

TOWN OF WEST HARTFORD, CONNECTICUT

TOWN COUNCIL PUBLIC HEARING

November 12, 2013, 6:45 p.m.,

Legislative Chambers

Re: Application On Behalf of the Food Group, LLC, and the City of Hartford ("Applicants"), for an Amendment to the Elizabeth Park Special Development District #115 At 1563 Asylum Avenue to Allow Installation of a Walkway Around the Pond House, a New Paved Terrace Adjacent to the Auditorium/Banquet Space Facing Asylum Avenue, a New Paved Picnic Area Adjacent to the Take-out Window, New and Expanded Garden Areas, New Benches, and Enclosure of a Porch Area Currently Used for Outdoor Dining.

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West Hartford, CT



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

2 Town Council Members Present

3 MAYOR SCOTT SLIFKA

4 SHARI CANTOR

5 STEVEN I. ADLER

6 BURKE DOAR

7 LEON DAVIDOFF

8 JUDY CASPERSON

9 DENISE B. HALL

10 HARRY J. CAPTAIN

11

12 Alternates:

13 BERNARD KAVALER

14 Council Alternate

15

16 RONALD VAN WINKLE

17 Town Manager

18

19 JOSEPH A. O'BRIEN, ESQ.

20 Corporation Counsel

21

22 ESSIE S. LABROT

23 Town Clerk/Council Clerk

24

25

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

2 For the Applicant:

3 ALTER & PEARSON, LLC
4 701 Hebron Avenue
5 Glastonbury, Connecticut 06033

6 By: ROBIN PEARSON, ESQ.

7
8 Also present for the Applicant:

9 THOMAS LINDEN
10 Linden Landscape Architects, LLC
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12 LOUIS LISTA
13 KIM YARUM
14 Food Group, LLC
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1 PRESIDENT SLIFKA: I call the
2 6:45 public hearing to order.

3 This is an application on
4 behalf of the Food Group, LLC, and the City
5 of Hartford, Applicants, for an Amendment to
6 the Elizabeth Park Special Development
7 District Number 115 at 563 Asylum Avenue to
8 allow installation of a walkway around the
9 Pond House, a new paved terrace adjacent to
10 the auditorium/banquet space facing Asylum
11 Avenue, a new paved picnic area adjacent to
12 the take-out window, new and expanded garden
13 areas, new benches, and enclosure of a porch
14 area currently used for outdoor dining. No
15 increase in the total number of Pond House
16 seats is proposed, though the ratio of
17 outdoor dining seats to restaurant seats will
18 be reversed.

19 May we have a roll call
20 please, Ms. Labrot.

21 MS. LABROT: Mr. Adler.

22 COUNCILOR ADLER: Here.

23 MS. LABROT: Mrs. Cantor.

24 COUNCILOR CANTOR: Here.

25 MS. LABROT: Mr. Captain.

1 COUNCILOR CAPTAIN: Here.

2 MS. LABROT: Ms. Casperson.

3 COUNCILOR CASPERSON: Here.

4 MS. LABROT: Mr. Davidoff.

5 COUNCILOR DAVIDOFF: Here.

6 MS. LABROT: Mr. Doar.

7 COUNCILOR DOAR: Here.

8 MS. LABROT: Ms. Hall.

9 COUNCILOR HALL: Here.

10 MS. LABROT: Ms. Kindall is
11 absent.

12 We have Mr. Kavalier sitting
13 in.

14 COUNCIL ALT. KAVALER: Here.

15 MS. LABROT: And Mr. Slifka.

16 PRESIDENT SLIFKA: Here.

17 Okay. We begin with the
18 presentation of the Applicant.

19 Ms. Pearson, welcome.

20 MS. PEARSON: Good evening,
21 Mr. Mayor, members of the Council. I'm
22 pleased to be here this evening on behalf of
23 the Food Group, LLC, and the City of Hartford
24 with regard to the application to amend the
25 existing Elizabeth Park Special Development

1 District in accord with the items that were
2 just read to you in the public notice.

3 Before we get into the
4 particulars of the presentation -- and I do
5 have someone here who will describe those
6 improvements in more detail -- I'd just like
7 to update you on the proceedings that are
8 relative to this application.

9 On November 4, a couple weeks
10 ago, the application was presented to the
11 Town Inland Wetland and Watercourses Agency
12 as well as the Town Plan and Zoning
13 Commission with regard to several different
14 aspects.

15 Inland Wetlands had to
16 consider whether or not the activities that
17 are proposed in proximity to the pond in
18 Elizabeth Park would be appropriate for
19 approval, and that permit was granted on
20 November 4.

21 You should have received
22 today, as part of your record update, a
23 letter of approval from the Town Plan and
24 Zoning Commission, sitting as the Inland
25 Wetland Agency, indicating the wetland permit

1 has been approved.

2 As I'm sure you are aware, you
3 would be unable to decide this application
4 that's before you this evening until
5 receiving the report of the Inland Wetland
6 Agency. So they were gracious enough to move
7 on that part of our application so that you
8 would have that information for tonight's
9 proceeding.

