

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

TOWN OF WEST HARTFORD

TOWN COUNCIL PUBLIC HEARING

May 22, 2018, 7:07 p.m.,

Legislative Chambers

Re: Application on behalf of Delamar West
Hartford, LLC, Seeking Approval of an
Amendment to Special Development District
#140 located at 1 Memorial Road and Known as
the Delamar.

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

2 Town Council Members Present:

3 MAYOR SHARI CANTOR

4 LIAM SWEENEY

5 LEON DAVIDOFF

6 CHRIS BARNES

7 MARY FAY

8 BETH KERRIGAN

9 BEN WENOGRAD

10

11 Alternate:

12 DENNIS SWANTON

13

14 PATRICK ALAIR

15 Corporation Counsel

16

17 TODD DUMAIS

18 Town Planner

19

20 ESSIE LABROT

21 Town Clerk

22

23

24

25

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

2 F o r t h e A p p l i c a n t :

3 A L T E R & P E A R S O N , L L C

4 7 0 1 H e b r o n A v e n u e

5 G l a s t o n b u r y , C o n n e c t i c u t 0 6 0 3 3

6 B y : R O B I N M . P E A R S O N , E S Q .

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 PRESIDENT CANTOR: We call the
2 7 p.m. public hearing to order. This is an
3 application on behalf of Delamar West
4 Hartford, LLC, seeking approval of an
5 Amendment to Special Development District
6 #140 located at 1 Memorial Road known
7 Delamar.

8 The amendment requests changes to
9 the approved architecture and landscaping to
10 permit the elimination of an architectural
11 rooftop mechanical screen, the elimination of
12 decorative trees and the addition of a
13 seasonal vestibule enclosure for the Artisan
14 Restaurant.

15 Rollcall, Ms. Labrot?

16 MS. LABROT: Mr. Barnes?

17 COUNCILOR BARNES: Present.

18 MS. LABROT: Ms. Cantor?

19 PRESIDENT CANTOR: Here.

20 MS. LABROT: Mr. Davidoff?

21 COUNSELOR DAVIDOFF: Here.

22 MS. LABROT: Mr. Dodge?

23 COUNCILOR DODGE: Here.

24 MS. LABROT: Ms. Fay?

25 COUNSILOR FAY: Here.

1 MS. LABROT: Ms. Kerrigan?

2 COUNCILOR KERRIGAN: Here.

3 MS. LABROT: Mr. Sweeney?

4 COUNCILOR SWEENEY: Here.

5 MS. LABROT: Mr. Wenograd?

6 COUNCILOR WENOGRAD: Here.

7 MS. LABROT: And we have Mr.

8 Swanton sitting in for Mr. Williams.

9 MR. SWANTON: Here.

10 PRESIDENT CANTOR: Okay. Thank
11 you, Ms. Labrot. And we have a presentation
12 from the applicant. Hello, Ms. Pearson.

13 MS. PEARSON: Good evening, Madam
14 Mayor, and members of the Town Council.

15 My name is Robin Pearson. I'm an
16 attorney with the firm of Alter & Pearson in
17 Glastonbury, Connecticut. I pleased to be
18 here this evening on behalf of the applicant.

19 I'm going to just sit down, and I'm
20 going ask that Mr. Valerio Zambrano who is
21 the Vice President for New Business
22 Development For Greenwich Hospitality,
23 otherwise known as the Delamar folks, is
24 going to go through the elements of the
25 application before you this evening.

1 He does have visuals, and for that
2 reason we've brought the screen down, which I
3 think would make it more interesting for our
4 audience also.

5 So Mr. Zambrano will go through the
6 application, and I'd like to have a chance to
7 say a few words at the end. Thank you.

8 MR. ZAMBRANO: Thank you and good
9 evening. Before we get into the application
10 I wanted to say a few words about how excited
11 and happy we are to be here in West Hartford.
12 We're pretty new, but it's been really a
13 great pleasure to be here. And we've seen
14 quite good feedback already from the
15 community and we're really looking forward to
16 what the next few years will bring.

17 And we have hired more than 150
18 people so far between full-time employees,
19 consultants, contractors part-time. In fact
20 we have provided events to a number of
21 corporations, local corporations, nonprofit.
22 I just got at least over 77 not-for-profits
23 that we hosted or sponsored, and we're really
24 excited to be here. So I wanted to start
25 with that.

