

MINUTES OF WEST HARTFORD TOWN COUNCIL PUBLIC HEARING ON
A PETITION FROM SUSAN R. MONGON, TRUSTEE, REQUESTING
AMENDMENT TO SPECIAL DEVELOPMENT DISTRICT FOR PROPERTY AT
2542-2550 ALBANY AVENUE, FOR INSTALLATION OF CANOPY ON
EXISTING STOREFRONT OVERHANG SPANNING THE WESTERLY END
ADJACENT TO THE STAPLE'S PREMISES EASTWARD TO THE WESTERLY
END OF THE PRESENT MCDONALD'S CANOPY

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Council Chambers

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President Sandy F. Klebanoff called the hearing to order at 7:00 p.m.

Present were Councilors Robert Bouvier, Owen Eagan, Sandy F. Klebanoff, Charles R. Matties, Patrick McCabe, Madeline S. McKernan, Martin Clayman for Larry Price, Andy Schatz and Alfred A. Turco.

President Klebanoff: For the record we have received the November 15, 1993 petition from Prospect Enterprises. We have the January 3, 1994 letter to the Council from Donald R. Foster, Secretary to the Design Review Advisory Committee and the January 4th letter to the Council from Andrew Kearns, TPZ, Chairman, on the referral and the recommendation of approval. I believe those are the only documents for the record. Mr. Foster, would you like to give us the administration's presentation?

Donald R. Foster, Town Planner: The first exhibit is the zoning map for the Bishops Corner area. The property in question, the northwest quadrant of Bishops Corner, in that quadrant it is a combination zone, two special development districts, multiple family zoning and then a BG zone for a Sunoco station, service station at the immediate corner. Let's go back. We should have the site plan up first. This particular shopping center is one of our oldest special development district centers. This is special development district number ten which actually predates-dates the current regulations and is a part of some earlier special development district regulations that were in the early fifties.

The general proposal is to install a canopy across the mid section of the property where you see the liquor store, Boston Chicken, Blimpys Sandwiches and so on, a canopy that will match the McDonald's canopy. The Council through a prior action approved canopies on McDonald's and on the Staples Office Supply Store. Just a matter of reference the zoning application sign properly posted in the midst of a snow bank now how they kept that there through this whole time period I don't have any idea but it must have been a difficult one because it was very visible right at the entry.

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Looking at that general shopping center from that principle drive cut on the north side of Albany Avenue looking at Staples and then we are rotating around through the mid section of the shopping center, I guess I am being a little repetitive here, and then we are wrapping all the way around looking almost due east. You see the Sunoco station, the roof of it through the snow bank and then off on the left side of the picture some of the recently renovated Waldbaum shopping center.

Here you see the Waldbaum's area. Interesting this was this morning about 11 o'clock, the entire easterly side of this parking lot of the shopping center is vacant, not a car in it so it seems to be a pretty adequate, at least at that time in the morning 10:30 pretty adequate amount of parking. This is the end of the facility at McDonald's, trying to get under the canopy and get you a look at what the canopy looks like and what the applicant here would be trying to match. Looking back across that basically the McDonald's canopy will set the design standard in proportion and color and then it will extend all the way through the middle of the building to the other red area that is part of the Staples proposal.

Additionally, the applicant is going to do a paint up, fix up and indicated to us that they will be painting the entire facade as well as under the canopy areas and generally clean that property up. Here you have a look underneath that canopy and you can see part of the McDonald's canopy sitting on the front of the existing canopy. Here you get a little bit of a detail of that. The architect I think will testify tonight that their intention is to completely re-paint underneath this canopy to brighten it up and then install on the front of the existing canopy the new fiber canopy which will be internally illuminated and will become a sign ban for the remainder of the center. This is the Sunoco station that is out at the corner of Albany Avenue and North Main Street.

The plan proposal that in discussing the recommendation of the Design Review Advisory Committee they asked for an enhancement of landscaping. This big snow pile here was one of the areas that the applicant will be proposing some improved landscaping and we hope it will survive some of the activity in the wintertime there.

McDonald's exhibiting a little bit of storage problems not directly related to the applicant but something I will be talking to our zoning enforcement officer about, displaying on the outside storing bread racks, overflowing dumpsters. This is the McDonald's dumpster.

