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TOWN OF WEST HARTFORD

TOWN COUNCIL PUBLIC HEARING

January 9, 2018, 7:00 p.m.,

Legislative Chambers

Re: An Amendment for Approval of Special  
Development District No. 48 Formerly Known as  
Coleco Corporate Center located at 999 South  
Quaker Lane, West Hartford, Connecticut  
(Quaker Green Development).

1       A p p e a r a n c e s:

2               Town Council Members Present:

3                       MAYOR SHARI CANTOR

4                       LEON DAVIDOFF

5                       CHRIS WILLIAMS

6                       BETH KERRIGAN

7                       BEN WENOGRAD

8                       CHRIS BARNES

9                       DALLAS DODGE

10                      MARY FAY

11                      LIAM SWEENEY

12

13                      MATTHEW HART

14                      Town Manager

15

16                      PATRICK ALAIR

17                      Corporation Counsel

18

19                      ESSIE LABROT

20                      Town Clerk

21

22

23

24

25

1     A p p e a r a n c e s:(cont'd)

2     For the Applicant:

3             COHN, BIRNBAUM & SHEA

4             100 Pearl St

5             Number 12

6             Hartford, Connecticut 06103

7                     By: MELVIN A. SIMON, ESQ.

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1                   PRESIDENT CANTOR:   Okay.  
2   Calling to order the 7 p.m public hearing on  
3   application 999 South Quaker Lane.  And we'll  
4   start with -- actually, application on behalf  
5   of the Quaker Green Association, Inc,  
6   requesting modification to the existing  
7   special Development District Number 48,  
8   located at 999 South Quaker Lane, and known  
9   as Quaker Green.

10                   Rollcall, Ms. Labrot?

11                   MS. LABROT:   Mr. Barnes.

12                   COUNCILOR BARNES:   Present.

13                   MS. LABROT:   Ms. Cantor.

14                   PRESIDENT CANTOR:   Here.

15                   MS. LABROT:   Mr. Davidoff.

16                   COUNCILOR DAVIDOFF:   Here.

17                   MS. LABROT:   Mr. Dodge.

18                   COUNCILOR DODGE:   Here.

19                   MS. LABROT:   Ms. Fay.

20                   COUNCILOR FAY:   Here.

21                   MS. LABROT:   Ms. Kerrigan.

22                   COUNCILOR KERRIGAN:   Here.

23                   MS. LABROT:   Mr. Sweeney.

24                   COUNCILOR SWEENEY:   Here.

25                   MS. LABROT:   Mr. Wenograd.

1 COUNCILOR WENOGRAD: Here.

2 MS. LABROT: And Mr. Williams.

3 COUNCILOR WILLIAMS: Here.

4 PRESIDENT CANTOR: Thank you,  
5 Ms. Labrot.

6 Number three, Mr. Hart, we  
7 have a presentation.

8 MR. SIMON: Madam Mayor,  
9 members of the Council, my name is Melvin  
10 Simon. I'm an attorney with the law firm of  
11 Cohn, Birnbaum & Shea in Hartford,  
12 Connecticut. I'm also a resident of 26  
13 Winterset Lane in West Hartford.

14 I am before you tonight on  
15 behalf of the Association of Homeowners of  
16 the Quaker Green who are advocating in  
17 support of their application dated October  
18 27, 2017, to amend the condition of approval  
19 of Special Development District Number 48,  
20 located at 999 South Quaker Lane, West  
21 Hartford, Connecticut.

22 So the application was filed  
23 pursuant to Section 177-44 of the zoning  
24 ordinance. It proposes to eliminate the  
25 condition of approval enumerated in 2G2

1 entitled, access to Beachland Park which  
2 conditioned the special development district  
3 on appropriate pedestrian easement access to  
4 Beachland Park.

5 The application proposes to  
6 eliminate this condition and leave in place  
7 the permanent fence between Beachland Park  
8 and Quaker Green Development, and eliminate  
9 the pathway and landscaping that was  
10 originally depicted in the Quaker Green site  
11 details and site planting, which appeared as  
12 sheets L-12 and L-15D in the original  
13 approval. And if we can get our screen, I'll  
14 show you those.

15 A little bit of history. On  
16 April 24, 2003, the Town Council adopted with  
17 conditions a petition on behalf of Ginsberg  
18 Development CT, LLC; and WHP Realty, LLC, for  
19 an amendment to the existing special  
20 development district at 999 South Quaker  
21 Lane, requesting that the Special Development  
22 District 48 be amended to permit 148  
23 residences to be constructed on the premises  
24 together with related improvements.

25 Ginsberg Development proposed

1 the condition of approval in response to  
2 questions of Mr. Donatelli at the April 15,  
3 2003 hearing. The access was intended to  
4 provide a pedestrian passage for the benefit  
5 of residents of Quaker green and those  
6 utilizing Beachland Park.

7 The West Hartford plan of  
8 conservation and development that existed  
9 then, and still today, recognized a goal of  
10 improving walkability in the community. The  
11 zoning ordinance, Chapter 177-1 also sets  
12 forth a goal of securing safety and  
13 protecting and conserving the existing or  
14 planned character of all parts of town, and  
15 aiding and maintaining stability and value.  
16 That is Ordinance Section 177-1D and E.