1 In this amendment we are asking for
2 three changes to the current plans. The
3 first one relates to four lindens, four trees
4 that were supposed to be placed on the
5 lower -- on the Raymond side.

6 And they were in place just
7 because -- well, the trees that were planted
8 were so large that we wouldn't need to have
9 any extras. They just wouldn't fit. So we
10 achieved the same goal with bigger trees,
11 rather than smaller and more trees. And we
12 presented our request to DRAC who was
13 comfortable with our -- and the zoning
14 office, and they were comfortable with our
15 request.

16 The next amendment, we are
17 requesting to add a vestibule to the entrance
18 of the restaurant. And the reason for that
19 is simply to really help with the winter
20 months with providing more comfort to the
21 people sitting next to the door.

22 And we have worked with DRAC as
23 well, and they are comfortable with our
24 recommendation. I want to show you the
25 design intent. And we will be working with

1 the building department to make sure they're
2 comfortable with the structural elements of
3 it.

4 And here is the elements a little
5 bit, and this is what it's going to look like
6 right at the entrance of the restaurant.
7 This will be seasonal, only when it's, you
8 know probably -- depending on the season but,
9 you know, between I would say December and
10 March. And it would be removed in April as
11 the weather gets nicer and warmer.

12 The third element that we would
13 like to request an amendment for is a screen
14 around the cooling tower on top of the
15 building.

16 Our request is to not install a
17 screen which from -- we tried to design
18 several versions of it. And these are real
19 pictures, by the way.

20 And right now the tower, without
21 the screen looks this way and it is difficult
22 to see because we are far, but there is some
23 visual clutter to it on the east side related
24 to mechanical elements that are attached to
25 the tower, and a screen will obviously block

1 that view.

2 We tried to engineer various
3 versions of the screen, but in all our
4 attempts we couldn't get the screen to be any
5 smaller than what we had presented here. We
6 worked with our engineering and our
7 architect, and the reason why the box is so
8 large is because there needs to be
9 ventilation in the cooling, within the
10 cooling tower and there needs to be access
11 for maintenance, repairs or emergencies.

12 And we don't feel comfortable
13 putting such a big structure on top of the
14 building. We think that if we paint it --
15 which we did by the way a few months ago. We
16 think that if we paint it, the end result,
17 you know, would be better than putting such a
18 big structure.

19 As you can see already, the tower
20 blends in with the roofline making it less
21 visible than it was a few months ago when it
22 was shiny and of metal color, a bright metal.

23 And if you look at it from almost
24 every side, from every corner -- you're
25 familiar with this building, I suppose. You

1 know, the tower as it is, it's not that
2 obtrusive, but when you put a big screen now
3 you really make a -- more of a problem
4 bigger, from our perspective.

5 The only one side -- obviously
6 creates problems, and we acknowledge it, is
7 the east side closer to Whole Foods, and
8 that's where you really can see the
9 mechanical elements that play a role there.
10 And we have letters and staff -- fasteners
11 that really -- and to a model fence that
12 really makes that appearance not as pleasant
13 as we would love to.

14 We worked with DRAC to find other
15 ways to screen. And really this seems to be
16 the problem -- and we work with DRAC to
17 really focus on this side. The others, that
18 doesn't seem to be a problem. And we came up
19 with a partial screen that could be helpful,
20 but we still feel that -- here's a layout --
21 but we still feel that the size and the
22 volume is going to make it, again the problem
23 bigger than it is.

24 And what we really wanted to put
25 forward as we worked through DRAC is keep the

1 tower the way it is, maintain that volume
2 which is already pretty large, and remove all
3 the clutter that seems to be the cause of
4 that visual clutter.

5 So if we -- as our current stance
6 this is a close up obviously from the street.
7 You can see the to tip, as you've noticed
8 before, as you can see from the other
9 pictures. If you remove all the letters and
10 you look at the right side and all that extra
11 mechanical equipment that's there, you really
12 are only left with the fences. And we can
13 put a louver screen in front of it which
14 would blend that fence into the structure
15 itself and make it less visible from the
16 street.

17 We tried to give you an acceptable
18 view of what it looked like from the street,
19 but it's very difficult to see, but that
20 makes my point. I mean, there isn't
21 really -- it's a far object and it's large,
22 but the elements themselves, once you remove
23 the letters and the fasteners you're really
24 only left with just two boxes. And we think
25 that it's a much better solution than putting

1 a big large box, whether it's partial or
2 full.