Councilor McKernan: That is in West Hartford?

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Mr. Foster: Would you like a replay on that one? This is a difficult area for waste collection because the alley here is very narrow. Since small size containers have been used it looks like a little more periodic collection is going to be necessary there to get that stuff out of there. Again, just kind of a quick view of the look of the center. Now, the proposed canopy should bring out a lot of unity to this mid part of the center and help it look a little better. Across Albany Avenue a large Simon Konover office facility on the south side. I was scanning some of the neighbors, the People's bank building at center on the southeast corner of Albany and Main. Again, this is the zoning of the area, a very strong commitment to commercial activity in this area. Almost all of the quadrants are a special development district except for the southwest side and a fairly substantial shopping center here with a changing tenantry going on a regular basis. Any questions?

I would note as the Mayor indicated a recommendation from the Town Plan and Zoning Commission recommending unanimously in favor and referencing the recommendations of the Design Review Advisory Committee. The Design Review Advisory Committee basically endorsed the proposal, expressed a concern that the color relationships of the canopy does not proliferate to a third color and suggested that the canopy color on McDonald's was the most appropriate color in that they would be directly abutting in that instance. DRAC recommended landscape enhancements where possible and perhaps some general pruning and clean up, fix up of landscaped areas.

The proposal involves entirely new light fixtures and the Committee reviewed those and found that they would be beneficial and would enhance the general site lighting and public safety. They talked with the applicant about the general clean up, painting and so on on the facade and under canopy and the applicant has agreed to that fully. They also make note that the sign canopy criteria should not preempt local zoning regulations on sign sizes and basically be no waivers granted other than the full compliance with sign regulations and that can happen with what has been proposed by the applicant. Any questions?

President Klebanoff: Questions from the Council? Mrs. McKernan.

Councilor McKernan: This is nothing to do with the applicant but can McDonald's get another dumpster over there? Can they fit another one in there?

Mr. Foster: It is possible.

Councilor McKernan: I think they can afford it.

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Mr. Foster: Maybe the applicant can answer that but it is something we will certainly talk to McDonald's about. It is not just unique to them. There are other businesses there as well experiencing over spilled dumpsters.

Councilor McKernan: And the applicant will be talking about landscaping?

Mr. Foster: Yes, they will be making their presentation.

President Klebanoff: Mrs. Wilder.

Marjorie Wilder, Corporation Counsel: Thank you Madam Mayor. Some time ago there was talk about revision of the exit on South Main Street to coordinate better with the Waldbaums exit.

Mr. Foster: Nothing is proposed.

Mrs. Wilder: There was no discussion about that with the applicant.

President Klebanoff: Mr. Turco.

Councilor Turco: You refer to illumination, can you refresh our memories. What is the level of illumination now with regard to the canopies? Are they illuminated at all?

Mr. Foster: Underneath. I don't recall. There might be a single strip of fluorescent lighting under the main metal canopy to provide some down lighting but that is about it. I think the architect probably can better answer that question.

Councilor Turco: There will be a change with regard to illumination, I thought I heard you report.

Mr. Foster: The proposed canopy is an illuminated canopy and if you remember the one exhibit I had a shot underneath the McDonald's canopy, that is an internally illuminated canopy as well, that segment of it. It has a light diffuser on it to cause light to be reflected down. It will enhance the lighting on the sidewalk but the general appearance will be a big red ban lighted, fiber canopy. On the site there are new fixtures to be installed throughout the parking lot. Those do raise the light level considerably and I don't know if the architect might be able to provide some lumen estimates on that.

President Klebanoff: Mr. Bouvier.

Councilor Bouvier: With respect to the landscaping, I notice some mature evergreens toward the corner of South

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Main and Albany Avenue, North Main rather and Albany Avenue.
Is that in lieu of or is that going to be in addition to?

Mr. Foster: As I understand it, all of the mature trees will be fully preserved. There may be some pruning. That was discussed in a preliminary way. Again, that is a question perhaps to address to the architect or the applicant about what his intentions are but the Design Review Advisory Committee has recommended there be no tree removal authorized unless it is specifically related to horticultural problems that have to be dealt with.

