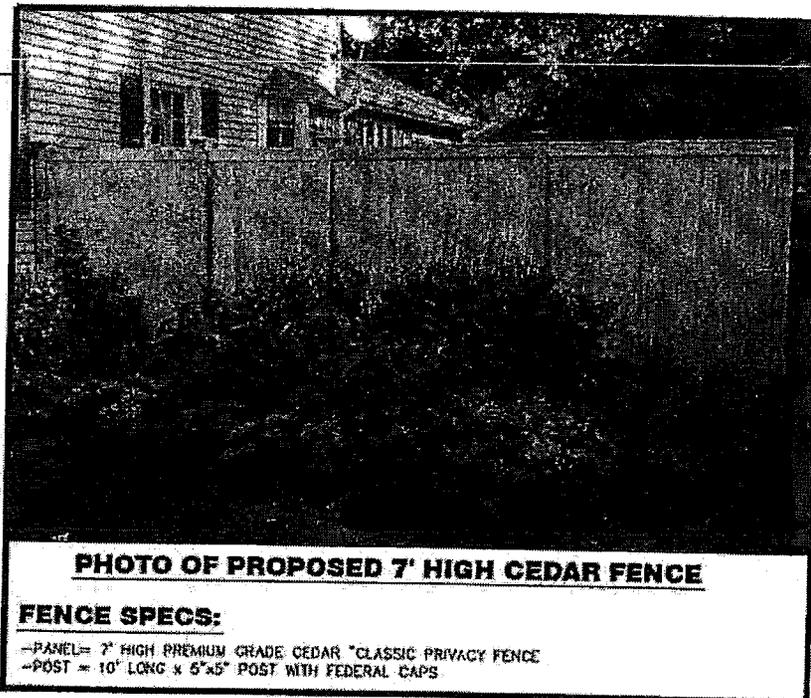
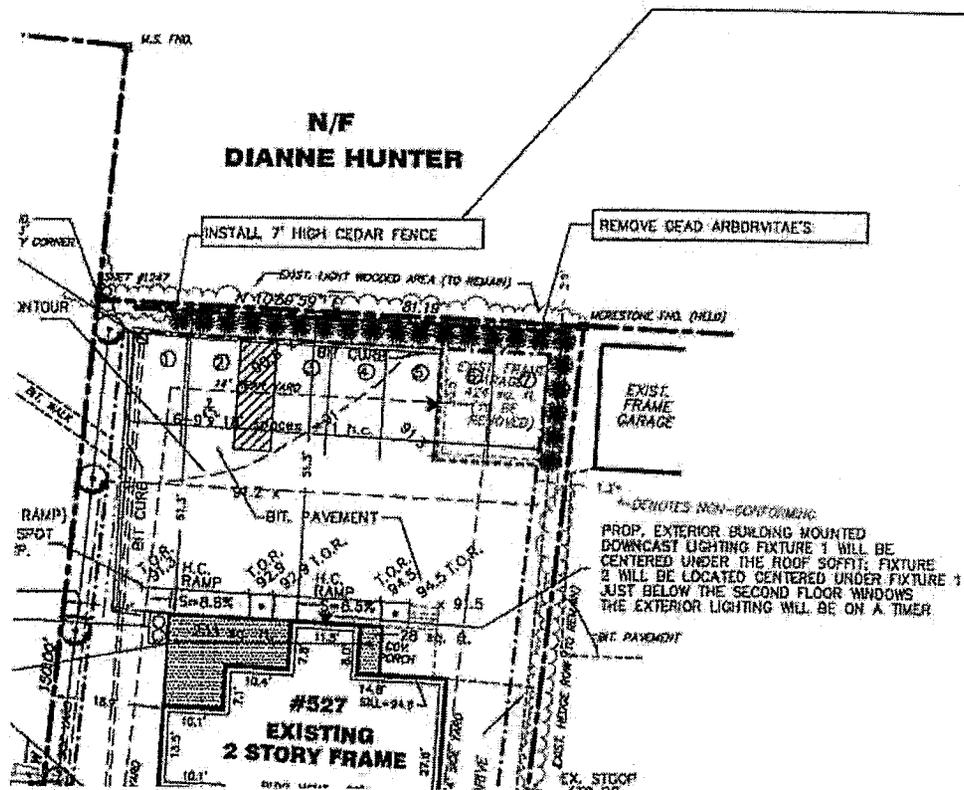
In accordance with the town regulations, we are informing you and the other abutting neighbors that will be available at our office on July 30, 2015 from 1pm until 3pm to discuss the fence plans and are happy to answer any questions you may have.