3 And lastly, which is a
4 consideration, not the main reason, but you
5 know, if putting a screen up there was a
6 simple exercise, just attaching a screen to
7 the tower that we wouldn't have any issues
8 obviously, but it isn't. It needs to be
9 farther away and it needs to be bigger.

10 And because of that we also need to
11 built a pretty extensive support
12 infrastructure that costs us \$76,000 dollars
13 just to put that screen up top. And we feel
14 the added cost benefit analysis that you
15 could run by putting a small louver fence, a
16 sheet in front of the fence for 5 thousand
17 versus a full screen which makes it bigger
18 for 75, 76 thousand, I think it's just not
19 worth the effort. And we would rather put it
20 into better elements for the town then on a
21 screen on the roof.

22 And with that, I'll thank you for
23 your time.

24 MS. PEARSON: Don't go away.

25 If you could just use some of the

1 visuals here, I'd like to just go through
2 quickly in summary for the commission.

3 First of all, you do have a letter
4 in your package that's a lay package item
5 from the Design Review Advisory Committee.
6 We did meet with them this afternoon in the
7 hope it might be possible to get a favorable
8 review of the painting plus cleaning up the
9 clutter on the east side that faces Trout
10 Brook, which is the site that was most
11 problematic for the design DRAC. And we were
12 not successful.

13 So the letter that you have says
14 that DRAC supports the first two amendments
15 to the application, but -- and it is a
16 recommendation. It's not a decisive review
17 for your consideration, but I know how much
18 we all rely on what DRAC has to say with
19 regard to an application. And certainly no
20 one wants to come before this board without
21 the support of DRAC.

22 However DRAC does say that they
23 cannot support the solution, paint/removal of
24 hardware in addition to the louvers on the
25 fan openings is not compatible with the

1 building's architectural elements at this
2 important location and in the applicant's
3 past commitments on this design element.

4 And with that, they're referring to
5 the fact that when the cooling tower was
6 originally approved it was going to be on the
7 ground. It migrated to the roof during the
8 time that plans were really being finalized
9 for building permits and buildout.

10 And at that point they were
11 approved with a commitment to put up a
12 full-screen all the way around the equipment,
13 which is not unusual for a design anyone
14 brings to you that you look at through the
15 special development district process. And
16 the applicant had every intention of doing
17 that.

18 The cooling tower turned out to be
19 larger than they originally thought it would
20 need to be. The location where it ultimately
21 was located on the roof makes screening a
22 little more visible, more difficult.
23 Screening is difficult in any event because
24 of the windshear up at that location.

25 And the reason the cost of

1 screening -- and that's why screening is so
2 expensive up there. And I'm not sure that
3 you heard, and certainly it's not something
4 that you should normally perhaps consider as
5 an element in your decisions with regard to
6 aesthetics, but the cost for putting that
7 screening up right now for the full screening
8 around that cooling tower is \$76,000.

9 We had hoped by doing a partial
10 screening that it might reduce the cost to
11 make it feasible. And the applicant just
12 received one bid for 74,000 dollars, which
13 was 39,000 which is the structural work that
14 would have to be done to secure something.
15 You have to think about the wind up at that
16 level, you know, just taking this thing off
17 the roof. \$32,000 for the panels themselves,
18 and there also needs to be a crane rental for
19 a day to be able to get everything up to the
20 roof and to do the work.

21 Frankly, if it had been -- as was
22 said, if it had been \$7,000 to put that
23 screen up they would do it. Even though I
24 will tell you that the architect -- and
25 perhaps you remember Israel Smith who was

1 here when the whole Delamar project was
2 originally approved and testified at length
3 on aesthetic issues before you, and I think
4 it's fair to say, designed an absolutely
5 gorgeous hotel building.

6 He was on the DRAC call today and
7 what he said was, it's not for me -- for him
8 it's not cost. For the applicant it may be
9 the cost, but for the architect he felt very
10 strongly that the massing of that box around
11 the cooling tower was aesthetically much more
12 deleterious for the design of the building
13 than the proposal that they've got now to
14 clean up the side from the views from Trout
15 Brook.

16 And I'd like -- would you do me a
17 favor and go back through the four views, the
18 photographs today of each of the views of the
19 building?