President Klebanoff: Are there further questions for Mr. Foster? If not, the applicant. Please go to the podium. It does have a mike in it and the transcriber will be able to pick it up.

Mr. Nanni: I feel a little up-staged by Mr. Foster in that I don't have any slides with me tonight but we do have a map which fairly well speaks for itself.

President Klebanoff: Could you give us your name and your role or address?

Mr. Nanni: For the record, I am Greg Nanni. I am the general manager of Prospect Enterprises which is the management agent for Susan R. Mongon who is the owner of the subject property. I think Mr. Foster has presented our proposal accurately. There is not a lot more that I can say about what our intentions are with respect to the site other than certainly to address any questions that any of the Council members may have.

President Klebanoff: Thank you. Mr. Bouvier, did you have a question?

Councilor Bouvier: Yes, with regard to the landscaping, the question I had asked Mr. Foster, are you going to be replacing the evergreens, the mature evergreens on the corner of the lot?

Mr. Nanni: No, we are not intending to do that.

Councilor Bouvier: So they will remain.

Mr. Nanni: Yes.

President Klebanoff: Are there further questions? I would just like to ask the, Design Review Advisory Committee had five items about which Mr. Foster spoke, and I just want to make sure that you would agree to all of them?

Mr. Nanni: Yes. In fact, we have a revised plan here and I don't know whether it is appropriate for me to distribute

this to the Council members at this time.

President Klebanoff: Is that a plan that is revised in accordance with those comments?

Mr. Nanni: And only in accordance with those comments.

President Klebanoff: Well, I suggest then that, excuse me. Mrs. Wilder, Mr. Foster, the applicant has a revised plan which is revised in accordance with the Design Review's comments, it would be appropriate for them to submit it at this time?

Mrs. Wilder: I think so.

President Klebanoff: Mr. Nanni, if you give it to Mrs. Glass...

Nan L. Glass, Council Clerk: I will sign them in and then I will distribute them.

President Klebanoff: If you could just circulate one or two that would be great. Mr. Nanni, perhaps you could walk us through where the landscaping is different on the new plans.

Mr. Nanni: Actually, I am accompanied this evening by John Orifino who is the architect who has drafted this plan and I think it would be appropriate for me to bring him up at this time and let him indicate exactly what changes he has made.

President Klebanoff: Thank you.

Mr. Orifino: Good evening. I am John Orifino of West Hartford and based on the comments of the client, based on the comments of the Review Committee and based on meetings with Mr. Foster, what I have done is to integrate the site with this canopy between Staples and McDonald's just to create a kind of soft lit sign mass similar to Frank's down on South Main Street. It didn't take much imagination to do that. The key thing was to then clean up the site....

President Klebanoff: Excuse me. You haven't changed the color to Frank's?

Mr. Orifino: No, no, no. I don't think McDonald's would go along with that and I didn't want a Christmas effect on this site of having red and green nor did we want the Boston Chicken black and white so what we are attempting to do is give all the tenants a sign background that would limit them in their exposure to the type of signage. We would limit them only in terms of letter style and they would stay within the zoning code restrictions as to square footage of sign and it would be such that in the future should a tenant change, a section of that sign element, canopy element can

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be removed and a new piece put up reflecting a new tenant and we wouldn't have to keep coming back under special development rules to do this type of presentation. This plan stands for a long time into the future.

The key thing on the site was the cleaning of the facade which was to paint the old masonry, this architectural white. It is a kind of a sharp egg shell white and then to take the old canopy element that remains on the building and spray that inside white so that we really just raise the level of natural light because of that dark canopy. The other thing is that on the site lighting right now you have old fixtures that have pretty much reached the end of their life. They are globular types that make light at a 350 degree spread. They don't give you much illumination. They do give you pin points of glare so we went to a canister type, high pressure sodium so that we have the same lumens but we would have this light glaring out across the avenue. We would have it really focused down in little spots. We have not raised the lighting to the level that could be desired because I don't think it is necessary that you have this high impact lighting to flood this whole place into a daylight type atmosphere. We keep it more on a low key basis.

