

In The Matter Of:

*Re: Application of FW CT-Corbins Corner Shopping Center
LLC, Owner of 1459 New Britain Avenue*

*PUBLIC HEARING
February 26, 2019*

*BCT Reporting LLC
55 Whiting Street, Suite 1A
Plainville, CT 06062
860.302.1876*

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TOWN OF WEST HARTFORD

TOWN COUNCIL PUBLIC HEARING

February 26, 2019, 7:15 p.m.,

Legislative Chambers

Re: Application of FW CT-Corbins Corner Shopping Center, LLC, Owner of 1459 New Britain Avenue Located Within Special Development District #6, 1445-1459 New Britain Avenue, to Amend SDD #6 to Authorize for Edge Fitness Club, Proposed Tenant for Vacant Toys-R-Us Space, Extended Hours for Its Illuminated Signage, Facade Changes to the Front of the Club Including Along the Walkway Between Parking Areas, Additional Windows On the Side and Rear (South and East Elevations) of the Building, and Improvements to the Pedestrian Walkway Area Including Landscaping.

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 CHRISTOPHER WILLIAMS

11

12 Alternate:

13 KATE FARRAR

14

15 PATRICK ALAIR

16 Corporation Counsel

17

18 MATT HART,

19 Town Manager

20

21 ESSIE LABROT,

22 Town Clerk

23

24

25

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

2 For the Applicant:

3 ALTER & PEARSON, LLC

4 701 Hebron Avenue

5 Glastonbury, Connecticut 06033

6 By: ROBIN M. PEARSON, ESQ.

7 860.652.4020

8 RPearson@alterpearson.com

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1 PRESIDENT CANTOR: Okay. I'd like
2 to call the 7 p.m. public hearing to order.
3 I apologize for the delay.

4 We all had a meeting prior, and it
5 is election day. So if you want to take a
6 break, you can register and vote down the
7 hall.

8 But we are starting with number
9 one, application of FW CT-Corbins Corner
10 Shopping Center, LLC, owner of 1459 New
11 Britain Avenue, located within Special
12 Development District Number 6, 1445-1459 New
13 Britain Avenue, to amend SDD Number 6 to
14 authorize for Edge Fitness Club, proposed
15 tenant for vacant Toys-R-Us space, extended
16 hours for its illuminated signage, facade
17 changes to the front of the club including
18 along the walkway between parking areas,
19 additional windows on the side and rear,
20 south and east elevations of the building,
21 and improvements to the pedestrian walkway
22 area including landscaping.

23 Rollcall, Ms. Labrot?

24 MS. LABROT: Mr. Barnes.

25 COUNCILOR BARNES: Present.

1 MS. LABROT: Ms. Cantor.

2 PRESIDENT CANTOR: Here.

3 MS. LABROT: Mr. Davidoff.

4 COUNCILOR DAVIDOFF: Here.

5 MS. LABROT: Mr. Dodge is absent.

6 We have Ms. Farrar sitting in for Mr. Dodge.

7 MS. FARRAR: Here.

8 MS. LABROT: Ms. Fay.

9 COUNCILOR FAY: Here.

10 MS. LABROT: Ms. Kerrigan.

11 COUNCILOR KERRIGAN: Here.

12 MS. LABROT: Mr. Sweeney.

13 COUNCILOR SWEENEY: Here.

14 MS. LABROT: Mr. Wenograd.

15 COUNCILOR WENOGRAD: Here.

16 MS. LABROT: And Mr. Williams.

17 COUNCILOR WILLIAMS: Here.

18 PRESIDENT CANTOR: I apologize. We

19 are working with our first paperless -- not

20 really -- meeting. So we're a little bit of

21 a hybrid, so we're trying to transition. So

22 I appreciate your patience, but we will start

23 with the application, a presentation from the

24 applicant.

25 MS. PEARSON: Good evening, Madam

1 Mayor, members of the Town Council. My name
2 is Robin Pearson. I'm an attorney with the
3 Law Firm of Alter & Pearson in Glastonbury,
4 Connecticut, and I'm pleased to be here this
5 evening on behalf of my client FW CT-Corbins
6 Corner Shopping Center, LLC. That is the
7 entity that owns the portion of Special
8 Development District Number 6 in which the
9 Corbins Corner Shopping Center is located.