20 And I'm sure you've had a chance to
21 go out there. And you know that when you're
22 out on the grounds you can't see it. You
23 can't see the tower. You have to be quite
24 away back to be able to see it. But again,
25 just go through the architect's point. Let's

1 do the existing first.

2 Okay. So this is the existing view
3 with that painted today looking at it from
4 Trout Brook. Okay.

5 This is if you put the box around
6 and, and there was concern that, wait a
7 minute. That screening doesn't have to be
8 that big. Does it? And as Valerio
9 testified, it does because you have to have a
10 distance from the cooling tower out to the
11 screen. They have to be able to anchor it.
12 You have to have space between it and the
13 cooling tower for the ventilation, and also
14 to be able to maintain the cooling tower.

15 So this is the view from the police
16 station today. That's a photograph. If you
17 put up the screen that's what it looks like.
18 It's plain, but it's big. This is the view
19 from Trout Brook today, and if you put the
20 full-screen around it it's bigger. It's
21 clean, but it's bigger.

22 So going back, if you would. So
23 again, this is the view. If you were to
24 take, as the architect said, take the stuff
25 that mucks it up now, the ventilation holes,

1 the ladders, all the extraneous looking
2 equipment on it and instead clean it up, and
3 put those boxes over the ventilation ducts,
4 that it becomes much less intrusive.

5 So as the architect said at the
6 DRAC meeting, reasonable minds disagree.
7 We're definitely sorry that it got to the
8 point where we have to be even having this
9 discussion now. These are things that in a
10 perfect world would have been worked out
11 before the building was built, and certainly
12 right from the beginning, so there wouldn't
13 have had to have been amendments during the
14 process, but there have been.

15 The applicant has, you know, put a
16 great deal of care into the aesthetic design
17 of this building. It's at that point in time
18 where it's got a new structure that, as he
19 said, has been well received, is being well
20 used. But you know, it's not easy opening a
21 hotel in today's economy, even in a town like
22 West Hartford.

23 And I argued with him that you
24 should know what the economic repercussion is
25 if they have to put that up there, as well as

1 understanding what we believe to be a better
2 aesthetic choice not to box that up at that
3 point.

4 So if you look at your standards of
5 review -- oh, one other thing. There was a
6 letter sent May 16th, and I think since the
7 architect is not here, that I should just
8 read four sentences that he has in his
9 May 16th letter that was sent to DRAC in
10 which he says, after man attempts we
11 identified a solution that achieves the goal
12 in the simplest and most efficient manner
13 keeping the look clean and less voluminous
14 than any other alternatives considered.

15 Our recommended plan of action is
16 to remove all nonessential equipment and
17 accessories currently located on the east
18 side of the cooling tower leaving only the
19 two fan motors which would be screened with a
20 louvered sheet-metal wrapper.

21 Currently these fan motors appear
22 at a distance as dark spots. Appear at a
23 distance as dark spots on the larger unit
24 because their shape creates a deep recess and
25 shadow by quote boxing them out, unquote,

1 with a painted lover cover they will present
2 a more homogeneous picture. These
3 modifications will leave the east facade of
4 the unit free of visual clutter and nearly
5 identical to the other facades. And then he
6 submitted those with his letter to DRAC.

7 I'm not sure if you have this
8 because it went only to DRAC. So I would
9 like to ask that it be put into the record.

10 So with that, I guess the only
11 other thought I have is, you know, if you
12 look around -- and each of these special
13 development district projects or development
14 proposals is a specific proposal that stands
15 on its own, and it has to be decided on on
16 its own merits.

17 But certainly if you look around
18 the area in the vicinity of this particular
19 rooftop there are others. There are others,
20 including right across the street at the
21 police station -- which I think I'll just
22 send around to you, which is no excuse.

23 I mean, we understand that when you
24 do a development within a special development
25 design district there are standards of

1 excellence and each application has to be
2 decided on whether it meets the merits of the
3 special development district.

4 But one of the standards in your
5 review is whether what is being proposed that
6 you have to decide, make a decision on, is
7 compatible with existing development in the
8 area. And I would like to just give you some
9 adjacent rooftops.

10 You can see that they all have
11 visible mechanical equipment that's not
12 screened. Some of these are special
13 development districts. I don't believe
14 Hampshire House was, but the others are
15 special development districts, and I'll just
16 send these along for your review.