Certainly, you are welcome to call us at any time if you have questions or concerns.

Very truly yours,

D. Lincoln Woodard

DLW:mrm



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature X <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:	B. Received by (Printed Name)	C. Date of Delivery
Florence Farnam 531 Prospect Ave Hartford CT, 06105 2921		
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
7014 3490 0000 1489 6691		
PS Form 3811, July 2013 Domestic Return Receipt		

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature X <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:	B. Received by (Printed Name)	C. Date of Delivery
Diane Hunkel 9 Lowell Road West Hartford CT 06119		7/25
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
7014 3490 0000 1489 6707		
PS Form 3811, July 2013 Domestic Return Receipt		

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature X <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:	B. Received by (Printed Name)	C. Date of Delivery
Edward Weigen 521 Prospect Ave Hartford CT 06105 2921		
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
7014 3490 0000 1489 6684		
PS Form 3811, July 2013 Domestic Return Receipt		

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
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For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

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Postage	\$
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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
Here

Sent To  
**TARRAH**  
Street & Apt. No.,  
or PO Box No. **531 PROSPECT AVE**  
City, State, ZIP+4  
**HARTFORD CT 06105**  
PS Form 3800, July 2014 See Reverse for Instructions

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
Here

Sent To  
**HUNTER**  
Street & Apt. No.,  
or PO Box No. **9 LOWELL RD**  
City, State, ZIP+4  
**WEST HARTFORD CT 06119**  
PS Form 3800, July 2014 See Reverse for Instructions

U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
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For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
Here

Sent To  
**WEIGEN**  
Street & Apt. No.,  
or PO Box No. **521 PROSPECT AVE**  
City, State, ZIP+4  
**HARTFORD CT 06105**  
PS Form 3800, July 2014 See Reverse for Instructions

7014 3490 0000 1489 6891

7014 3490 0000 1489 6884

7014 3490 0000 1489 6707



527 Prospect, LLC

527 Prospect Avenue  
West Hartford, CT 06107  
Telephone No.: (860) 549-8440  
Fax No.: (860) 549-8443

August 24, 2015

**VIA CERTIFIED MAIL/  
RETURN RECEIPT REQUESTED**

Diane Hunter  
9 Lowell Road  
West Hartford, CT 06119

**Re: 527 Prospect Avenue**

Dear Ms. Hunter:

As indicated in our July 22, 2015 letter we are applying to the Town of West Hartford to install a 7' high cedar privacy fence along the back of our parking lot (abutting the Hunter property). We have since submitted our application to the Town Planner, who suggested that we offer to meet with abutting landowners once more before the application is reviewed at the October Town Council meeting.

Therefore, please free to contact us anytime, but we have specifically set aside time in the office on September 2, 2015 from 1pm until 3pm to discuss the fence plans and are happy to answer any questions you may have.

Certainly, you are welcome to call us at any time if you have questions.

Very truly yours,

D. Lincoln Woodard

DLW:mrm



527 Prospect, LLC

527 Prospect Avenue  
West Hartford, CT 06107  
Telephone No.: (860) 549-8440  
Fax No.: (860) 549-8443

August 24, 2015

***VIA CERTIFIED MAIL/  
RETURN RECEIPT REQUESTED***

Edward Weigen  
521 Prospect Avenue  
Hartford, CT 06105

**Re: 527 Prospect Avenue**

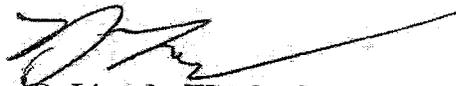
Dear Ed:

As indicated in our July 22, 2015 letter we are applying to the Town of West Hartford to install a 7' high cedar privacy fence along the back of our parking lot (abutting the Hunter property). We have since submitted our application to the Town Planner, who suggested that we offer to meet with abutting landowners once more before the application is reviewed at the October Town Council meeting.