10 For those of you that have been on
11 the Council for a while, you'll recall that
12 the other half of SDD Number 6 is that
13 portion owned by Seritage, which people might
14 think of as the Sears portion of the site.
15 Although Sears is no longer there -- but both
16 properties are encompassed within Special
17 Development District Number 6.

18 The entity that owns the property
19 that is Corbins Corner Shopping Center is an
20 LLC under the parent company of Regency
21 Centers. And so for the ease of referral
22 through the presentation I will refer to the
23 applicant as Regency.

24 The address for that portion that
25 is at the center of this application this

1 evening is 1459 New Britain Avenue. The
2 entire SDD is 145 -- 1,445-1,459 New Britain
3 Avenue. It's the Seritage part that is
4 referred to as the address at 1445 New
5 Britain Avenue.

6 Before I begin I'd just like to
7 note that, first of all, I've left with the
8 Clerk the sign posting affidavit. The signs
9 were posted for the hearing that was
10 scheduled for February 12th, and of course
11 was continued to this date because of snow
12 issues. I believe the signs are still up,
13 but they were certainly up for the required
14 amount of time prior to the public hearing.

15 And before getting deep into the
16 presentation I'd just like to remind the
17 Council that the use that is at issue this
18 evening -- it's actually not at issue is what
19 I want to say. The use, a fitness club is a
20 personal service use which is allowed under
21 the underlying zoning within this shopping
22 center. So whether or not an Edge Fitness
23 Club goes into the center itself is not, if
24 you will, on the table for discussion this
25 evening. The use itself is allowed.

1 So the changes that are requested
2 are to be able to have signage for Edge
3 Fitness as a tenant in the space that was
4 previously occupied and vacated by Toys "R"
5 Us after many decades, to remain on for up to
6 24 hours, or more specifically to remain on
7 longer than the current prohibition or
8 condition for that portion of the SDD Number
9 6 requires, which is that all signage be
10 turned off at 11 p.m. at night.

11 That is a condition that was
12 imposed at a point in time previously when
13 the owner of the center, not my client
14 Regency, but a predecessor in title went in
15 to do a redo of the signage criteria for the
16 center, and it was at that time that the
17 limitation on how late that signage can be on
18 was imposed.

19 I will note for you that there is
20 no such condition for any of the signage on
21 the other half of the SDD that's owned by
22 Seritage. There is also no condition imposed
23 on any of the businesses in this center with
24 regard to their hours of operation, only with
25 regard to how late that signage can be on.

1 You have before you a Town Plan and
2 Zoning Commission referral which indicates it
3 is positive and unanimously encourages you,
4 or recommends to you that you approve the
5 changes that are before you as part of this
6 application.

7 And in that referral the TP and Z
8 suggests that the language should be that
9 when the club is closed signage illumination
10 for the club is to be treated in a manner
11 consistent with the rest of the center, which
12 would mean if the club were to close before
13 11 -- it would be p.m. in the evening. And
14 there are some days -- and I'll get into that
15 later -- when it very well may not be open
16 for 24 hours, that it would therefore have
17 its signage go off at eleven o'clock if it's
18 not operating past that time.

19 So that's one change that is being
20 requested from the Town Council this evening,
21 relief from that condition with regard to the
22 signage hours of illumination.

23 And the other changes that are
24 proposed have to do with adding windows to
25 various elevations of the club and additional

1 exit treatments, emergency exit areas. And
2 that's it.

3 There's no change to the height or
4 size of the building. Indeed the internal
5 area that's going to be used is smaller than
6 what space was used by Toys "R" Us through
7 elimination of most of a mezzanine. No
8 height improvements or changes, and no
9 changes to the parking lot at all, or the
10 layout of the site in front of or behind the
11 fitness club. So signage illumination cutoff
12 condition and changes to the facades, which I
13 will go through.

14 Here with me this evening is Sean
15 Mirkov who is in charge of Regency Centers
16 leasing. If you'd say hello -- that's fine.

17 And also Vincent Sansone who is an
18 owner of Edge fitness, and I'd like to --
19 he's a neat guy. I'd like to have him come
20 up afterwards and just, you know, introduce
21 himself to you and talk to you about why he
22 really would like to be at this particular
23 location.