17 So for all those reasons our
18 architect does believe this is a better
19 aesthetic solution than the screening. We're
20 definitely sorry it had to get to this point
21 where we're before you and don't have a
22 supporting letter from DRAC, but we also
23 believe, too, that the applicant has
24 evidenced great consideration for the design
25 elements in the building of this hotel.

1 And that the cost-benefit analysis
2 just doesn't support requiring business to
3 have to make this expenditure at this stage,
4 to do something that we don't even feel is
5 going to be visually beneficial.

6 So with that, do you have anything
7 else you'd like to say?

8 MR. ZAMBRANO: No, at this point I
9 think they've heard enough.

10 MS. PEARSON: Thank you.

11 PRESIDENT CANTOR: Thank you.

12 Any questions?

13 Mr. Sweeney?

14 COUNCILOR SWEENEY: I just have a
15 quick question. How is the Delamar Hotel
16 doing?

17 MR. ZAMBRANO: It's doing well. We
18 obviously wish it was doing better. We
19 opened in September which is not the best
20 time to open. You have a month, a month and
21 a half and then winter months, and the winter
22 season is never really easy. But we go
23 through the really hard season and now we
24 need to see what the summer brings to us.

25 And I think, you know, as you know

1 the first year, second-year of a luxury hotel
2 is really critical and that's why we're here
3 before you.

4 COUNCILOR SWEENEY: And what's your
5 occupancy rate right now?

6 MR. ZAMBRANO: It's in -- it's
7 about 60 percent, but again, it's not a good
8 projection for the year. We went through the
9 winter months where we had 35, 40 percent and
10 we have projected occupancy in the 60 percent
11 range.

12 COUNCILOR SWEENEY: Thank you.

13 PRESIDENT CANTOR: Thank you,
14 Mr. Sweeney.

15 Mr. Wenograd?

16 COUNCILOR WENOGRAD: Thank you.
17 Just looking through the file we had gotten
18 with the e-mail agenda last week -- there it
19 is. There was something from our building
20 department. We got building comments that
21 were sent. There was concern about the
22 vestibule.

23 MR. ZAMBRANO: Yes, those have been
24 addressed -- I'm sorry.

25 COUNCILOR WENOGRAD: Again, I don't

1 have that letter in our packet. I don't see
2 it. If you could address the concerns that
3 were raised at the time?

4 MR. ZAMBRANO: Yes, the building
5 department wanted to make sure that the
6 structure that we're building is sound and
7 structurally fit for the location given the
8 high winds that are facing that side of the
9 building.

10 And we have spoken with the
11 building department and we have committed to
12 the building department to work with them to
13 make sure that whatever structure we put in
14 place is going to be withstanding all the
15 weather conditions.

16 And so the final approval from the
17 building department obviously will be in line
18 with the work that we'll be doing.

19 COUNCILOR WENOGRAD: All right.
20 Thank you.

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

23 Anybody else? Mrs. Kerrigan?

24 COUNCILOR KERRIGAN: Thank you,
25 Madam Mayor.

1 It's my understanding that you just
2 said that the unit originally was on the
3 ground level and it was moved to the roof.
4 Could you just tell me why that happened?

5 MR. ZAMBRANO: I don't know the
6 exact details. What's in detail, I don't
7 know. I know that it was made for various
8 reasons including the location of the
9 building roof is more accessible for the
10 system and it was -- the decision was run
11 past all of the approvals.

12 And I know that it was discussed
13 heavily at the time, and I unfortunately
14 wasn't around with the company at the time
15 and I don't know the exact details.

16 COUNCILOR KERRIGAN: So the
17 original screen was designed when the unit
18 was on the ground?

19 MR. ZAMBRANO: Yes. I'm not even
20 sure there was a screen at the time on the
21 ground, but when it went on the roof, then
22 obviously we were required to put a screen.

23 The problem is that the original
24 structure on the roof was moored and
25 therefore the screen wouldn't need to be this

1 big. And maybe we would not even need it
2 based on the design at the time. And then
3 the engineer ended up amending the size, to a
4 bigger size to accommodate the hotel.

5 I'm not quite sure how he
6 miscalculated the usage or the requirements,
7 but the screen became larger because the
8 tower itself became larger.

