



TOWN OF WEST HARTFORD, CONNECTICUT

TOWN COUNCIL PUBLIC HEARING

July 23, 2013, 5:00 p.m.,

Legislative Chambers

Re: Application on Behalf of Ginsburg Development Companies, LLC, the developer, and Quaker Green, LLC, the fee owner of the above referenced property (collectively the "Applicant"), for a modification to the existing Special Development District 48 at 999 South Quaker Lane known as Coleco Corporate Center (a\k\a Quaker Green) to permit the installation of up to 34 air-conditioning units at ground level for each of the two buildings (68 units total) spread out among four different locations within SDD 48.

**RECEIVED**

**AUG 13 2013**

TOWN COUNCIL OFFICE  
West Hartford, CT



**UNITED REPORTERS**

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

2 Town Council Members Present

3 MAYOR SCOTT SLIFKA

4 DENISE B. HALL

5 STEVEN I. ADLER

6 SHARI CANTOR

7 LEON DAVIDOFF

8 CLAIRE KINDALL

9 JUDY CASPERSON

10 BURKE DOAR

11

12 Alternate:

13 BERNARD KAVALER

14

15 RONALD VAN WINKLE

16 Town Manager

17

18 JOSEPH A. O'BRIEN, ESQ.

19 Corporation Counsel

20

21 PATRICK ALAIR, ESQ.

22 Deputy Corporation Counsel

23

24 ESSIE S. LABROT

25 Town Clerk/Council Clerk

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

2 For the Applicant:

3 MacDERMID, REYNOLDS &

4 GLISSMAN, P.C.

5 86 Farmington Avenue

6 Hartford, Connecticut 06105

7 BY: DAVID GLISSMAN, ESQ.

8

9 For GINSBURD DEVELOPMENT, LLC:

10 DANIEL MULVEY, President

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12 For Lewis S. GOODFRIEND

13 JACK A. ZYBURA, Senior Engineer

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1 PRESIDENT SLIFKA: Good  
2 afternoon or early evening, depending on your  
3 perspective. I'd like to call the  
4 five o'clock public hearing to order.

5 Could we have a roll call,  
6 please -- let me read it first.

7 Application on Behalf of  
8 Ginsburg Development Companies, LLC, the  
9 Developer, and Quaker Green, LLC, the fee  
10 owner of the above referenced property,  
11 collectively the Applicant, for a  
12 modification to the existing Special  
13 Development District 48 at 999 South Quaker  
14 Lane known as Coleco Corporate Center, a\k\ a  
15 Quaker Green, to permit the installation of  
16 up to 34 air-conditioning units at ground  
17 level for each of the two buildings, 68 units  
18 total, spread out among four different  
19 locations within SDD 48.

20 May I have a roll call,  
21 please, Ms. Labrot?

22 MS. LABROT: Mr. Adler.

23 COUNCILOR ADLER: Here.

24 MS. LABROT: Mrs. Cantor will  
25 be here shortly.

1 Mr. Kavalier for Mr. Captain.

2 COUNCILOR KAVALER: Here.

3 MS. LABROT: Mrs. Casperson.

4 COUNCILOR CASPERSON: Here.

5 MS. LABROT: Mr. Davidoff.

6 COUNCILOR DAVIDOFF: Here.

7 MS. LABROT: Mr. Doar.

8 COUNCILOR DOAR: Here.

9 MS. LABROT: Ms. Hall.

10 COUNCILOR HALL: Here.

11 MS. LABROT: Ms. Kindall.

12 COUNCILOR KINDALL: Here.

13 MS. LABROT: And Mr. Slifka.

14 PRESIDENT SLIFKA: Here.

15 Thank you, and the

16 presentation from the Applicant,

17 Mr. Glissman.

18 MR. GLISSMAN: Good afternoon  
19 or good evening, as the case may be. My name  
20 is David Glissman. I'm an attorney with  
21 MacDermid, Reynolds & Glissman, at 86  
22 Farmington Avenue in Hartford. And I'm here  
23 on behalf of the applicant with respect to  
24 this requested modification of SDD Number 48.

25 With me this evening is our

1 president of the Applicant, Mr. Mulvey, a  
2 resident who is here on behalf of residents  
3 of the community. Ken Talge and Jack Zybura  
4 who is the sound engineer. And they will be  
5 available -- or really Mr. Mulvey and our  
6 sound engineer will be available if there are  
7 questions to be asked.

8           And while you are flipping  
9 through the packet as I'm speaking, you  
10 might -- because I know sound is an issue,  
11 you want to have it addressed, you might just  
12 flip through sort of the last dozen pages of  
13 the submission to you. That's the bio of  
14 Jack's firm. I think there's something like  
15 eight pages, single spaced, of residential  
16 communities where they've done the sound work  
17 on those. They are a very respected sound  
18 engineering firm, and we're very happy to  
19 have them here.

20           So I stand before you this  
21 evening in what is really some very modest  
22 changes to SDD Number 48, which you know as  
23 the Quaker Green Residential Development,  
24 located at the intersection of South Quaker  
25 Lane and New Britain Avenue.

1                   They have been before you a  
2 few times in the past as they have worked  
3 their way through the recession and changing  
4 market trends, most recently before you in  
5 June of 2012 a year ago now, at which time  
6 you authorized SDD 48 to construct two new  
7 so-called "midrise buildings," one each on  
8 either side of the old school building, each  
9 with 32 units inside of it, basically mirrors  
10 of the other.