17 So during the construction of  
18 the Quaker Green Development a fence was  
19 constructed between Beachland Park and the  
20 development in order to secure for safety  
21 reasons access between the park and Quaker  
22 Green.

23 As the site work was completed  
24 at the North -- are we ready with that?  
25 Okay. Let me continue. I do have plans with

1 me that I can use rather than the screen.

2 So as I was saying, after the  
3 site work was completed at the northwest  
4 portion of the property and townhouses were  
5 sold along Park Place Circle, the permanent  
6 fence with an opening was installed providing  
7 access to Beachland Park. So we had a fence  
8 with an opening allowing passage between  
9 Beachland Park and Quaker Green as the Town  
10 Council had approved -- ah, there we go.

11 I just want to show you  
12 quickly this is an aerial photo of the Quaker  
13 Green development and you'll see circled the  
14 area that I've been discussing. So that's  
15 Park Place Circle, and there's this area  
16 where there was to be a passageway between  
17 the park and the development.

18 And then I'll show you this is  
19 one of the sheets that was actually the part  
20 of the L-1, '2 -- which was part of the  
21 approval, which we have now revised  
22 November 20, 2017.

23 So what you're seeing here,  
24 again is a depiction of Park Place Circle and  
25 the northwest corner of the development where



1 you'll see there are both red and blue  
2 depictions on the plan. The red shows what  
3 was approved. The blue shows what is  
4 existing.

5           So you'll see in red there was  
6 a pathway that was proposed. There were  
7 plantings and then there was an opening in  
8 the fence, which was again, to allow access  
9 between Quaker Green. And the expectation  
10 was that the residents of Quaker Green would  
11 enjoy having direct access to the park.

12           And then I think that there  
13 was probably some interest in having people  
14 using the park be able to pass through Quaker  
15 Green as they might other neighborhoods in  
16 the town.

17           So as I mentioned, the fence  
18 is built. The opening is there. This is  
19 soon after the first townhouses that are in  
20 this corner of the development are built.  
21 That's the first section that is completed.

22           And the construction of the  
23 path is not done. There is still site work  
24 to be done, but very soon after the opening  
25 in the fence was established then residents

1 in close proximity to the opening -- there  
2 are two townhouses that are on either side of  
3 the path -- reported incidents of a theft and  
4 vandalism. A charcoal grill was a stolen and  
5 then the vandalism was actually quite  
6 significant.

7                   There was a paintball incident  
8 in which the side of one of the townhouses  
9 was completely defaced by a paintball  
10 incident. And it's believed that individuals  
11 using the park gained access to the  
12 development and conducted themselves  
13 inappropriately, if you will.

14                   And at that time Ginsberg  
15 Development, who was still in control of the  
16 property, met with some of the homeowners,  
17 particularly the ones in the immediate area  
18 of the opening -- and determined to close  
19 this access.

20                   And I don't know whether they  
21 intended to do it permanently as a practical  
22 matter. Ten years have passed and that fence  
23 has existed for ten years with a closed  
24 opening. And in the ten years since the  
25 fence was closed it is my understanding --

1 I'm informed by the town planning department  
2 that no complaints have been received either  
3 from residents of Quaker Green or members of  
4 the public, or any of the business community  
5 that is along New Britain Avenue.

6 In 2015 Ginsberg Development  
7 was in the process of completing the last of  
8 the buildings at the site and finishing up  
9 the improvements, and began to work with the  
10 Town Planner and the department with respect  
11 to the performance bond and what was to be  
12 recovered and what had to be finished, and  
13 this issue came up. That is, what is going  
14 to happen about this opening?

15 And the residents of Quaker  
16 Green, who at that time were not in control  
17 of the homeowners board, voiced concerns  
18 because of the history of what they had  
19 heard. There had been other instances where  
20 people passed over the fence going back and  
21 forth into the park.

22 Some of that -- in fact, much  
23 of that -- I think you'll hear some from  
24 residents tonight -- occurs after hours when  
25 technically the park is closed under West

1 Hartford zoning ordinances. So there's some  
2 concern about safety and concern about  
3 security as well.

4 So on June 22nd of 2016 the  
5 declarant, that is Ginsberg Development,  
6 ceded control of the homeowners board as is  
7 typical under 47-236 of the Connecticut  
8 General Statutes. And at that point the  
9 homeowners elected a board and the board  
10 conducted a meeting.

11 Among a number of issues, this  
12 issue was a hot topic. And they took a  
13 ballot vote of the 148 owners of residences,  
14 and there was overwhelming support to pursue  
15 an application to eliminate the requirement  
16 that this opening be constructed.

17 And they initially retained  
18 other counsel. There was some interplay back  
19 and forth between Ginsberg Development and  
20 this other counsel. Things bogged down.  
21 Nothing ever happened. Ultimately I was  
22 retained in the early fall of this year,  
23 filed the incident application that is now  
24 before you and have, consistent with the  
25 processes that you and the Town require, met

1 with the Town Planner, discussed this, met  
2 with Assistant Corporation Counsel, solicited  
3 the input of the various agencies in Town  
4 that have, you know, the responsibility to  
5 provide feedback on this. All of those are  
6 in front of you.

