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Doc ID: 005772630007 Type: MIN  
File# 2015-00000062

WEST HARTFORD TOWN COUNCIL MEETING

527 PROSPECT, LLC

OCTOBER 27, 2015

ACCEPTED @ 11.10.15  
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W. TOWN  
TC.mtg

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

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HEARING RE: WEST HARTFORD TOWN COUNCIL MEETING  
OCTOBER 27, 2015

1 . . .Verbatim proceedings of a hearing re:  
2 527 Prospect, LLC, was held before the Town Council  
3 Meeting, held at 50 South Main Street, West Hartford,  
4 Connecticut on October 27, 2015 at 7:00 p.m. . . .

5  
6  
7

8 MR. SCOTT SLIFKA: Okay, good evening.  
9 We're going to call the 7:00 public hearing to order.  
10 This is an application on behalf of 527 Prospect, LLC, the  
11 owner of the property, known as 527 Prospect Avenue, to  
12 amend Special Development District, SDD, No. 123, by  
13 replacing the existing planted landscape screening with a  
14 new seven-foot-tall cedar privacy fence along the westerly  
15 property line.

16 The roll call, please, Ms. Labrot?

17 MS. ESSIE LABROT: Mr. Barnes?

18 MR. CHRIS BARNES: Present.

19 MS. LABROT: Ms. Cantor?

20 MS. SHARI CANTOR: Here.

21 MS. LABROT: Mr. Captain?

22 MR. HARRY CAPTAIN: Here.

23 MS. LABROT: Ms. Casperson?

24 MS. JUDY CASPERSON: Here.

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1 MS. LABROT: Mr. Davidoff?  
2 MR. LEON DAVIDOFF: Here.  
3 MS. LABROT: Mr. Doar?  
4 MR. BURKE DOAR: Here.  
5 MS. LABROT: Ms. Hall?  
6 MS. DENISE HALL: Here.  
7 MS. LABROT: Ms. Kindall?  
8 MS. CLARE KINDALL: Here.  
9 MS. LABROT: And Mr. Slifka?  
10 MR. SLIFKA: Here. Okay. Presentation

11 from the Applicant?

12 MS. KAROLINA DOWD: Good evening,  
13 councilors. My name is Karolina Dowd. I am a member of  
14 527 Prospect, LLC, and I'm here on behalf of 527 Prospect,  
15 LLC with regard to our application to amend the Special  
16 Development District.

17 As Mr. Slifka has indicated, the only  
18 amendment pertains to a seven-foot privacy fence, which is  
19 at the rear of our property along its western border.

20 It's an application that was submitted to  
21 the Town on August 27, 2015. We previously, in 2012, were  
22 before the Council when we moved into the property, and,  
23 at that time, the application, which was approved, was  
24 with regard to an arborvitae fence, which, unfortunately,

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1 has not thrived, due to the fact that there's trees above  
2 the property, and the arborvitae are not in direct  
3 sunlight, and, based on that fact, we'd like to replace  
4 those arborvitae with a seven-foot privacy fence.

5 All of the requirements that the Town had  
6 asked us to do, in terms of communicating with the  
7 neighbors, informing them of our hopes and our intents to  
8 put up the privacy fence, were followed through.

9 All of that information was included in the  
10 initial application that was submitted on August 28th, and  
11 it's my understanding that the application process has  
12 gone through the various departments, Planning and Zoning,  
13 etcetera, etcetera, and has obtained recommendations for  
14 approval with regard to all of those.

15 I'm happy to answer any questions.

16 MR. SLIFKA: Thank you. That is correct.  
17 I'll just read them in now, so it's into the record  
18 officially.

19 There's a letter, dated October 6, 2015,  
20 from the TP&Z recommending approval, a letter, dated  
21 October 20th from 2015, from DRAC recommending approval,  
22 and a letter, dated October 21, 2015, from CROG, finding  
23 no apparent conflict with regional plans and policies or  
24 the concerns of neighboring towns, so we're in agreement

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1 on that.

2 Are there any questions for the Applicant  
3 at this time? Mrs. Kindall?

4 MS. KINDALL: I'm assuming the neighbors  
5 are in agreement?

6 MS. DOWD: Yes. What I'd like to point out  
7 is, prior to submitting our application, we spoke with our  
8 three abutting neighbors. All of them were in agreement.

9 The rear neighbor, who is directly abutting  
10 where this fence will be, actually asked -- wants the  
11 fence to be built, just because the arborvitae are not  
12 thriving.

13 Since our application has been submitted,  
14 we have sent the three immediate neighbors letters,  
15 indicating we are available to meet with them and discuss  
16 any comments.