24 So I'm going to start off by
25 telling you a little bit about Edge. I'll go

1 over in more details the changes that are
2 proposed and why we think they can certainly
3 be accommodated within the special
4 development district, and still remain in
5 harmony with the surrounding businesses and
6 surrounding residential properties, and
7 certainly can be accommodated in a way that
8 is beneficial for the center and also for
9 people who will be going to the Edge Fitness
10 Club.

11 As a quick overview about Edge, it
12 has been in business for over three decades.
13 It has a great deal of experience in terms of
14 fitness club operations. It has a proven
15 club operation model and currently it has a
16 portfolio of 21 clubs including one recently
17 approved for construction in Glastonbury, yet
18 to be built, but in the center of
19 Glastonbury.

20 Edge's home base is Connecticut
21 with 14 clubs, but clubs have also been
22 located in New Jersey, Pennsylvania and
23 Delaware, and are under construction in
24 Missouri and Michigan. Within each club they
25 typically include the following groups of

1 areas and types and designs with regard to
2 the fitness programs proposed.

3 Group exercise studio, indoor turf
4 and sprint lanes, something they call Edge
5 cinema, a spinning studio, free weights, an
6 area dedicated exclusively for use by women,
7 and an Edge café which is really sort of a
8 smoothie bar, and a space for Edge kids.

9 Now a characteristic of the Edge
10 Clubs, if you've ever had an opportunity to
11 visit one, is that the design is really
12 focused on providing natural light and air
13 circulation, and cleanliness within its club
14 space. It works very hard not to be sort of
15 a dark gym type area. It wants to feel
16 bright, light, open and inviting.

17 Edge commits to constant monitoring
18 of the entire facility by staff to ensure a
19 very high level of cleanliness, guest safety
20 and customer service. Now I just alluded at
21 the beginning to the fact that their hours --
22 even though we're asking for relief from that
23 condition on sign illumination, it may not be
24 for 24 hours a day, seven days a week.

25 And I will tell you that what they

1 currently do typically is to have a 24-hour a
2 day operation Monday through Friday. And on
3 Saturday -- they typically operate from
4 Saturday, on Saturday from 7 a.m. to 7 p.m.,
5 and on Sunday from 7 a.m. to 6 p.m.

6 They have been on Monday -- so I
7 told you Monday through Friday they're 24/7.
8 On Monday morning they typically open at
9 5 a.m. and then start the 24-hour cycle
10 through the workday week, but they're
11 thinking about changing that more frequently
12 to starting at 4 a.m. because it's what their
13 membership wants. They want to get into the
14 gym early and get to work. So that could
15 change to 4 a.m. typically.

16 There is always an Edge staff
17 member in the club, at least one. And
18 certainly during the evening hours there's a
19 fairly sizable cleaning crew that's working
20 in the club on a daily basis in the evening.
21 So there's always people there during the
22 nighttime cleaning. And when the club is
23 open there's always an Edge fitness person
24 there, a staff person there on the premises.

25 I'd like to now hand out some

1 materials that we're going to go through as I
2 describe the details of this application to
3 you. I'm going to work off of boards, and if
4 there are any members of the audience that
5 are interested in this application, these
6 boards might prove helpful.

7 So I would like to first direct
8 your attention to the top page of this
9 handout. This is the exhibit on the top of
10 the board and we have submitted it to give
11 you an idea of how the area into which the
12 Edge Fitness Club would go is situated with
13 respect to existing buildings and parking
14 areas within this portion of the SDD, and
15 also in relationship to the neighbors.

16 I'd like to point out first and
17 foremost at the top, the parking lot Edge
18 right here is not the perimeter boundary of
19 the SDD. It is deep within this buffer.
20 There is a seven-foot tall stone wall, or a
21 brick wall along the back and side of this
22 shopping center. And then there is a planted
23 buffer of 50 feet which has significant
24 evergreen plantings and other plantings that
25 were put in place to protect the neighborhood

1 when the shopping center was constructed.