9 COUNCILOR KERRIGAN: Thank you.

10 MR. ZAMBRANO: I'm really sorry I
11 don't have more details.

12 PRESIDENT CANTOR: Thank you
13 Ms. Kerrigan.

14 Mr. Barnes?

15 COUNCILOR BARNES: Thank you.

16 Just so I understand, the unit that
17 was proposed to be on the ground was smaller
18 than the unit that you actually ended up
19 installing on the roof. Correct?

20 MR. ZAMBRANO: That's my
21 understanding.

22 COUNCILOR BARNES: And when the
23 decision was made to put it up on the roof,
24 do you know if that came before the Council
25 for approval?

1 And I'm looking at Todd, and he's
2 shaking his head? And so we approved the
3 move with the appropriate screening around it
4 at that time? And were there pictures and
5 drawings of what that would look like?

6 MR. DUMAIS: For the record. Todd
7 Dumais, Town Planner.

8 Yes, there were. That original
9 movement, I can actually shed a little light
10 on the other issue as well. When the
11 mechanical unit was on the ground it was on
12 the backside of the building and screened by
13 a fence and landscaping. There is some
14 significant landscaping on the Trout Brook
15 side.

16 I believe one of the reasons it was
17 moved was there was a decision. They didn't
18 want those mechanical units being right under
19 their event space on the south lawn. There
20 was some concern about the sound and noise
21 and view from the event space down on top of
22 the mechanicals. So I think that was one of
23 the reasons.

24 When the mechanical unit was moved
25 on the roof, as Mr. Zambrano said, it was a

1 smaller unit and the representation to the
2 Council was that it wouldn't be seen. That
3 would be architecturally screened and not
4 seen or visible/noticeable. And so we had
5 some renderings that showed the location and
6 those statements with a louvered screen.

7 COUNCILOR BARNES: So what was
8 proposed was visible, or not visible?

9 MR. DUMAIS: Well, what was
10 proposed you would see some of the screen,
11 but it wouldn't be as large as what was shown
12 in the previous slides.

13 COUNCILOR BARNES: Okay. So there
14 would have been screening, but it wasn't that
15 huge box that we were looking at before?

16 MR. DUMAIS: That's correct.

17 COUNCILOR BARNES: Okay. Thank
18 you.

19 PRESIDENT CANTOR: Thank you, Mr.
20 Barnes.

21 Anybody else? Ms. Fay?

22 COUNCILOR FAY: Thank you very
23 much, Mayor.

24 Just quickly on these pictures, is
25 the color that's proposed on the right-hand

1 side, is that what it's going to be? Or are
2 you going to paint them later?

3 MR. ZAMBRANO: We use the same,
4 essentially the same color is the roofline.
5 So maybe the shade here doesn't justify --
6 doesn't make it justice, but it's exactly the
7 same paint color as the roof.

8 PRESIDENT CANTOR: Go ahead.

9 COUNSILOR FAY: Thank you. I mean,
10 I'm just learning the protocol here.

11 Secondly, it is a financial expense
12 or a burden that you've categorized it as.
13 Could you let us know if the building was
14 over budget or under budget, the final
15 result?

16 MR. ZAMBRANO: It was over budget.
17 It was over budget, and we're still finishing
18 up the last, you know, payments as agreed
19 with the contractor.

20 And it's all under control, but we
21 wouldn't want anything to, you know, get it
22 out of control, any unexpected expense.

23 PRESIDENT CANTOR: Thank you,
24 Ms. Fey.

25 Mr. Davidoff?

1 COUNSELOR DAVIDOFF: Thank you,
2 Madam Mayor.

3 So basically we have here a
4 situation that has presented itself after the
5 construction of the building, which I just
6 want to get this on the record, is probably
7 no different than the special development
8 district situation where we had over at
9 Quaker Green over in Elmwood where there were
10 air-conditioning condenser units that were
11 supposed to go on the roof that ended up on
12 the ground because of some architectural
13 problems. And we really upset as to how they
14 were going to be screened. So it's sort of
15 like the reverse scenario here with respect
16 to a mechanical unit.

17 To say that I'm not bothered by the
18 partial approval by DRAC would not be the
19 truth. Okay? Because those people are
20 well-respected design experts who spend a lot
21 of time working with applicants to try to
22 provide us with recommendations that in their
23 professional volunteer position best meets
24 the needs of our community, and what I
25 consider to be pretty high standards.