7 The Bloomfield/West Hartford  
8 Health District. The TZP voted on it last  
9 week unanimously to recommend this. The Town  
10 Planner has recommended it and we held a  
11 community outreach meeting in accordance with  
12 the procedures that the Council requires, and  
13 that community outreach meeting occurred  
14 December 12th of this year -- or last year  
15 now, I guess it is.

16 And we had 14 residents of  
17 Quaker Green show up. We had no abutting  
18 landowners. We notified, as in accordance  
19 with the zoning ordinance, everyone living  
20 within or owning property within 300 feet of  
21 the Quaker Green development. Nobody else  
22 showed up.

23 I did receive one e-mail from  
24 Hare Associates who owns the rather large  
25 mall, stripmall on New Britain Avenue that

1 abuts the property. On the south side they  
2 were not opposed to the application.

3 And we posted signage as we're  
4 required to do. I have an affidavit that I  
5 will submit to you before you close the  
6 hearing today regarding the continuous  
7 signage that has been up regarding this  
8 hearing. And the only contact I have  
9 received has been in support of the  
10 application from the residents of Quaker  
11 Green.

12 And on behalf of the  
13 residents, I ask that you grant the  
14 application to amend the special development  
15 district eliminating access from Quaker Green  
16 to Beachland Park, and the associated  
17 landscaping and path be eliminated on the  
18 grounds that eliminating the condition is  
19 consistent with the purpose of Zoning  
20 Ordinance Section 177-44 and the West  
21 Hartford Plan of Development referred to in  
22 Chapter 12 of the Town Charter.

23 The application itself  
24 complies with the zoning ordinance, and each  
25 of the agencies and TPZ have indicated no

1 objection, nor has any objection been heard,  
2 as I mentioned, from abutting landowners.

3 I welcome any questions you  
4 may have and request an opportunity to rebut  
5 to the extent that any opposition is  
6 presented. And I will submit the affidavit  
7 before we close the hearing providing  
8 signage.

9 PRESIDENT CANTOR: Thank you,  
10 Attorney Simon.

11 Does anybody have questions  
12 for Attorney Simon? Then we're going to take  
13 public comment after, and you'll be free to  
14 come back up. But does anybody --

15 Mr. Wenograd?

16 COUNCILOR WENOGRAD: Thank  
17 you, Madam Mayor.

18 You mentioned in the testimony  
19 of Councilperson Donatelli on opening up the  
20 spot. Is there more discussion at the time  
21 this condition was put on the property as to  
22 whose interests are being represented by that  
23 path?

24 Are we talking about the  
25 residents to be of the development itself?

1 Or are we talking about more generally beyond  
2 the community?

3 MR. SIMON: So the transcript  
4 reveals a very short -- less than a page of  
5 discussion regarding this. It was raised by  
6 Councilman Donatelli and the representative  
7 of Ginsberg Development immediately said,  
8 sure. You want access, we'll provide access.

9 There was some reference to  
10 Quaker Green residents. There was some  
11 reference to the ability to walk from the  
12 park to the commercial district on New  
13 Britain Avenue, but no specific indication of  
14 a public interest of users of the park, for  
15 example.

16 The park does have access from  
17 Mayflower to the west. It obviously has  
18 access from South Quaker Lane to the east,  
19 and there's a circle up to the north, which I  
20 can show you that also provides access.  
21 That's not the best depiction of it -- yes,  
22 it is, but it's a little small.

23 I think it's Manchester Circle  
24 that has access to the park.

25 COUNCILOR WENOGRAD: Right,



1       there it is.

2                       MR. SIMON:   But there was not  
3       a lot of discussion about whose interest was  
4       being protected by this.

5                       COUNCILOR WENOGRAD:   Okay, but  
6       to some extent what I imagined was, you know,  
7       whether or not there was some concern, some  
8       history of people in Elmwood going through  
9       that property to get there in a shorter  
10      distance than going all the way down to the  
11      main entrance, or from Mayflower.

12                      MR. SIMON:   There was.   I  
13      mean, I noticed when you look at the, you  
14      know, recall that this was a school.

15                      COUNCILOR WENOGRAD:   Right.

16                      MR. SIMON:   So the school, as  
17      many other schools in West Hartford have  
18      access to parks that are nearby or abut the  
19      school.   So there, I'm sure that at some  
20      point --

21                      COUNCILOR WENOGRAD:   Well, at  
22      that time, sure.   I mean, that had been  
23      private for a while.   So that access may have  
24      disappeared by the time this was built.

25                      MR. SIMON:   I don't know the

1 answer to that question.

2 COUNCILOR WENOGRAD: And do we  
3 know -- I'm a little hesitant to make  
4 decisions based on anecdotal discussions of  
5 crime of, you know, and vandalism and such.  
6 Do we have any records? Do we have any  
7 accounts of criminal complaints? Is there  
8 anything beyond -- that you can provide in  
9 terms of police reports or anything?

10 I will certainly take  
11 testimony from that if anybody has any. I'll  
12 be happy to hear that as well. Again, just  
13 secondhand there was vandalism, therefore you  
14 know we should have something. I would like  
15 to see a little bit more if that is  
16 available. Certainly, anybody who has direct  
17 knowledge of that would be good, too.

