

MINUTES OF PUBLIC HEARING ON A PETITION FROM ALAN TEMKIN ASSOCIATES, INC. FOR AMENDMENT TO SPECIAL DEVELOPMENT DISTRICT SITE PLAN FOR SPICE GLEN PLANNED RESIDENTIAL COMMUNITY, 766 QUAKER LANE SOUTH, TO SUBSTITUTE NINE SINGLE FAMILY RESIDENCES IN PLACE OF PREVIOUSLY APPROVED FORTY UNIT APARTMENT BUILDING

June 9, 1994

Council Chambers

1149

President Sandy F. Klebanoff called the hearing to order at 7:20 p.m.

Present were Councilors Robert Bouvier, Owen Eagan, Sandy F. Klebanoff, Charles R. Matties, Kenneth Lesser for Patrick McCabe, Madeline McKernan, Larry Price, Bernard Kavalier for Andy Schatz and Alfred Turco.

President Klebanoff: Before we begin I will just briefly read into the record the exhibits that we have all received. The first is the application dated April 14th with the attachments thereto, May 9th memorandum to Mila Limson from Steven Weitz, a May 17th memorandum to Don Foster from Michael O'Malley, May 27th memorandum to the Council from the Design Review Advisory Committee recommending approval, a May 31st memorandum to Mila Limson from Steve Weitz and a June 1st to Mila Limson from Charles Guarino, a June 6th memo to Mila Limson from Deputy Chief Richard Kane, Fire Marshal and a June 9th letter to the Council from the TPZ Chair Andrew Kearns recommending approval as well as June 9th letter to Don Foster from Patrick Carraher. Does anyone have anything else? If not, Mr. Feldman, does the administration have a presentation?

Barry Feldman, Town Manager: Madam Mayor, I think Don has a few slides.

Donald Foster, Town Planner: I think you are all aware of the Spice Glen project down on Quaker Lane South just above Talcott. That started several years ago and then with the housing down turn it was inactive. We now have a new developer on premises, Mr. Alan Temkin Associates. He has been before you with an administrative amendment to modify some of the designs of the earlier approved project. Here are some of Mr. Temkin's new buildings under construction. These photographs were taken today. This is one of the older buildings in the front along South Quaker Lane. There are eight of the old version, about a half dozen new ones. Here a view of South Quaker Lane and the old Sargis brothers units that now Mr. Temkin is modifying and sprucing up a good bit. This again is one of the older models with a little decoration on it. Here is one of the newer ones beginning to introduce bay windows, a little bit more variety in roof form and placement of chimneys, bay windows

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and so on. Again, a basic vertical form to the building in this planned development but I think a nicer amenity sprucing the buildings up considerably. There you get an array of some of the new construction and back over to South Quaker Lane and some of the existing units have been occupied for about a year now.

Here you are looking from about the middle of the site due north. You see the Army Reserve center along the north property line of the project. Here is an wetland in the middle of the property that is both a drainage retention basin and a natural wetland preservation area. It helps control the drainage in the area that comes out of here and eventually winds it way down into the Park River after entering some storm drainage over near the Chandler Evans facility.

One of the things being petitioned for you this evening is to change part of the planned development that was previously approved which had a forty unit apartment building in it and the proposal is to eliminate that apartment building and instead introduce nine new single family detached units. The end product being then a totally one family detached housing area. That shot with the Army vehicles, I moved back along one of the streets and we are looking into the area where the apartment building was approved and where now it will be that nine unit project. The applicant has the plans and will explain it in detail. You have a complete set of drawings before you if you want to look at it in detail.

Here are some of the homes in the neighborhood. These houses are located just directly across the street on South Quaker Lane, again small homes built in the post war period probably in the size of 800 to 1200 square feet, many of these. Here is a contrast, almost the same look across the street in size, these being a little more vertical providing actually a little more space than exists in the other aspects of the neighborhood. Here is a shot looking on into the west side of South Quaker Lane down to Talcott Road stop light you see at the left center. Here again just a view back into the new developing area that is now under the jurisdiction of Mr. Temkin. Here is a shot of the neighborhood right in front of the project. That is it for slides. As was noted by the Mayor you have a favorable recommendation on this item, unanimously by the Town Plan and Zoning Commission. There were a set of generally very favorable comments, only one reference to a concern the Engineering office had about a clarity in dealing with street and road maintenance and Mr. Carraher's memo dated this date deals with that issue and I will look to them to deal with some of their responses to those maintenance concerns.

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The Design Review Advisory Committee again also made a unanimous recommendation of approval finding the project to be a decided improvement lowering the intensity of the development which they felt was an appropriate way to handle the design intensity in this area. At the meeting of the Design Review Advisory Committee Mr. Temkin made an interesting observation about the aspects of the affordability of these housing units. He indicated to the Design Review Advisory Committee that these units he is now funding all meet the requirements for affordable housing units under State definition so this may be units that we can add to our housing inventory. That still needs to be resolved. The technical issues here aside from the one issue about maintenance have been resolved. Favorable comments were received by all of our technical staff. Any questions?