1 But I'm also a realist, and it's
2 \$76,000 to put a bigger box up there. And
3 when you drive by -- and I think your
4 pictures illustrate, because I've driven by
5 all four different angles to look at this,
6 you're not catching it very much. You're
7 catching a glimpse. Okay? Of the
8 mechanicals that are currently up there.

9 So probably to the average person
10 who doesn't read about this in the newspaper,
11 they probably have no clue that there's
12 something up there that we approved that
13 ought not be looking the way it is.

14 So I think we each often make a
15 decision as to whether or not what we
16 approved originally and what the solution to
17 screen it, is realistic -- where you want to
18 fall, I guess, on the standards in terms of
19 the interpretation of the decision and
20 bringing in the economics of the thing.

21 And then. Okay? What's the
22 aesthetics in terms of who's looking at it,
23 and how long you're looking at it. And is it
24 going to make a mistake?

25 And what is also apparent, I think,

1 for the record is the applicant has come
2 forward and said, there is a problem. Okay?
3 We have a problem here. We can't meet your
4 current specifications that were outlined in
5 your approval.

6 Is there a solution? Is there a
7 middle point that we can try to work
8 something out? And then I think that's what
9 your application is about here this evening.
10 Correct?

11 MR. ZAMBRANO: Right.

12 COUNSELOR DAVIDOFF: So each of us
13 will have to decide that, but I think having
14 seen the other pictures that Attorney Pearson
15 passed out with respect to the Burgess
16 building and a few others, you could see the
17 mechanicals in the pictures. I don't know.
18 I'm not on ground level or driving by to see
19 if they're relevant or how they fit it, but
20 they're clearly there. To say that you're
21 not going to see mechanicals in a building, I
22 don't think that's a realistic point of view.

23 So I just think we need to realize
24 that we ask a lot of applicants. Sometimes
25 it works out a hundred percent and they can

1 do things. Sometimes it doesn't. I think
2 that if we don't agree with what their
3 alternative solution is then we can just say,
4 well, we're not going to accept your
5 application and it's going to cost you
6 \$76,000 to do this. So you know, and then
7 that's not our fault that it's costing
8 \$76,000. It's just part of the way it is.

9 But I do think that you do have to
10 consider if there are alternatives at this
11 point, because it's already substantially
12 built, and what objective are we going to get
13 when in reality when you drive by it most
14 people aren't even looking at the top of the
15 building. They're probably looking at the
16 thing that says, Delamar, saying, oh. That's
17 the hotel. That where I need to know, as a
18 landmark -- not, oh, there's that mechanical
19 up on top that's got big, huge painted box
20 around it. Okay? I don't think that's the
21 landmark.

22 And I think it's important. I
23 think having sat on Blue Back hearings way
24 back when -- and it was part of the design.
25 We were very careful in terms of how we

1 designed everything in the entire square, and
2 this is the last piece that's come into the
3 square.

4 So for me, yeah, I would like
5 everything to be perfect. And tonight you --
6 and I agree. And tonight you've admitted
7 that it's not possible -- well, it is
8 possible, but at a very high cost.

9 And I think that if we were in a
10 position to determine what would be the
11 standard knowing the cost, I don't know if
12 you would have agreed to the screening when
13 we had the hearing on putting it up on the
14 top, that it was going to cost 76,000 to a
15 hundred thousand dollars. I don't know. I
16 think your position might have been a little
17 different, but that's what I have to say
18 about the screening.

19 Now I want to also ask a question
20 about the vestibule, because it was in the
21 memo from the fire department -- and I didn't
22 see any further correspondence -- that they
23 had a problem with whether or not it was
24 going to be a problem for access in and out
25 of the building. Now I just don't understand

1 how that's been left. Can you just clarify
2 that?

3 Is it such that -- the structure is
4 temporary in nature. Right?

5 MR. ZAMBRANO: It's temporary, yes.

6 COUNSELOR DAVIDOFF: And it's only
7 going to go up during winter months. Right?

8 MR. ZAMBRANO: Winter months, yeah.

9 COUNSELOR DAVIDOFF: It's going to,
10 in the end, be code compliant. Correct?

11 MR. ZAMBRANO: Correct. The fire
12 marshal, the building department wouldn't
13 approve it otherwise, though. Right.

14 COUNSELOR DAVIDOFF: So my
15 understanding is it's going to come down in
16 the springtime, be stored somewhere?

17 MR. ZAMBRANO: Yes.

18 COUNSELOR DAVIDOFF: And then put
19 back up?

20 MR. ZAMBRANO: Correct.

21 COUNSELOR DAVIDOFF: Will it be
22 inspected every single time?

23 MR. ZAMBRANO: Whenever the
24 processes we will be compliant.

25 COUNSELOR DAVIDOFF: My

1 anticipation would be that every time it gets
2 put into place it would be inspected to make
3 certain that it hasn't gotten to a condition
4 where it doesn't meet code.