18 MR. SIMON: I don't have a  
19 copy of the complaint that was filed with  
20 respect to the paintball incident, but I'm  
21 aware that there was a complaint filed as a  
22 result of the paintball incident.

23 COUNCILOR WENOGRAD: And do  
24 you know whether there was any finding that  
25 this was being done by anybody from the park?

1 MR. SIMON: I don't know the  
2 answer to that question.

3 COUNCILOR WENOGRAD: Okay.  
4 All right. Thank you.

5 PRESIDENT CANTOR: Thank you,  
6 Mr. Wenograd.

7 Mr. Sweeney.

8 COUNCILOR SWEENEY: Thank you.  
9 I just had one question. You  
10 said there was a vote by the residents?

11 MR. SIMON: Yeah.

12 COUNCILOR SWEENEY: Do you  
13 have the actual vote?

14 MR. SIMON: A moment.

15 I'm told 67 to 7.

16 PRESIDENT CANTOR: Thank you,  
17 Mr. Sweeney.

18 Mr. Davidoff?

19 COUNCILOR DAVIDOFF: Thank  
20 you, Madam Mayor.

21 In 2003, I was chairman of the  
22 Town Plan and Zoning Commission and we were  
23 asked to provide a referral on this matter to  
24 the Council, and we did offer a referral.

25 And I do remember from the

1 evening that there was a discussion of the  
2 ability of the residents to access Beachland  
3 Park, and at the time the applicant was  
4 seeking to have access to Beachland Park.  
5 And that's why the fence was put in with an  
6 open gate so that the residents of Quaker  
7 Green could easily access the park. So that  
8 it was another amenity that the developer  
9 could offer the residents of Quaker Green to  
10 purchase property here.

11 Because then you would have  
12 access to the town swimming pool, because  
13 there wasn't going to be a swimming pool on  
14 the premises. You would have access to the  
15 walking around the park and to the fields,  
16 and things of that nature.

17 And there was some discussion,  
18 I do recall that, well, fences work both  
19 ways. So people would also -- who don't live  
20 within Quaker Green, those who were in the  
21 park would then also have easier access to  
22 get to businesses that abutted or were  
23 adjacent to the development.

24 And at the time it was seen as  
25 favorable for both parties, for those park

1 users who wanted a shortcut to get to the  
2 businesses, and the residents who lived in  
3 Quaker Green to get to the park.

4           So I do recall -- I think that  
5 the vote was unanimous in terms of the  
6 recommendation to approve that condition.  
7 And there was also a discussion about some  
8 easements that existed. I think there were  
9 two utility easements that were discussed  
10 that needed to take place. I think that's  
11 important to get on the record this evening,  
12 because I do have firsthand knowledge of  
13 that.

14           With respect to the condition  
15 of approval -- and I think at the Council,  
16 they said that the fence that was going to be  
17 put up would have an opening gate there. So  
18 your testimony this evening was that shortly  
19 thereafter the gate was closed by the  
20 developer.

21           Is that what you're saying?

22           MR. SIMON: That's my  
23 understanding. I actually have a depiction  
24 of what the fence looks like as it looks  
25 today.

1                   COUNCILOR DAVIDOFF: That  
2 would be helpful. I think we would like to  
3 see that.

4                   MR. SIMON: And I believe it's  
5 part of the application that we submitted,  
6 but this is what we're looking at.

7                   So you can see here that this,  
8 this is what appears now in the area where  
9 there was to be the opening. And this is the  
10 way the depiction was in the approval that  
11 the Council adopted. And it's my  
12 understanding that this, this depiction is  
13 the condition that has existed since 2007.

14                  COUNCILOR DAVIDOFF: And I  
15 think that's quite helpful. So in 2003 the  
16 Council says that the picture on the bottom  
17 is the way that it needs to work.

18                  In 2007, regardless of what  
19 the condition is in the application, the  
20 picture on the top is the circumstances which  
21 come into play and which are currently in  
22 existence now.

23                  Correct?

24                  MR. SIMON: Correct.

25                  COUNCILOR DAVIDOFF: So the

1 issue from a pure zoning standpoint, from my  
2 point of view is, why bother putting on  
3 conditions of approval, okay? If applicants  
4 choose to do what they choose to do without  
5 getting an amendment to the condition?

6 So you weren't present in 2007  
7 when they decided to close it. And 2007  
8 would have been the time, the scenario as to  
9 when this should have been brought forward to  
10 the Council saying, listen. This thing is  
11 not working the way we anticipated and we  
12 really think it would be in our best  
13 interests for our association members to  
14 close this off.

15 Correct?

16 MR. SIMON: I would agree with  
17 that.

18 COUNCILOR DAVIDOFF: So that's  
19 fine. So I'm not in a position to say it's  
20 better that we should have the gate open. If  
21 there hasn't been any problems this evening  
22 I'm more inclined to say, we'll let it go.  
23 We really didn't hear from anybody objecting  
24 to the inability to come through your parcel  
25 to get to the adjacent businesses.