2 The portion -- this is the south
3 side of the shopping center. You can see
4 that it's two separate buildings with a
5 little connecting roof piece that connects
6 the two buildings that was done some years
7 ago when there was an effort made to have a
8 cohesive facade on that shopping center. So
9 it was connected to make it look like one
10 building that turns a corner. It's not the
11 case.

12 There are two separate buildings.
13 There's a little walkway under that that goes
14 through this triangular space, and you can
15 access parking spaces to the rear of this
16 portion.

17 Another thing I'd like to point out
18 on the south side is this is the outline of
19 the Toys "R" Us space that would be
20 vacated for -- or is vacated, that would be
21 used by Edge Fitness. It actually is further
22 back from the neighborhood than other
23 portions of this shopping center building.

24 You'll notice that in this area
25 where Best Buy is, and further where Red

1 Robin is it's actually much closer to the
2 neighbors than even this is. I'll also
3 point out on this photograph back when this
4 was a Toys "R" Us and could also be used for
5 that type of use as heavy retail -- again
6 this was a huge loading area. There are two
7 bays for tractor trailers that would have
8 gone in, back in this location, but the
9 parking back here is further away from the
10 neighbors than some of the other parking.
11 And the building itself is actually further
12 away.

13 I'd like you to note also -- I
14 think you can see it. There is -- it may be
15 better in the next page. You can see there's
16 significant lighting that lights up the area
17 in back. These light poles which provide
18 safety and illumination to the rear of this
19 shopping center, there's one right here right
20 at the area where people would walk through
21 if they wanted to park back here,
22 particularly employees, and there are a few
23 others back in this location.

24 Those light poles are tall. They
25 are now LED lights. They are on all night

1 long. So that area back behind where Edge
2 Fitness would go is already quite illuminated
3 and is an existing feature of the center.

4 You can see on the second page you
5 can get a better feel for the space that
6 would be occupied by Edge Fitness. It's this
7 whole portion back here. Looking at it I can
8 tell you that there's no signage back here.

9 There will be new windows on this
10 south side and along here. There will be one
11 new window here. These bays will be closed
12 in because there will no longer be a need for
13 any truck facilities back there. That's a
14 clear benefit to the neighborhood. There
15 will be no nighttime truck deliveries,
16 unpacking noise. It will be quieter as a
17 result of this use because there is no
18 activity in the back of this center that
19 would be required.

20 The only other change would be
21 on -- this is a north facing elevation, and
22 there will be an emergency stairwell that
23 will be put in at this point, but again it
24 faces this way. There's another window up
25 there. It faces this way. It doesn't face

1 into the Burnham Drive area, and certainly
2 doesn't face into the Timothy Drive
3 neighborhood.

4 Turning to -- I mentioned to you
5 that the size of the actual space being
6 utilized is reduced from that which Toys "R"
7 Us used. It's been reduced by approximately
8 12,637 square feet. So that the usable area
9 is down from 51,467 square feet, which was
10 used by Toys "R" Us, to 38,830 square feet by
11 the change in the mezzanine.

12 I mentioned to you that there had
13 been a TP and Z referral that was positive to
14 you with regard to the special development
15 district application. The Town Plan and
16 Zoning Commission also considered the request
17 by my client and Edge Fitness to secure a
18 special use permit approval to allow 24-hour
19 operation of the Edge Fitness Club.

20 You may or may not recall that
21 there is an existing regulation in town
22 enacted within the last ten years that
23 mandates that new businesses in town, not
24 existing ones that may already have been
25 operating late into the evening and even 24

1 hours, such as I know there was a CVS that --
2 over in Elmfield that operates at 24 hours --
3 that anyone seeking to operate between the
4 hours of 2 a.m. and 5 a.m. in the morning can
5 only do so after going to the Town Plan and
6 Zoning Commission and securing a special use
7 permit after the Town Plan and Zoning
8 Commission has determined that there are no
9 safety issues or other concerns for the
10 community affiliated with 24-hour operation.

11 And the only other business that
12 has actually pursued one of those special use
13 permits is Edge Fitness Club which did secure
14 the right to stay open 24 hours, and we've
15 checked it. There have been no complaints
16 registered with the police or fire department
17 with regard to that 24-hour fitness club use.
18 That's in Bishops Corner.