The planting is pretty much in place and grown. There was one request that we add some screen planting along North Main Street which is really State property but we are going to attempt to with Don Foster to add about ten or eleven spreading junipers down on the east side of the parking mass there. If you look on the drawing you will see it on the right hand side of the sheet. The rest of the area is basic cleaning out. It is a police job to clean it out, prune it, trim it, and essentially refurbish the mulch covers. It is that type of activity but to add anything new or to dig out areas, no. There is no attempt to do that. We don't want to lose any parking spaces. That in a nutshell is the presentation. I will entertain any questions.

President Klebanoff: Does anybody have any questions? Mr. Turco.

Councilor Turco: Just a question or two in sort of the spirit of no surprises. On the McDonald's canopy you have the golden arches logo.

Mr. Orifino: Yes.

Councilor Turco: What are we likely to see in terms of logos if anything along the canopy strip from McDonald's towards Staples?

Mr. Orifino: What I did and what I would like to do is just walk this by you because you pretty much know the topography

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involved in the size of each tenant. There is only one size that I wrote the work vacant on just to give you an idea of the mass of that area. The lettering is limited to two square feet per lineal foot of front expression so if you have a sixteen foot storefront you have thirty two square feet of signage which translates to either a four by eight with background or a two by sixteen so you have limits on how much signage can go in specifically in a lettering block. What I did on this McDonald's you know with the gold arches and the next one is vacant and then we have Esquire Cleaners. Their sign is a very simple type lettering and it has two size lettering and that is simple enough. You have Super Cuts which has sort of a futuristic leaning sign which looks like it is in motion. Then we have Blimpys. Now Blimpys...

Councilor McKernan: Blimpys?

Mr. Orifino: Blimpys is in there.

Mr. Feldman: Gourmet food.

Mr. Orifino: They like to add other things. They like to tell you that they have subs and salads so they lose some of their logo name because they have put in words like subs and salads. Boston Chicken on the other hand just likes the words Boston Chicken. They just run it like that. They like to maximize as much lettering as they can even though they serve other things. Harvey's Wine and Spirits, he is a gentle kind of guy. He just wants script on his and say wine and spirits so that is basically it.

Councilor McKernan: So if you read them all together...

Mr. Orifino: Yes. You can have fun with that. The idea is to minimize the impact of the logo, lettering styles and put it up against a back drop that will kind of subdue it. We did have a request from Boston Chicken that they would like flags. They would like black and white pattern in their canopy and we are telling them no.

President Klebanoff: Black and white in the red canopy?

Mr. Orifino: We are assuming that if you approve this we will have enough clout to tell them that you will have to take it up with Council.

Councilor Turco: Is that indeed the answer?

Mr. Orifino: We are assuming that if Boston Chicken comes in and gives us a hard time about it we will be able to tell them no. This thing has been approved and you have to go along with us.

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President Klebanoff: Mr. Clayman.

Mr. Clayman: I have a couple of questions. Does this presuppose that all other signage that is presently on there will be removed, number one, and that there will be no other signage, advertising these businesses on the premises other than perhaps a directory.

Mr. Orifino: The directory sign and they are allowed some signs are allowed inside the glass area, hours, that type of thing but you are right there are no other signs.

Mr. Clayman: So everything else comes down. The second question I wanted to ask is with respect to you mention mulch, clean up and policing, I don't know whether this is a part of a special development district requirement to begin with or may be that Mr. Foster or Marge can help me, but what do you envision your requirements to be for, annual maintenance of the property. For example, mulch needs to be refurbished, brought in from time to time and pruning needs to be done from time to time not just when there is a request to make a change, I would like to know what your plans are.

Mr. Nanni: On an ongoing basis we have always re-mulched all of the islands and they have mulch in them, at least a couple of times a year. I know we have brought in three different loads of it last year. The stuff gets old and stale and it dries out and cigarette butts and so forth, debris accumulates in it so on an ongoing basis we always raked that stuff out of there and re-mulched it at least a couple of times a year anyway.

Mr. Clayman: And pruning?

Mr. Nanni: Pruning likewise. That is something that is done on an ongoing basis as a part of the landscaping contract that we have for the property.

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

Councilor Schatz: Just to clarify something, when you said that there would be no other signage, I am assuming that on each door or glass front there would be a sign denoting that particular store as well as the hours because you couldn't see it otherwise.