1                   And the adjacent businesses  
2 haven't offered any testimony yet saying that  
3 they've adversely affected by the fact that  
4 this gate is closed. But I do think it's  
5 important to get on the record that there are  
6 reasons why the Council adopts conditions of  
7 approval such as keeping the gates open.

8                   There is a procedure. I do  
9 think in the end tonight we'll probably -- I  
10 know I will vote to support your application  
11 to make it what it is, but I'm really not --  
12 it's sort of an uncomfortable scenario in the  
13 sense that I don't like to ratify decisions  
14 that are contrary to conditions that we've  
15 already imposed. It sort of weakens our  
16 authority as the chief zoning authority on  
17 special development districts -- because I  
18 think that's important to get on the record  
19 this evening as well.

20                   But I have to look at a bigger  
21 picture, and the bigger picture is we do want  
22 development. We do want a parcel such as  
23 Quaker Green to be successful. We want our  
24 residents to feel safe in their own  
25 environment and in their neighborhoods. And



1 I think that may override my trepidation here  
2 with respect to that issue.

3 The other thing that I think  
4 is important to get on the record here is  
5 just prior to your representing the  
6 Association -- I guess you're representing  
7 the association?

8 MR. SIMON: Yes.

9 COUNCILOR DAVIDOFF: Is that  
10 there were other issues with this development  
11 over the years with respect to conditions  
12 that were imposed on the property, with  
13 respect to we said that we were going to put  
14 air-conditioning units up on top of the  
15 units. Okay? They weren't going to repair  
16 it on the ground. They were going to be on  
17 top of the units.

18 As it turned out, for  
19 engineering type purposes or building things  
20 it was not possible. So what happened was  
21 there's a segment of the development that you  
22 will find what we call, quote, a graveyard of  
23 air handling units out there. Okay? And  
24 those were -- it had to be ratified after the  
25 fact.

1                   So from my point having sat  
2 here as long as I have sat here, this is now,  
3 like, time number two. There might have been  
4 a third time that things have been done.  
5 There seems to have been a pattern here. So  
6 I'm just optimistic this evening that this  
7 will be the last thing that previous councils  
8 have imposed as conditions that need to be  
9 altered or ratified.

10                   And it would be good going  
11 forward if there were other conditions that  
12 exist on the premises with respect to the  
13 development, if somebody would look at those,  
14 evaluate those and see whether or not going  
15 forward that the development is in compliance  
16 with all the meeting conditions so that it  
17 doesn't have to come back here.

18                   Because what I think is most  
19 important is that this remain a very active,  
20 vibrant residential community -- and it has  
21 been. And that this is what we're looking  
22 for. We want people to be in close proximity  
23 to our business districts such as the revised  
24 Elmwood district that we have now where more  
25 businesses are located in that corridor. So

1 I think that's all good, and the walkability  
2 is all good.

3 So if the residents of the  
4 association don't find it to be problematic  
5 that they're cutting off their access -- a  
6 shortcut, I should say, to the park, then I'm  
7 fine with that as well. And I guess that was  
8 your testimony this evening, that according  
9 to 66 members who were present said yes, and  
10 7 said no. So the majority of the people  
11 there are fine with that going forward.

12 So I guess that basically  
13 summarizes your entire application with  
14 respect to what's happening this evening?

15 MR. SIMON: Yeah.

16 COUNCILOR DAVIDOFF: Did I  
17 miss something else?

18 MR. SIMON: No. No, and the  
19 only thing I would also say, that it's  
20 consistent with your concern is, you know,  
21 the developer may have taken a view of the  
22 approvals different than the Council would  
23 expect.

24 And the association, when it  
25 finally was under the control of the

1 homeowners, you know, looked at this issue,  
2 saw immediately that it should be addressed  
3 and retained counsel.

4 And counsel entered into  
5 negotiations with the developer. Those  
6 negotiations bogged down and nothing got  
7 done. I was then brought in, as I said, in  
8 the beginning of September. And by October,  
9 you know, I met with the Town Planner  
10 immediately, talked about the issue, you  
11 know, addressed it quickly.

12 I'm not aware of other issues  
13 that you're referring to. I'm aware of the  
14 air-conditioning issue. I'm not aware of any  
15 other zoning issues. There are other issues  
16 that, you know, I'm not going to sort of talk  
17 on the public record about, but there are  
18 other issues with the developer.

19 And as with a lot of  
20 developments, you know, when a board takes  
21 over they do inspect. They're in the process  
22 of doing a comprehensive analysis of the  
23 improvements of the premises to ensure, not  
24 only what you're concerned about in terms of  
25 zoning, but contract compliance as well, and

1 we're looking at those issues.

2 COUNCILOR DAVIDOFF: Yeah, I  
3 think there was another thing that talked  
4 about the material that was at the end of the  
5 driveway needed to be changed. It has come  
6 back to me that there was supposed to be I  
7 think like -- I think there were brick pavers  
8 put there. And if you remember the slope to  
9 come out of there, it was very icy and very  
10 slick and it really was more of a detriment.

11 It may have looked nice, but  
12 in terms of safety it was very unsafe for  
13 drivers on untreated services, and they were  
14 skidding right into South Quaker Lane. So I  
15 do remember that coming before us, too.