19 And like this applicant and its
20 proposed tenant, Anytime Fitness is located
21 in the rear portion of that shopping center
22 adjacent to a fairly dense residential
23 neighborhood on the other side of the
24 shopping center. So the two types of
25 operations have worked well together without

1 any issues.

2 So the TP and Z did approve the SDD
3 application for extended hours. It was
4 pursued by Edge because 24 hours better
5 serves its members whose work schedules or
6 other reasons make it difficult to work out
7 at more regular times. And I will say that
8 there was a public hearing on that because it
9 was a special use permit application.

10 No one attended the public hearing
11 whatsoever. In fact, we were the only people
12 in the room that evening. And certainly
13 there was no opposition for that 24-hour
14 operation that was submitted in writing to
15 the Town.

16 So let's talk about the specifics
17 of the changes to the elevations of the
18 building. The next page is showing you the
19 south elevation. Again, that's this and this
20 portion of the building.

21 You have in your plan set
22 elevations along this walkway which face into
23 the shopping center parking lot. There will
24 be new windows that are going to be put in
25 there. That whole area will be opened up.

1 And as we'll show you a little bit later
2 there will be some improvements in that
3 walkway area, minor really. They amount to
4 nothing more than maintenance improvements,
5 some better landscaping, a pedestrian bench.
6 And there are going to be some attractive
7 light sconces that wash the building that
8 will be located on this elevation.

9 But as you go along the south
10 elevation you will see we're proposing two
11 new windows right here, and windows at an
12 upper-level up here and as you turn the
13 corner. These windows are all new. There
14 are no windows there now. The glass pane is
15 tinted so that it reads gray from the
16 outside. While light is able to get in, it
17 is more difficult to see inside into the
18 facility.

19 And this is at floor level. I'm
20 pointing to the two tall windows right on the
21 corner. And remember, if you look at the
22 south side on this aerial these are the
23 points that are furthest away from the
24 neighborhood. These are at ground level,
25 basically inside the club.

1 So if you scale this seven-foot
2 high wall and were to come over you could see
3 people inside there, but other than that and
4 through that buffer -- and if you've had a
5 chance to go out there and look, the buffer
6 is evergreen and it really does provide a lot
7 of screening for the properties on Timothy
8 Drive.

9 These three windows are at an upper
10 level, but there's no activity up there.
11 That's not a window into the mezzanine. It's
12 just a window up to let light come in and
13 open up the space and make it feel nice.

14 As you turn the corner right here,
15 this is still on the south elevation, but
16 you're turning a corner. You're getting
17 further away -- that's right here -- from the
18 neighborhood, from this point. This is a new
19 window.

20 Again, you can't see people. It's
21 high enough so that you're not going to see
22 much. This is an existing door, but it will
23 be opened up to let some light in. This is
24 emergency access only. No one is going to be
25 going in and out of that except in an

1 emergency situation, not even staff. So
2 there's no activity out back that's related
3 to the use of this doorway.

4 You turn the corner again and
5 you're looking at the east elevation
6 facing -- that does face towards Burnham
7 Drive. It's right around this corner here.

8 There's nothing on this side that
9 is closest to the neighborhood. And then you
10 turn -- this is the addition that sticks out
11 in back. So there's nothing on this wall
12 closest to the neighborhood. And the stairs
13 are proposed for the north side facing north,
14 not towards the neighbor.

15 The north side if you look at the
16 layout, there will be a set of emergency
17 stairs, an emergency door, a simple light
18 above the door for when the door is opened on
19 an emergency basis.

20 There will be a new window here
21 where you will be able to see people if
22 you're in the back on the north side here in
23 this parking lot for some reason, because
24 this window is into the mezzanine that will
25 remain. This is the area that is for women

1 only up at the top.

2 Those are the changes to the
3 building.


4 That -- oh, I should point out this
5 large ugly composter will be removed -- not
6 composter, compactor.

7 Next page.

8 This is just to get you through
9 that walkway area, and it's a photograph that
10 shows as you go under the overhang the
11 frontage of the building goes all the way to
12 the back. It's an okay area now, but they
13 would like to do some plantings in there,
14 clean it up.