President Klebanoff: Thank you, Mr. Foster. Questions? Mr. Price.

Councilor Price: Sargis was the original developer and was Temkin next in line? Was there an intervening party?

Mr. Foster: Mr. Temkin is the successor from the bank. He has taken title.

President Klebanoff: Are there further questions for Mr. Foster? If not, Mr. Temkin.

Mr. Carraher: Good evening. My name is Patrick Carraher.

President Klebanoff: Mr. Carraher, I think it would be helpful if you would go to the podium. There is a microphone built into the podium and we are transcribing the proceedings.

Mr. Carraher: My name is Patrick Carraher with TMR Land Planners. We have prepared the site plan documents that you have before you. Very briefly, I would like to thank Don Foster for a nice synopsis of the project and where it stands. We have gotten very favorable reviews from staff up until this point. This is a colored site plan of the project that was previously approved which shows the forty unit apartment building which our plans propose to delete and replace with nine units of a similar architecture as have been approved early for Mr. Alan Temkin.

In revising this part of the plan to eliminate the forty unit apartments and to propose the nine units we were also able to delete any of the wetland impacts that were associated with the apartment building reducing our impact by 3,336 square feet. All the other permits for wetland impact were obtained earlier and the work that was done for those impacts have been completed. Are there any questions?

President Klebanoff: Does Council have questions? What is the occupancy of the existing structures?

Mr. Carraher: The occupancy?

President Klebanoff: The rate.

Mr. Carraher: The single family units?

President Klebanoff: Are they all sold?

Mr. Carraher: There are six existing that I believe are sold. Is that right Alan? Six are occupied now?

President Klebanoff: I'm sorry. You are going to have to come and give us your name for identification purposes.

Mr. Temkin: Good evening. My name is Alan Temkin. There were originally I believe eight houses constructed as Don mentioned by the original owners. Six of those were occupied under their ownership. When we took the project over, we took the other two existing houses over and have since sold them. One family has moved in and the other family is moving in on June 30th and we have since sold approximately what we feel will be fifteen good deals where the mortgages will be approved. We sold probably twenty plus houses there but we will have some fall out. We are in the process of constructing two new models and four additional houses right now where the mortgages have been approved.

President Klebanoff: While you are there, could you perhaps comment on the affordability issue.

Mr. Temkin: I'm not sure, I may have misled inadvertently the architectural committee. I think I stated that it may meet the affordability guidelines for the State but certainly is affordable in that when we made the arrangements with Mechanics the end loans are such that in actual fact they require no down payment. We take back a ten percent second mortgage. There are no income limits and the starting rate in year one is two and three quarters percent so a family having approximately \$5,000 to \$6,000 can afford to buy a house. That includes their closing costs so in actual fact it is more liberal than CHFA or FHA so our feeling is, and we didn't check this out, having been in the business since 1968, we built under FHA and CHFA, that because there is no down payment, and because of the starting rate that it would certainly, it has the potential to meet an affordability guideline.

President Klebanoff: But there is a very strict sales price limit that is factored into the State's concept of

affordability.

Mr. Temkin: Correct, and I'm not sure, we didn't research that to see if that meets it or not.

President Klebanoff: Are there further questions? Mr. Matties.

Councilor Matties: I'm not sure, can you tell us what they will be selling for?

Mr. Temkin: They are selling for anywhere from \$139,900 upwards to probably \$165,000 so the base house on South Quaker is being sold for \$139,900. The interior, the same house would be \$149,900 and then some people are adding additional items. If I could make a few other comments.

President Klebanoff: Please do.

Mr. Temkin: We have been building single family basically all of our lives and when we came into this there was no opportunity for us to get rid of the forty unit apartment house and that was a concern to us. We were able to work with the bank and with one of the owners in the original partnership purchased the apartment site from his partners and we were able to convince this person to give up the apartment site so that we could build single family there. The neighbors, the six existing home owners have all signed petitions, I won't read the whole thing but basically it says the undersigned is an owner of a unit in the Spice Glen common interest community and accordingly a member of the Spice Glen Association. The undersigned hereby expresses support for the application of Alan Temkin Associates, Inc. to the applicable boards, agencies and/or officials of the Town of West Hartford to change the site plan for said community so as to convert the use of the apartment building area/site currently comprising a portion of the above referenced community to single family dwelling units/lots. Unanimously, every one of the current owners has agreed in an individual letter to support the change.

I might ask Pat just to show you what originally was being built there and we came before you some months ago to get a change which we will just remind you of and some of the other people who were not here. These are the original houses that were being built which were just basically a straight front that did not quite frankly have much excitement to it. We then had an architect by the name of Larry Reeves who was not able to make it tonight. He worked for John Bloodgood who designed a house some years ago. You may have seen he was on the cover of Newsweek. He is a recognized national architect and Larry used to do all of his elevations. Well, Larry put together these elevations and this may give you a better idea.