5 MR. ZAMBRANO: We have no problem
6 with that. Whatever the standards are.

7 COUNSELOR DAVIDOFF: Right. And
8 you'd be willing to bear the cost of that
9 yearly inspection to make certain that it
10 meets the code.

11 MR. ZAMBRANO: Yes.

12 We are not talking about these
13 numbers?

14 COUNSELOR DAVIDOFF: No, I can't
15 imagine it's going to cost \$76,000 to inspect
16 a vestibule, but I just want to get on the
17 record because we're going to have to send
18 somebody out if it's a temporary thing that
19 comes out and comes back and. And it
20 definitely affects the public safety of the
21 patron using the restaurant and the rest of
22 the space to make certain there's not a
23 danger there, and because it's temporary and
24 it's not a permanent part of your building.

25 MR. ZAMBRANO: That make absolute

1 sense to me.

2 COUNSELOR DAVIDOFF: I sort of see
3 that similar to anything that the fire
4 marshal looks at with respect to temporary
5 uses that they annually inspect things, but
6 you don't have a problem with seeking that
7 and getting that approval?

8 MR. ZAMBRANO: No.

9 COUNSELOR DAVIDOFF: That's it,
10 Madam Mayor. That's all I wanted to get on
11 the record this evening.

12 PRESIDENT CANTOR: Thank you,
13 Mr. Davidoff.

14 All right. So we are going to read
15 into the record a letter dated May 8, 2018,
16 from TPZ recommending partial approval; and a
17 letter dated May 22, 2018, from DRAC also we
18 just received recommending partial approval.

19 And with that, Mr. Alair, is there
20 anything else with that, because we referred
21 the TPZ? Did you want to just review?

22 MR. ALAIR: Well, I think what
23 you're referring to is the fact that they
24 issued a partial approval. And as some or
25 all of you may know, if the TP and Z

1 recommends against adoption of a project or
2 an application such as this you can only pass
3 it by a two thirds majority vote.

4 I have reviewed the letter that was
5 issued by TP and Z and I have spoken with
6 Mr. Dumais who was at the meeting. And I've
7 also had this same conversation with T, P and
8 Z on a number of occasions over the years
9 about how they phrase their letters.

10 And I think that this letter stops
11 short as it's written of being a denial and
12 therefore would not trigger a supermajority
13 vote, even on the third element.

14 PRESIDENT CANTOR: Thank you. You
15 had sent us an e-mail on that, but I just
16 wanted to make sure. Okay. Thank you. And
17 with that I will close -- oh, right. Any
18 speakers? I apologize.

19 MR. ALAIR: No one signed up.

20 PRESIDENT CANTOR: Is there anybody
21 in the audience that would like to speak to
22 this public hearing.

23

24 (No response.)

25

1 PRESIDENT CANTOR: No? All right.

2 With that I will close the public hearing.

3

4 (Whereupon, the above proceedings

5 were concluded at 7:47 p.m.)

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

I hereby certify that the foregoing 39 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the Public Hearing in RE: APPLICATION ON BEHALF OF DELAMAR WEST HARTFORD, LLC, SEEKING APPROVAL OF AN AMENDMENT TO SPECIAL DEVELOPMENT DISTRICT #140 LOCATED AT 1 MEMORIAL ROAD AND KNOWN AS THE DELAMAR. APPLICATION ON BEHALF OF DELAMAR WEST HARTFORD, LLC, SEEKING APPROVAL OF AN AMENDMENT TO SPECIAL DEVELOPMENT DISTRICT #140 LOCATED AT 1 MEMORIAL ROAD AND KNOWN AS THE DELAMAR, held before the West Hartford Town Council, at Town Hall, 50 South Main Street, Room 314, West Hartford, Connecticut, on May 22, 2018.



Robert G. Dixon, CVR-M 857
Notary Public
BCT Reporting, LLC
55 Whiting Street, Suite 1A
Plainville, CT 06062
My Commission Expires: 6/30/2020