16 So over the years there's been  
17 a number of issues, but the bottom line here  
18 is whatever is going to make this  
19 neighborhood be in harmony with its existing  
20 neighbors and works best for the residents  
21 who were affected by that I think would be  
22 best served.

23 I don't think I have to  
24 balance that as to whether or not our other  
25 residents of West Hartford who utilize the

1 park, are they going to be adversely affected  
2 because this gate is now closed to Quaker  
3 Green? And I guess I come to the conclusion  
4 that you're advocating that they're not worse  
5 off.

6 MR. SIMON: They certainly  
7 haven't voiced any concern.

8 COUNCILOR DAVIDOFF: Exactly,  
9 and I really don't think that they're worse  
10 off about it.

11 Thank you for your  
12 presentation. That's all my questions.

13 PRESIDENT CANTOR: Wow. Okay,  
14 Mr. Davidoff. A very comprehensive historic  
15 view of the project. And I actually  
16 remembered the pavers, too. And I was going  
17 to add that, but you covered that, too.

18 But I agree with a lot of what  
19 Mr. Davidoff said, so no need to repeat it.  
20 I just want to go to the sign-up sheet, if  
21 there are no further questions from the  
22 Council.

23 Go to the sign-up sheet and  
24 I'll have the residents speak.

25 MR. SIMON: Thank you, and

1 I'll be presenting the affidavit regarding  
2 signage before we leave.

3 PRESIDENT CANTOR: Thank you.

4 Okay. There's quite a few  
5 people. I don't know if sometimes people  
6 think this is an attendance sheet, and they  
7 might not want to speak.

8 But I will just say this has  
9 to be regarding this public hearing and you  
10 have three minutes to speak unless you're  
11 speaking for the association. Then you have  
12 five minutes to speak.

13 So I will start, and I will  
14 read the next person so you can come up. And  
15 if you decide not to, just say no and we'll  
16 move on.

17 Dave Charles is the first  
18 person who signed up and the next is Arvin  
19 Surry.

20 DAVE CHARLES: Thank you. My  
21 name is Dave Charles. I apologize for my  
22 voice at the moment.

23 PRESIDENT CANTOR: Name and  
24 address for the record, sir?

25 DAVE CHARLES: It's 26

1 Schoolhouse Drive, Condo 207. And that is  
2 part of the -- and that's West Hartford. And  
3 that is part of the Quaker Green community.

4 And so I am the President of  
5 the Board for the Quaker Green Association.  
6 And so as you can see, we have quite a few  
7 people in support of our amendment. And I  
8 think a lot of the things that Attorney Simon  
9 covered were done through a lot of research  
10 and a lot of talking with a lot of the  
11 different residents that are at Quaker Green.

12 And the math consensus is  
13 that, you know, people were -- did not feel  
14 comfortable with what happened when the gate  
15 was open and there was a, you know opening  
16 from Beachland Park. So you know, even today  
17 if there was an opening in there you just  
18 can't really get out because there's also a  
19 very long fence along the back of the  
20 commercial properties on the other side.

21 So even if you got in there  
22 you would still have to go back out and all  
23 completely around, and everything. So it's  
24 not necessarily a shortcut even with that,  
25 but -- so a major concern for the people that



1 live there is that they're bringing up their  
2 families and they want to be secure and not  
3 have to deal with some of the things that had  
4 to happen.

5                   There are even complaints  
6 about when there were events at Beachland  
7 Park. People were actually coming in when  
8 there was no parking in the park and parking  
9 their cars in the community. And so that  
10 wasn't something that was really attractive  
11 for everybody either.

12                   So all in all, I think people  
13 feel really good and they're here to support  
14 this, and to have this kind of still be  
15 outstanding and have that possibility of it  
16 being open would be a real challenge for  
17 everybody. So on behalf of a lot of a lot  
18 people -- and I think they will talk about  
19 it, this is something that everybody really  
20 supports.

21                   PRESIDENT CANTOR: Thank you,  
22 Mr. Charles.

23                   Mr. Surrey. I think that's  
24 right. I'm not sure.

25                   The next person is Ken Talgi.

1 KEN TALGI: No, thank you.

2 PRESIDENT CANTOR: No? Leah  
3 Clayton, then.

4 LEAH CLAYTON: No, thank you.

5 PRESIDENT CANTOR: Okay. Lisa  
6 Ohayon.

7 ARVIN SURRY: Madam Mayor and  
8 Council members. I would like to introduce  
9 myself as Dr. Arvin Surry. I reside at 90  
10 Park Place Circle in West Hartford, a part of  
11 Quaker Green town homes and condominiums for  
12 the past seven and a half years. Ours is a  
13 community with ever-moving families into the  
14 neighborhood, either from neighboring towns  
15 or across the country.

16 We have an unusually high  
17 number of young families with young children  
18 who can be seen walking or strolling around  
19 the community with their parents all around  
20 the year.

21 As a father of a toddler when  
22 I moved here -- he's 12 now -- I fear the  
23 lack of security of this gate, of which we  
24 are here to discuss -- is open. My  
25 opinion -- I've heard some issues with

1 Beachland Park from my neighbors especially  
2 around dusk in the last few years that I have  
3 resided here. My opinion is that Beachland  
4 Park is a valuable asset to our neighborhood,  
5 Elmwood.