15 And this asphalted triangular area
16 in the middle, they would like to put in some
17 green turf area so that it would always look
18 green and be inviting for people. The
19 sconces will go on this wall. That's where
20 the new windows will go. So it will really
21 open up that facade of the building.

22 The bottom -- this is from the
23 original set of plans that you received -- at
24 the bottom of this page the Edge Fitness sign
25 has changed. I'll talk about that in a



1 m ows you the new windows
2 that will be going on, and the sconces.

3 So looking at the last page of the
4 handout, I want to describe it to you. The
5 last page of the handout locates the Edge
6 Fitness in the corner. This green outline
7 shows you where the border is, beyond the
8 parking area that buffers the center from the
9 neighborhood.

10 We included this photograph of Edge
11 Fitness so you can see that's a daylight
12 photograph. It's of a new facility. I think
13 it was in Meriden. It shows you the grayness
14 of the windows. So there is a tint to
15 reduce, and that's on all the windows in the
16 building. So it's not like clear glass.
17 There is some constraint on light going in
18 and light coming out.

19 This is a photograph in the upper
20 right-hand corner of the wall with a
21 gentleman standing in front of it to give you
22 some idea of the significance of even the
23 wall buffer between the back of the parking
24 lot and the neighborhood. And also this was
25 taken obviously in the winter, and you can

1 see even though all the deciduous trees are
2 bare there are still evergreen trees
3 certainly at a higher level for upper story
4 families back in that area.

5 And the final photograph was
6 added -- actually we took this the night of
7 the neighborhood meeting -- is to show you --
8 I told you there's lighting in back and that
9 this area already is significantly lit and
10 illuminated. And we thought this might be
11 helpful to you if there are people who have
12 concerns about the idea that there could be
13 windows on that side of the building. I
14 mean, there's already significant lighting in
15 that back area.

16 We truly believe this is not going
17 to have any impact on anybody when you
18 consider the amount of buffering, the tinted
19 glass, the lack of visibility of people
20 working out. It's not like what you might
21 see when you're in New York City or something
22 and driving down the roadway, and you see
23 people in windows working out. There will be
24 nothing, and these are quiet windows that are
25 not going to show anybody working out within

1 the facility itself.

2 So that's it for exhibits. I'd
3 like to talk briefly about the outreach
4 effort that we did.

5 You have our outreach report that
6 was submitted with the mailing that went out
7 to the neighbors. We sent a letter to -- I
8 think it was 89 or 98 people, I forget which,
9 but you got the complete list of everybody
10 who received notice of the pending
11 application.

12 My client sent out a letter
13 describing what was being proposed, both the
14 special development district application and
15 the special use permit application. Invited
16 everyone to come to a neighborhood meeting on
17 January 31st. Included with a mailing --
18 because people don't often like to come out
19 to meetings -- a description of the
20 elevations that showed the changes that were
21 proposed, and also included the information
22 for contacting Jack deVilliers who is vice
23 president for Regency and was ready to meet
24 with anybody who couldn't attend the meeting
25 or answer any questions that they might have.

1 And we received absolutely no
2 responses to that mailing. No one called
3 Regency. I checked with the Town, and until
4 something like four o'clock today there had
5 been no responses or inquiries, or calls or
6 questions from anybody with regard to either
7 the special use permit application or with
8 regard to this application.

9 We did hold a neighborhood meeting
10 on February 4th. We brought all this
11 information with us. No one attended. I
12 already told you that no one attended the
13 special use permit proceedings public
14 hearing. They all got notices of that public
15 hearing and they've also received mailings
16 with regard to this event in the
17 neighborhood.

18 I do note that there was an e-mail
19 that was received today by Essie Labrot which
20 expressed concern with regard to this
21 proposal from the owner of 24 Burnham Drive.
22 And I did check and they did receive the
23 original notice. So they had months,
24 frankly, in which they could have contacted
25 us where -- and it's unfortunate they did not

1 because we could, I think, have provided
2 comfort to them that some of the information
3 they had was not correct.

4 There will be no signage in back.
5 There will certainly be nothing proposed
6 that's going to have any impact on their
7 property. And I'm going to send around this
8 aerial that we just pulled off of Google Maps
9 to indicate the location of 24 Burnham Drive.
10 I'll hold it up.