Mr. Nanni: We don't have regulations with respect to what the respective tenants can put on the inside of their store premises and to the best of my knowledge and certainly Don can answer this better than I, I don't think that the Town prohibits those types of signs either.

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President Klebanoff: Is your company the management company for the entire corner including the McDonald's property?

Mr. Nanni: Yes.

President Klebanoff: It isn't clear the division of who is responsible for what but those slides that we saw certainly showed an unacceptable condition with the dumpster and the storage for McDonald's. Have you been in communication with the manager of McDonald's?

Mr. Nanni: I have not, frankly, with respect to what Mr. Foster found out there today. I have in the past, however, worked very closely with Eva Espinosa who is the zoning enforcement officer for that area. Certainly when she sees something or when I see something as egregious as what Mr. Foster documented today, we have enough latitude within our lease agreements to be able to go to these tenants and tell them that you are in violation of the zoning regulation in the Town of West Hartford and accordingly you are in violation of your lease and we want the situation rectified at once. I don't think the situation that was witnessed out there today is representative of the way that McDonald's keeps house out there on a general basis. I would have to assume that the only reason that it was found to be in that condition is because of the amount of snow that was accumulated around the dumpster must have prevented the trash hauler from getting in there and getting at that dumpster because it is clearly not generally reflective of the kind of housekeeping that they do there. Certainly, in the morning, after having seen this through Mr. Foster's picture, I will be talking to people at McDonald's to see that that situation is rectified at once.

President Klebanoff: If in fact it is a snow removal problem that needs to be rectified as well.

Mr. Nanni: Right.

President Klebanoff: I just wanted it noted that that is an unacceptable situation.

Mr. Nanni: Of course.

President Klebanoff: Further comments or questions? If not, is there any member of the public who has signed up to speak? Mr. McCabe do we have a sign up sheet for the hearing?

Councilor McCabe: No one has signed up.

President Klebanoff: Is there anyone here who wishes to address us? Mr. Genduso.

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Mr. Genduso: Domenico Genduso, 80 Blue Ridge Lane, West Hartford. Madam Mayor, members of the Town Council, I didn't have intention to say anything until I heard about changing or replacing the lights in the parking lot and about the signage on the canopy. I'm worried about lights because they said that they will not reflect the light, not the glow, not the glow because that doesn't bother me, but reflecting the lights on the south side of the property toward Albany Avenue and Flagg Road. We lost a lot of trees in the last two years when there was a big storm and now from my house you can see the traffic on Albany Avenue and everything. That is one thing that I am worried about that I hope they put the screening, the light screening, the illuminated parking lot not into the neighborhood.

Another thing, about two square feet per front footage on the sign, the ordinance here in town says that the sign is supposed to be uniform in a building. Like you see here, Towne Square, from one point to the other one, the same heights the letters. They don't have one sign that is three feet high, one is five feet, one is two feet and the same thing has to be in that building because it is one building and the sign is supposed to be uniform. If McDonald's lets say is two feet high the sign, the other sign has to be all the same thing. Thank you very much.

Mr. Nanni: If I may respond to that. Mr. Orifino's design calls for a sign freeze or a sign band to run continuously from one end of the canopy to the other and all of that sign band is two feet high. It is my assumption that the tenants that are going to be putting the signs on there are going to want to have as much of that sign band as is available to them so accordingly I would think that all of their signs would fit fully into that two foot strip that has been allotted to them. With respect to the gentleman's comments regarding the light, the zoning regulation, and I think Mr. Foster can confirm this, says that any of the lights that are put into the parking area shall not spill over into any adjacent residential premises and I think what what we have called for on this plan there won't be any danger of that. In fact, the lighting levels that will be reinstalled are really not all that much greater than what is there presently. They are just a little bit more focused and more well directed.

President Klebanoff: Anyone else wish to address the Council on this issue? If not, any further questions or comments from the Council? Do you wish time to sum up, Mr. Nanni?

Mr. Nanni: I don't think so.

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President Klebanoff: If not, I will close the public hearing.

The hearing adjourned at 7:54 p.m.

Norma W. Cronin
Recording Secretary