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Certainly, you are welcome to call us at any time if you have questions.

Very truly yours,



D. Lincoln Woodard

DLW:mrm



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West Hartford, CT 06107  
Telephone No.: (860) 549-8440  
Fax No.: (860) 549-8443

August 24, 2015

**VIA CERTIFIED MAIL/  
RETURN RECEIPT REQUESTED**

Elias and Florence Farrah  
531 Prospect Avenue  
Hartford, CT 06105

**Re: 527 Prospect Avenue**

Dear Mr. & Mrs. Farrah:

As indicated in our July 22, 2015 letter we are applying to the Town of West Hartford to install a 7' high cedar privacy fence along the back of our parking lot (abutting the Hunter property). We have since submitted our application to the Town Planner, who suggested that we offer to meet with abutting landowners once more before the application is reviewed at the October Town Council meeting.

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Certainly, you are welcome to call us at any time if you have questions.

Very truly yours,

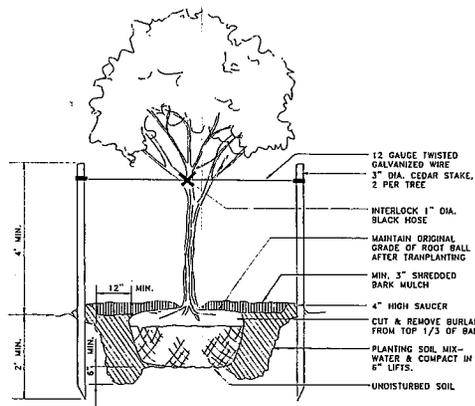
D. Lincoln Woodard

DLW:mrm

# EXHIBIT 5

N/F  
DIANNE HUNTER

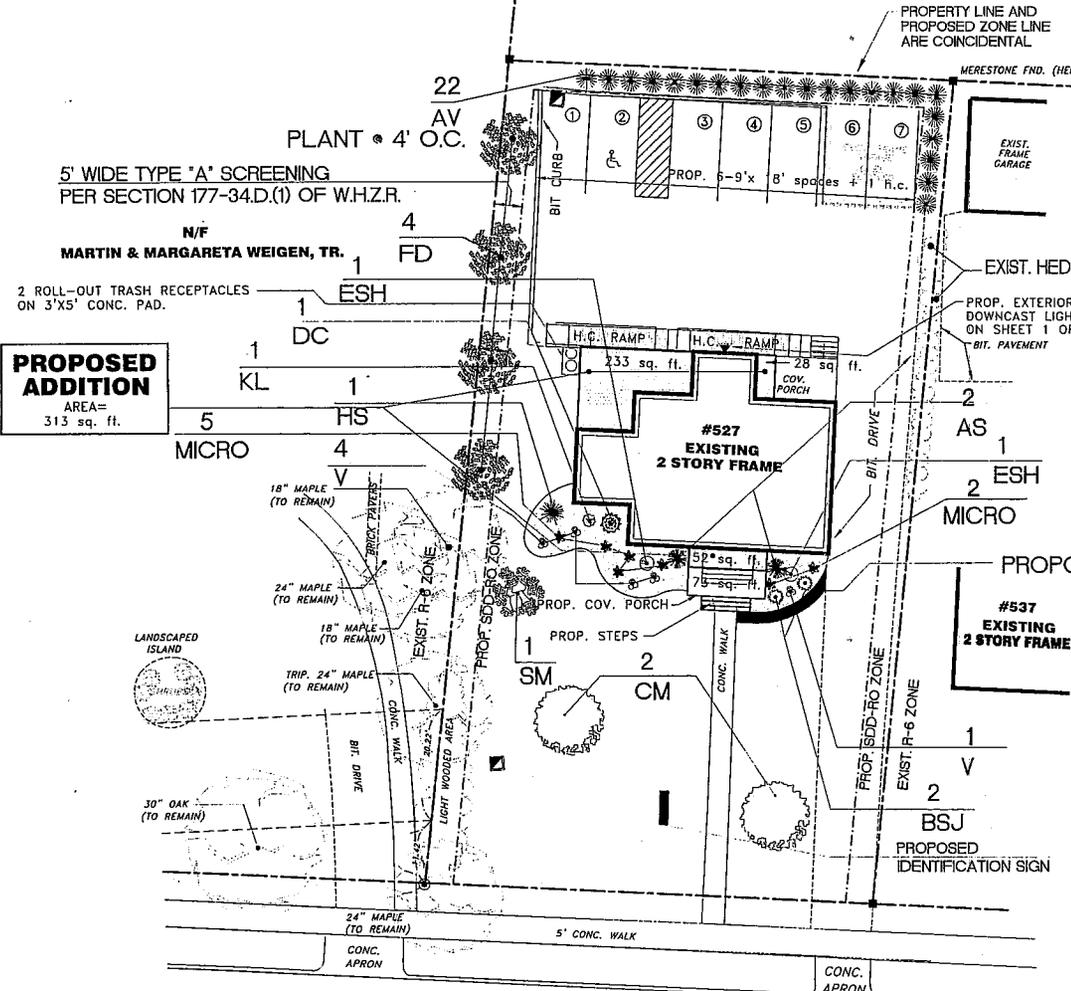
PER MAP REF.