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President Klebanoff: Do you have elevations of the other side of the house?

Mr. Carraher: Not with me.

President Klebanoff: I noticed in the plans that they are not in there. There is one side of the existing homes that has one window on the entire side?

Mr. Carraher: I'm not sure.

President Klebanoff: Have you changed those at all?

Mr. Carraher: Basically, very little, mainly the front elevations. I just might show you one that you had approved earlier which is also a change so in the nine lots that we are applying for we will build the same housing as you had approved some months ago. Thank you.

Councilor Price: Those look good.

Mr. Temkin: If you have a chance to drive in there you will see as I was commenting to Don, I would like to thank Don and his staff. They helped us quite a bit. They guided us through this process. If you go out there you will see that the houses look like the pictures which is always nice. It is not just a pretty picture that is drawn there and you drive out there and say, my God, that sure doesn't look like anything we were shown. Fortunately, it looks the same. So we feel that by introducing nine single family houses instead of forty apartment units we will end up with a much better single family neighborhood. The neighbors seem to feel that who live there now and we would appreciate any support we can get from the board. If the board is able to act on this, we would get going as soon as we are allowed to legally and put the road in. As I mentioned to Mr. Foster we would like to do that as soon as possible this summer. Thank you very much?

President Klebanoff: Any further questions for Mr. Temkin? I took a peek at the sign up sheet and no one had signed up to speak but is there anyone here this evening who wishes to speak on the Spice Glen proposal? Mrs. Wilder did you want to hold for a minute? Mrs. Wilder.

Mrs. Wilder: Could you just address and I understand you had a memo to the Council but address the issue of road maintenance and snow removal?

Mr. Temkin: On the road maintenance and snow removal, when we took over the association apparently when this was approved originally a condition of the approval was that anything with four inches or more of snow was plowed and

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taken care of by the association and that was taken out of the approval, the condition, that was nine or ten conditions in the approval and it was transferred into the association documents so we just left it there. We found in the past that if the homeowners want the roads cleared with an inch of snow or a half an inch of snow that is what they are going to change it to. The association is going to take care of the snow plowing and we don't see that there would be a problem to the town at all. If you want us to change it again we can change it again.

President Klebanoff: But we could reiterate that condition.

Mr. Temkin: Oh, yes. Whatever you want to do is fine. We don't have a problem with that.

President Klebanoff: Mr. Foster/

Mr. Foster: Point of clarification so we don't get off track here. That condition related to snow plowing still remains a condition of approval. There probably is some lack of clarity in the way it reads and I think as one of our new engineers looked at it and reviewed this plan, they said that ought to be clarified. The Council in an amendment did amend the overall regulation, that everything be private in this development and authorized solid waste collection by our collector as opposed to the association having to privately contract so as we do with most one family homes and condominiums and so on, we are providing a waste collection under the general tax contribution. I think we can suggest a condition to you that will deal with this slightly unclear condition on snow plowing when you consider this at your decision at meeting time.

Mrs. Wilder: You should suggest what it is now at the hearing so the applicant can respond.

Mr. Foster: I just think we have to rewrite that condition to make it absolutely clear that this is a private road but there will be maintenance of the roadway, its improvement, that they will maintain and plow the snow through a private contractor and the town will not provide that service.

Mr. Temkin: We are in agreement with that. We discussed this with Mr. Foster and whatever you come up that you feel is suitable for the town.

President Klebanoff: But the basic premise that underlies the original condition as unclear as it may have been, you do understand it and subscribe to it?

Mr. Foster: We talked about this extensively Madam Chairman and I think the reason for the condition is that this development does involve significant roadway modifications

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that are in a lot of ways not in full accord with our public road standards even though it does serve a limited public this particular development so our heavy equipment would have a very difficult time navigating some of the streets and in particular as we looked at this new nine lot area, one of our plows simply could only go in there and have to back out and there was concern about damage being done to the property. They will have to use a smaller piece of equipment to be able to do that.

President Klebanoff: But the Fire Chief has agreed that this is okay.

Mr. Foster: You have a memo I believe in your packet from the Fire Marshal indicating he has no concern about fire apparatus.

Mr. Temkin: Our comment, Mr. Foster, is that we fully understand that the association is going to plow the roads as part of the association's budget. If you want to amend that four inch situation that is fine.

President Klebanoff: Mr. Price.

Councilor Price: I probably ought to just shut up.

Councilor Turco: Are you looking for a second?

Councilor Price: Actually I was probably thinking too much like a lawyer. It is probably not a good idea. There are probably too many damn lawyers around anyway. I started thinking that before you even went too far with all these unaccepted, accepted road stuff, subsequent owner, subsequent condo association, a desire to standardize the roads and argue over that, and how should we put more restrictive language in there, so I will shut up and just leave it alone.

President Klebanoff: I think you were thinking of another area of town. Are there any other questions? Does anybody wish to address us? If not, I will close the public hearing.

The hearing adjourned at 7:46 p.m.

Norma W. Cronin  
Recording Secretary