11                   After that application was  
12 submitted and approved by you, they proceeded  
13 to pull their building permit, build their  
14 buildings, invest millions of dollars in  
15 building this building, and they entered into  
16 sales contracts with potential purchasers,  
17 about 12 of them. And most importantly and  
18 relevant to the discussion this evening, they  
19 built the building, which is fully built out,  
20 ready pull COs on, with the systems, the  
21 electrical, the plumbing, the internal  
22 venting, air-conditioning venting systems,  
23 the internal systems that sort of push the  
24 air around inside the units and the common  
25 areas, married to and part of the ground air

1 condensers, air-conditioner condensers which  
2 are the subject of this application. So we  
3 have this building that's built, that's  
4 designed to operate off of these ground-level  
5 air conditioning units.

6 So they're done. They have  
7 millions of dollars invested into it, making  
8 it, by the way, this evening a very important  
9 evening to the Applicant. They're ready to  
10 basically finish up things at town hall, pull  
11 their COs and start their sales. Some of  
12 these people have interest-rate locks. You  
13 know they're anxious to close. They want to  
14 get going. They want to move in and fill up  
15 this building and make it an integral part of  
16 the Elmwood community.

17 So they go to town hall and  
18 sort of in kind of wrapping things up staff  
19 says, you guys, we kind of have a little  
20 problem here.

21 Of course, after their  
22 stomachs got back up off the floor, they  
23 said, well, you tell us why. So what they  
24 were told is that the application that was  
25 presented to you and the site plan that was



1 approved by you, during the June 2012  
2 application and approval, did not show the  
3 air condensers, the air-conditioning  
4 condenser units on the east and west sides of  
5 the buildings.

6 And the staff said, well,  
7 that's kind of important, you guys. I think  
8 you need to show that on the plan. That  
9 needs to be part of your approval.

10 So the Applicant said, well, I  
11 don't think you have to worry about this. I  
12 think we're okay on this.

13 We showed those  
14 air-conditioning units on our building plans.  
15 They were clearly shown on them. We  
16 presented those to you. The Town reviewed  
17 and approved the plans; they issued a  
18 building permit for it. We build our  
19 building. We've got a ton of money into this  
20 building. Are you sure this is really a  
21 problem? And do we really need to go back  
22 and modify the SDD?

23 The staff of course really,  
24 you know, if anything they'd like to help out  
25 if they can, but they struggled with it, and

1 they said, no. I think you've got to come  
2 back in. You've got to bring this back to  
3 the Town Council. The Council has to vote on  
4 it.

5 So there was a fair amount of  
6 back and forth between the Applicant and the  
7 Town as to, is this really necessary? But at  
8 the end of the day and with reservation of  
9 rights, the Applicant said, you know  
10 something? Let' just do this. Let's get it  
11 done. Let's get it in to the Council.

12 So they hired back their team  
13 of professionals. They put all of the  
14 necessary paperwork together that you have  
15 before you, met with the Town and has brought  
16 this before you tonight. And, in that  
17 regard, I want to say one thing really in  
18 appreciation to two separate groupings.

19 The first of which is, you  
20 know, this is kind of an urgent application,  
21 and it really was treated as such by the  
22 Town, Mr. Van Winkle, Mr. Alair, Mr. Dumais,  
23 Mr. Rowlson. These guys really moved to help  
24 us out. Mr. Dumais, in particular, turning  
25 responses around almost immediately for us to

1 kind of move this along. DRAC met on a  
2 moment's notice. Mr. Van Winkle held  
3 meetings on moment's notice for it.

4 Really, we want you to know  
5 that we're very appreciative of the staffs'  
6 efforts to bring this to you. We're also  
7 aware that you have a packed agenda tonight  
8 and you've fit us in at the beginning so that  
9 you could hear this and make a decision on  
10 it. And the Applicant and I, we are very  
11 grateful to you for doing that.

12 So in sort of bringing this  
13 forward towards you, or to you, the  
14 Applicant, in addition to pulling its team  
15 together and trying to get the information  
16 necessary for you, approached the various  
17 constituencies that we think that you would  
18 be interested in hearing from.

19 So the Applicant had a couple  
20 of meetings with the Quaker Green residents.  
21 At each of those meetings all of the  
22 residents received notice inviting them to  
23 it. It was well attended. I think the first  
24 one had 24 people. The second one had 23  
25 people.

1 I remember in the second  
2 meeting one woman said, Boy, I think this is  
3 about the biggest group I've seen show up at  
4 one of our meetings. They were well  
5 attended. They were active participants in  
6 some of the things that I'm going to present  
7 to you. And the end of the last meeting, the  
8 residents present voted to ask for your  
9 support of this application. So the  
10 residents of Quaker Green have come out and  
11 said, will you please support this  
12 application?

13 In the packet that you  
14 received this afternoon -- I don't even know  
15 if you've had a chance to open it, Ellen  
16 shipped it around -- and there's a letter  
17 from Mr. Talge, who was actually asked by the  
18 association or by the residents to be here  
19 this evening in case it was necessary to have  
20 one of the residents stand up in support on  
21 behalf of all the others. We could have  
22 brought them all, but we figured you would  
23 throw us out if we had 26 speakers in  
24 support. So Mr. Talge is here on their  
25 behalf. So we have that letter of support