6                   And it's perfectly -- it has a  
7 perfectly open and visible entrance from  
8 Southern Quaker Lane which is often well  
9 patrolled by local police, and of which  
10 people from our neighborhood both from  
11 Elmwood and from Quaker Green, they use it on  
12 a regular basis to walk their pets or their  
13 little ones.

14                   I, as a responsible resident  
15 of West Hartford and of Quaker Green's  
16 community, would appreciate that the Town  
17 Council considers our appeal favorably and  
18 closes the point of entry to the park for  
19 good.

20                   Thank you.

21                   PRESIDENT CANTOR: Thank you,  
22 Mr. Surrey.

23                   Okay. Ms. Ohayon, and Naomi  
24 Young next.

25                   NAOMI YOUNG: No.

1                   PRESIDENT CANTOR:  No?  Okay.

2                   Go ahead.

3                   LISA OHAYON:  I'm Lisa Ohayon.

4   I live at 45 Park Place Circle, which on the  
5   original thing there it was Parcel Number 36,  
6   which is on the west side.  So I'm right --  
7   very close to the entrance that was open.

8                   I don't agree with some of the  
9   dates that were given.  We moved in, in  
10  December of 2010.  The summer of 2011 there  
11  were many, many instances where we would see  
12  people coming through that opening that was  
13  still in the gate in there in 2011, coming  
14  through our backyard, drinking at night,  
15  throwing beer cans, et cetera.

16                  There were even times when I  
17  could look out my bedroom window and found a  
18  young couple doing their lovely thing in my  
19  backyard.  So the safety issue is huge.  
20  There were people who were walking through  
21  from the park to get out by Walgreens.  There  
22  was no reason why they couldn't go out  
23  through the entrance on Mayflower or on South  
24  Quaker and it is a big, big safety issue.

25                  My grandchildren are there and

1 I don't want that type of access being open  
2 for them, for their safety.

3 Thank you.

4 PRESIDENT CANTOR: Thank you  
5 Ms. Ohayon.

6 And Jack? No. I think you  
7 said no, but I'm not sure. Ronnie Aman, no.  
8 Jonathan. Robbie Hanama? 49 Park Place  
9 circle. No? Yes.

10 A VOICE: No.

11 PRESIDENT CANTOR: Okay. And  
12 then the other person at 49. I'm guessing  
13 they're both.

14 Elena Sada and Charles Hilborn  
15 is next.

16 ELENA SADA: Thank you. I'm  
17 Elena Sada and I live at 12 Schoolhouse  
18 Drive. And I just want to say that I think  
19 none of the businesses is opposing. We speak  
20 to them all the time, because we're the best  
21 clients -- because we keep their businesses  
22 alive for them. So they're in support.

23 Thank you very much once again  
24 just for providing such a leadership to the  
25 town.

1                   Most of us are international  
2 professionals. We've lived in many  
3 countries, in many places and we always talk  
4 about how West Hartford is still one of our  
5 best places, residences. So thank you very  
6 much for that.

7                   So far you've heard a very  
8 compelling argument on why the property  
9 owners want to keep the fence the way it is.  
10 Why disrupt something that's working so well.  
11 I would like to offer an additional reason  
12 for why it should stay as is.

13                   I am not sure if you have  
14 experiences with children with special needs.  
15 So I have two, and my nine-year-old doesn't  
16 process things the way the most of us do. So  
17 for him a fence is a limit and an opening is  
18 an access.

19                   So for a brief period of time  
20 a tree knocked down an area of the fence and  
21 I lost him. In about ten minutes I lost him.  
22 So you can imagine the anguish -- and maybe  
23 other parents in the same situation will  
24 experience -- if we have a gate into our  
25 backyard. So I beg that you allow us to keep

1 our backyards as safe as they are now.

2 PRESIDENT CANTOR: Thank you,  
3 Ms. Sada.

4 Charles Hilborn, Lilith  
5 Solice -- or Solace.

6 CHARLES HILBORN: Charles  
7 Hilborn passes.

8 PRESIDENT CANTOR: Okay.  
9 Thank you.

10 CHARLES HILBORN: I won't  
11 waste your valuable time.

12 PRESIDENT CANTOR: Okay.  
13 Lilith Solace, Meir Friedman and then Mark  
14 Dabrowski.

15 MEIR FRIEDMAN: Good evening,  
16 Madam Mayor, ladies and gentlemen. Thank you  
17 for hearing us out. My name is Dr. Meir  
18 Friedman. I live in 36 Park Place Circle,  
19 West Hartford. It's depicted here as number  
20 34.

21 So I agree. We're in a  
22 vibrant community. We're additionally robust  
23 and extremely diversified. Multiple  
24 languages are spoken there. We are very much  
25 inclusive. It's probably the best place in

1 town for Halloween, trick-or-treating. We  
2 give out really good candy. You can put it  
3 on the record -- but we are asking for this  
4 to close for many of the reasons described.