17 We did get a response from the north  
18 neighbor and the south neighbor, indicating they had no  
19 objection. From that point, we have not spoken to the  
20 rear neighbor. That's Diane Hunter. But, again, prior to  
21 our application, she indicated that she was in agreement.

22 MS. KINDALL: Thank you.

23 MR. SLIFKA: Go ahead. Ms. Hall?

24 MS. HALL: Do you propose for the fence the

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1 nice side to be facing the neighbor or yourself?

2 MS. DOWD: My understanding is that both  
3 sides are the nice sides. My understanding is the fence  
4 looks the same from both sides.

5 A photograph of the proposed fence was  
6 forwarded to the neighbors when we had indicated our plans  
7 to them, and, also, I believe it was part of the  
8 submission materials to the Council.

9 MS. HALL: Right. I just couldn't tell  
10 whether there was another side to it.

11 MS. DOWD: Both sides are the same, and,  
12 again, under the communications that we've received from  
13 the Town, the plan is that it will be a seven-foot fence.  
14 It will be cedar, it will be stained, it won't be painted,  
15 and that any replacement will be done with cedar fencing  
16 rather than vinyl or any similar material.

17 MS. HALL: Thank you.

18 MR. SLIFKA: Anybody else? No? Okay. Mr.  
19 Alair, would you mind grabbing the sign-up sheet, please?  
20 Is there anybody, who did not sign up, who wishes to speak  
21 to the subject matter of this public hearing? They're  
22 going to maybe speak to other things tonight, but to this?

23 Okay, then -- I'm sorry. My notes have  
24 gone missing. So we have read everything in the record.

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1 Ms. Dowd, you're finished I take it?

2 MS. DOWD: I am, thank you.

3 MR. SLIFKA: Thank you very much. And, so,  
4 if there's nothing else from my colleagues, we will close  
5 the public hearing. Thank you.

6 (Whereupon, the hearing adjourned at 7:05  
7 p.m.)



Doc ID: 005772840002 Type: MIN  
File# 2015-00000063

**TOWN OF WEST HARTFORD PUBLIC HEARINGS  
OCTOBER 27, 2015  
Legislative Chamber, 7:25 p.m.**

**RESOLUTION AUTHORIZING CONVEYANCE OF LAND AT 310A CUMBERLAND ROAD:**

President Slifka: Good evening. Good evening. Hi everybody. We, as I've spoken to a few of you individually, we have a Public Hearing that was scheduled for 7:25 that should be brief that we have to do. We'll then commence the Council meeting immediately after that and get to the reason that, I think, 99% of you are here tonight. So, I will call to order the 7:25 Public Hearing, which is a Resolution Authorizing a Conveyance of Land at 310A Cumberland Road. Can I ask for a roll call, please, Ms. Labrot.

All Councilors were present.

President Slifka: Here. Okay, thank you. Since everybody's already here. If you had been here for the 7:00 Public Hearing, you would've seen Mrs. Casperson was here. She suffered a pinched nerve and was trying to stand and other things but had better judgement and sent her home so she's on the phone attending the meeting that way. Otherwise, she would've been here for this. Okay, at this point, Mr. Alair, for the presentation.

Mr. Alair: Good evening. I had no idea this was so controversial. [laughter] What you have in front of you is a proposal to authorize the Town Manager to deed a 10 foot wide strip of property on Cumberland Road which, if you drove past it, wouldn't even know it existed. It's a strip between 310 and 316 Cumberland Road. It has been maintained by the owner of 316 for decades as part of his property but, in a very strange twist, the Town acquired this 10 foot wide strip and a string of other pieces in 1949 through a foreclosure. We've owned it ever since and I don't think we knew it but the neighbor knew it and has been maintaining it and he approached somebody in Public Works and asked about how he goes about cleaning up title and getting title to the property. I passed out, Joe, I think... There's an aerial photograph with a line drawn around the area in question. It certainly does not create a developable lot. It has no value except possibly a little bit of an increase in the land value on his property for assessment purposes going forward and it clears up a little bit of title. So, we're asking your approval to authorize us to convey it to him.

President Slifka: Thank you, Mr. Alair. Are there any questions for Mr. Alair? Seeing none. Okay, the signup sheet?

Mr. Alair: It is blank.

President Slifka: Okay. I suspect I know the answer to this but I hafta ask. Is there anybody who did not sign up who wished to speak to this particular item? No? No, okay. Then, with that, I'll read in for the record. We have a letter dated October 6, 2015 from the TPZ recommending approval and if there is nothing further from my colleagues or Mr. Alair, we'll close the Public Hearing.

Mr. Alair: Thank you.

President Slifka: Thank you.  
Public Hearing closed at 7:27 p.m.

*Essie S. Labrot*

Essie S. Labrot  
Town/Council Clerk