TREE PLANTING DETAIL  
K.I.S.

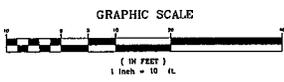
THIS MAP PRODUCED BY  
ORIGINAL INK DRAWING ON  
POLY FILM OR LINEN  
HALLISEY, PEARSON & CASSIDY  
35 GOLF SPRING ROAD, UNIT 58  
ROCKY HILL, CT 06067

**PROPOSED ADDITION**  
AREA=  
313 sq. ft.



PLANTING SCHEDULE

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE	QUANTITY
HS	HOOPSI SPRUCE	PICEA PUNGENS "HOOPSI"	5' HIGH	1 - EXISTING
KL	KOREAN LILAC	SYRINGA MEYERI	3'	1 - EXISTING
DC	DWARF CYPRESS	CHAMAEYCYPARIS OBUSA FENSPEYR GOLD	3'- 4' HIGH	1 - EXISTING
MICRO	MICROBIOTA	MICROBIOTA DECUSSATA	2 GALLON	7 - EXISTING
ESH	ENDLESS SUMMER HYDRANGEA	HYDRANGEA MACROPHYLLA "BAILMER"	5 GALLON	2 - EXISTING
V	VERONICA	VERONICA SPICATA	1 GALLON	6 - EXISTING
AS	ALBERTA SPRUCE	PICEA GLAUCA "CONICA"	4' HIGH	2 - EXISTING
BSJ	BLUE STAR JUNIPER	JUNIPERUS SQUAMATA 'BLUE STAR	3 GALLON	2 - EXISTING
FD	FLOWERING DOGWOOD	CORNUS FLORIDA	2"-3" CALIPER	4 - NEW
SM	STAR MAGNOLIA	MAGNOLIA STELLATA	6-8" HIGH	1 - NEW
CM	"CRIMSON KING" MAPLE	ACER PLATANOIDES	2"-3" CALIPER	1 - EXISTING
AV	"EMERALD GREEN" ARBORVITAE	Thuja occidentalis	6" HIGH @ 4' O.C.	22 - NEW

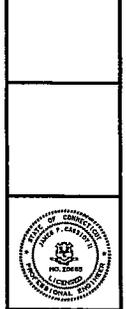


**PROSPECT AVENUE**

SCALE 1" = 10'  
DATE: JAN 13, 2013  
JOB NO: 1798  
SHEET: 2 OF 2  
REVISIONS:  
DATE: 10-20-12 BY: THM

**HALLISEY, PEARSON & CASSIDY**  
CIVIL ENGINEERS & LAND SURVEYORS  
SOUTHWAY EXECUTIVE PARK, UNIT #311  
ROCKY HILL, CONNECTICUT

**SITE LANDSCAPING PLAN**  
PREPARED FOR  
527 PROSPECT, LLC  
#527 PROSPECT AVENUE  
WEST HARTFORD, CONNECTICUT



50