10 We also presented the special
11 use permit application to the Town Plan and
12 Zoning Commission on November 4th. This is
13 sort of a unique situation where both special
14 use permits and amendment approval from the
15 Town Council with regard to the existing
16 special development district are required.
17 And that is because, for any changes to a
18 development in a park in West Hartford, one
19 gets a special use permit approval. So there
20 is a special permit -- a special use permit
21 that pertains to Elizabeth Park, which has
22 been amended over the years, and it is
23 necessary for us to go back to them for the
24 approval of the improvements that are also
25 before you this evening.

1 In addition, one of the things
2 we are looking at -- seeing ~~and~~ attempting to
3 get an approval from the TP and Z on is the
4 change -- I'm not even sure if it's really
5 required -- but a change in the outdoor
6 dining approval as it currently exists with
7 regard to the Pond House Restaurant.

8 So Town Plan and Zoning
9 Commission opened the public hearing on
10 November 4th with regard to the special use
11 permit changes. They received testimony from
12 the applicant. No one from the public was
13 present to provide any testimony, I don't
14 believe, at that meeting, but I may be wrong.

15 RICHARD WHITE: I was on
16 vacation.

17 MS. PEARSON: Okay.

18 RICHARD WHITE: I was in Fort
19 Lauderdale.

20 MS. PEARSON: I -- I just
21 couldn't remember. I just wanted to be sure.

22 So no one from the public
23 spoke with regard to that application. The
24 TP and Z continued the hearing to its next
25 meeting, which would be in early December,

1 because it cannot act on the special use
2 permit application until this body makes a
3 decision on the amendment to the special
4 development district because this body has to
5 approve the changes within the SDD, which is
6 only a small portion of Elizabeth Park in the
7 entire park, before the special use permit
8 can be granted, before the TP and Z can grant
9 those approval of those -- authorize those
10 changes.

11 And if you were to deny the
12 application, this special use permit, with
13 regard to those improvements could not be
14 granted as a result. So that explains the --
15 the proceedings that we have.

16 The Town Plan and Zoning
17 Commission, at that meeting, also made a
18 positive recommendation back to this body
19 with regard to the amendment to the special
20 development district. You should have a copy
21 of that. I noticed on the agenda that you
22 do, so I just wanted to confirm that that's
23 part of the record.

24 So our present -- presenters
25 and the Applicant this evening, I'd like to

1 introduce them to you. Kim Yarum and Louis
2 Lista, both members of the Food Group, LLC,
3 are here. You may or may not remember that
4 the Food Group, LLC, operates the Pond House
5 within Elizabeth Park pursuant to an
6 agreement it has with -- it was previously
7 entered into with the Friends of Elizabeth
8 Park. And they are now referred to as the
9 Elizabeth Park Conservancy.

10 And the Elizabeth Park
11 Conservancy operates or has the authority to
12 oversee the management of the Pond House
13 pursuant to an agreement that it has with the
14 City of Hartford, which is the owner of
15 Elizabeth Park within West Hartford.

16 Tom Linden is also here. Tom
17 is with Linden Landscape Architects, LLC, in
18 Wethersfield. And he will actually do the
19 presentation of the improvements that are
20 proposed for this evening, having been the
21 one who designed them.

22 Ozzie Torres has presented an
23 engineering report -- is on the record.
24 Ozzie is not available this evening.
25 However, we expect that since the engineering

1 department has confirmed the information in
2 his report and has indicated that there are
3 no storm water -- negative storm water
4 impacts as a result, we assume that that will
5 be sufficient for you.

6 So, at this point, what I'd
7 like to do is have Tom come up, locate the
8 Special Development District for you. It's
9 2.2 acres within Elizabeth Park. It
10 encompasses the area at the Pond House itself
11 as well as the area surrounding the Pond
12 House. And -- and describe -- and goes out
13 to the Elizabeth Park -- I'm sorry -- and it
14 goes out to Asylum Avenue. So that's the
15 area of the special development district
16 within the Elizabeth Park itself and
17 Elizabeth Park is located in an EP zone, the
18 only EP Zone being the Elizabeth Park zone in
19 the town of West Hartford.

20 So, Tom.

21 MR. LINDEN: Hi. Tom Linden,
22 from Linden Landscape Architects in
23 Wethersfield.

24 What I'll do -- we -- we gave
25 you a handout that has some of this

1 information and pictures so that you can see
2 it, just in case you can't see from across
3 the room, the boards.

4 This is the site, the Pond
5 House. North is facing the top of the sheet,
6 so Asylum Avenue is up top. The entrance
7 drive comes in over here. This is the
8 circle, the drop-off circle in front of the
9 building. This is the Pond House with the
10 pond to the east and to the north.

11 The project is -- we're here
12 for the entire project, but it's going to be
13 built in three separate phases, that being
14 the terrace off of the existing banquet room,
15 improvements and new work at the take-out
16 window to the south of the building and the
17 final piece is a new pathway around the east
18 side of the building, including a brand-new
19 path around the existing patio that doesn't
20 currently exist.

21 And in the first phase, along
22 with the terrace, is the enclosure of the
23 restaurant space underneath the overhang of
24 the building. The first phase, the terrace
25 is a slightly raised terrace off of the