5                   Personally I live at 34, and  
6 this path is literally arcing from my  
7 backyard all around my unit to the front door  
8 within ten feet of me. I mean, the way the  
9 rules of the condominium are I can't put up  
10 an additional fence. I can't put up any  
11 distraction. Literally everyone will just  
12 walk right by and look into my windows. I  
13 have no privacy.

14                   Again, I grew up in New York  
15 City, so I'm used to that, but I think this  
16 is not in the nature of West Hartford. So  
17 thank you again. I'm in full support. I  
18 think most of the people here are.

19                   And I don't think this is  
20 truly a shortcut for anyone, and I think the  
21 decision was made without thinking about the  
22 residents. I don't think it was harmful --  
23 intended. So I just think it wasn't thought  
24 out practically as to what life is like in  
25 2018.



1 Thank you very much.

2 PRESIDENT CANTOR: Thank you  
3 Dr. Friedman. The next person -- I'm sorry.  
4 I can't read your name. Thirty-four  
5 schoolhouse. I don't know if you want to  
6 speak.

7 (No response.)

8  
9 PRESIDENT CANTOR: Okay.  
10 Marilyn Davis.

11 MARILYN DAVIS: Oh, I decline.

12 Shege Isaac.

13 SHEGE ISAAC: Decline.

14 PRESIDENT CANTOR: Okay.

15 Alan -- Matamena?

16 ALAN MATEMANA: Matemana. I  
17 pass.

18 PRESIDENT CANTOR: Okay.  
19 Thank you. Sorry about the pronunciation.

20 Piang Hong.

21 PIANG HONG: Pass.

22 PRESIDENT CANTOR: And Ashish  
23 Arora.

24 ASHISH ARORA: Good evening,  
25 distinguished members of the Council. And

1 thank you very much for this opportunity. My  
2 name is Dr. Ashish Arora and I live in 39  
3 Park Place Circle unit, which is quite  
4 adjacent to the 36 unit of Dr. Meir Friedman  
5 and it's one of the, like, other side. This  
6 is the Beachland Park. These are the two  
7 properties, 36 and 39.

8                   And what I would say to start  
9 with is, I'm concerned. I'm concerned. I  
10 came in this community two years back and  
11 ever since I bought the property I've been  
12 concerned. And the reasons for my concern  
13 are, like, my wife and I have two kids, a two  
14 year old and a six year old.

15                   I did not know any of those  
16 incidents of the vandalism ever since I  
17 bought the property. Once I bought the  
18 property those things were brought to my  
19 attention, and had I known them before I  
20 would have probably not taken that decision.  
21 But nothing has happened so far.

22                   For the last two years we've  
23 been enjoying this community with everybody  
24 and -- but I mean, for so far we love this  
25 community. And I think just going back for

1 the last, whatever time, ten years, seven  
2 years, the gate is closed. Nothing bad has  
3 happened and we do know something bad has  
4 happened before, although we don't believe in  
5 anecdotal evidence of those things.

6           Though reportings were made,  
7 but to my mind I don't think we have to wait  
8 for the reporting for something bad to happen  
9 if we go back to the same scenario. And  
10 there everybody, you know, seconds that  
11 decision of keeping it closed for safety  
12 reasons -- and so do I. And I really  
13 appreciate your time and this opportunity for  
14 us to put our concerns on the table.

15           Thank you very much.

16           PRESIDENT CANTOR: Thank you,  
17 Dr. Arora.

18           The last person that signed up  
19 Rig-ar-rigon Jen-a-car --

20           A VOICE: I pass.

21           PRESIDENT CANTOR: I'm sorry.

22           Is there anybody else that  
23 would like to come up and speak to this  
24 public hearing?  
25

1 (No response.)

2

3 PRESIDENT CANTOR: Okay.

4 Thank you very much.

5 Are there further questions

6 from the Council for Attorney Simon? No?

7

8 (No response.)

9

10 PRESIDENT CANTOR: Okay.

11 And with that we will close  
12 the public hearing -- oops, I'm sorry. No,  
13 we have to read into the record. I  
14 apologize. Thank you, Ms. Labrot.

15 I'll read into the record a  
16 letter dated January 8, 2018, from TPZ  
17 recommending approval; and a letter dated  
18 December 15, 2017, from DRAC also  
19 recommending approval.

20 Is there anything further?

21 MR. SIMON: No, no.

22 PRESIDENT CANTOR: Did you  
23 want to talk about the signage.

24 MR. SIMON: I did submit the  
25 affidavit regarding signage to Corporation

1 Counsel.

2 PRESIDENT CANTOR: Okay. Very  
3 good. Thank you. So if we're all done,  
4 we'll close the public hearing.

5

6 (Whereupon, the above  
7 proceedings were concluded at 8:00 p.m.)

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CERTIFICATE

I hereby certify that the foregoing 45 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the Public Hearing in RE: AN AMENDMENT FOR APPROVAL OF SPECIAL DEVELOPMENT DISTRICT NO. 48 FORMERLY KNOWN AS COLECO CORPORATE CENTER LOCATED AT 999 SOUTH QUAKER LANE, WEST HARTFORD, CONNECTICUT (QUAKER GREEN DEVELOPMENT), held before the West Hartford Town Council, at Town Hall, 50 South Main Street, Room 314, West Hartford, Connecticut, on January 9, 2018.



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