11 But you can see this is the back of
12 the Edge Fitness facility, and this is
13 24 Burnham Drive. It's on the other side of
14 this row of houses. It's on the other side
15 of the street.

16 So we're disappointed. I felt we
17 were going to arrive tonight without any
18 concerns expressed by anybody to us, or to
19 the Town. Obviously that's not the case, but
20 hopefully if anyone here tonight wishes to
21 speak on this, perhaps we've been able to
22 satisfy them with regard to the issues that
23 they might have.

24 So we've gone through the outreach
25 report. To just finalize some of the other

1 information for your consideration, you know
2 that the Town Plan and Zoning Commission has
3 given you a favorable recommendation on this.
4 You also know, of course, that they have
5 approved the 24-hour operation. Again, no
6 one attended the meeting.

7 The Design Review Advisory
8 Committee has reviewed this application, and
9 they questioned us extensively on the windows
10 and the glass, and the relationship to the
11 neighborhood. And they issued a positive
12 referral to you with regard to the
13 application.

14 Of interest is, the Town Plan and
15 Zoning Commission special use permit approval
16 does carry automatically a look-back
17 provision. So when they approved it they set
18 a date by which the applicant has to come
19 back to the TP and Z, the Town Plan and
20 Zoning Commission.

21 And if there have been any issues
22 or concerns expressed with the operation with
23 regard to the 24-hour use under that special
24 use permit the Town Plan and Zoning
25 Commission can impose additional conditions

1 responsive to that concern.

2 Based on the experience with Edge
3 Fitness I can't imagine that there would be
4 any issues where, you know, another fitness
5 club has operated for a number of years now,
6 24 hours a day and doesn't seem to have any
7 problems for adjacent residential uses.

8 So with that, I -- oh, you also
9 have in there your positive reports from the
10 Metropolitan District saying there's
11 capacity. West Hartford Health Club just
12 reminding the applicant that they will need
13 to get a health license for their shake bar,
14 their smoothie bar. Police and fire have
15 favorably reviewed this. Engineering has no
16 comments.

17 We talked about DRAC and the Town
18 Plan and Zoning Commission, and the planning
19 department issued a final letter saying there
20 were no issues remaining after the set of
21 plans that you have before you that were
22 submitted on February 8th, dated 2/6/'19,
23 were submitted. And these have the new sign
24 design on those plans.

25 This was done at the request of the

1 Design Review Advisory Committee. The
2 difference is the size of the sign has been
3 reduced, and this insignia has been taken out
4 of the pediment and put down on a lower
5 level. In fact, it was reduced, the whole
6 signage was reduced more than DRAC had
7 requested of us and at this point the signage
8 area for that sign is 271.7 square feet.

9 They also requested -- and the
10 planning department requested that a sign we
11 had proposed to go over the door -- where is
12 my door? A door into the facility be
13 eliminated. It has been eliminated.

14 The only thing that will remain are
15 the blade signs. If you've gone shopping
16 there, there are blade signs that hang down
17 inside the walkway, and that will be the same
18 size as the existing one for Toys "R" Us --
19 will go in at that location.

20 So with that change we got a
21 positive review from the planning department
22 and that really means that there are no
23 outstanding issues technically with regard to
24 any component of the application plans.

25 And I would like now to have

1 Mr. Vincent Sansone come up and just say a
2 few words about why he is excited about the
3 possibility of coming into West Hartford at
4 this location.

5 VINCENT SANSONE: Good evening,
6 everybody. My name is Vincent Sansone from
7 Edge Fitness. I opened our first club in
8 1988. So I've been doing this for 31 years,
9 a long time.

10 A home-grown business in
11 Connecticut. As Robin said, we are now
12 expanding into other areas of the country
13 because of the reputation we have and what
14 we've been able to accomplish in the
15 communities that we're in.

16 My interest in West Hartford goes
17 back to the early eighties. Me and my
18 brother, when I was in high school and
19 college we used to have our own landscape
20 company. And we actually used to do the
21 landscaping and pick up all the pine needles
22 and throw them over the wall. So I'm very
23 familiar with the property.

24 West Hartford has always been a
25 town that we've wanted to open a club in. We

1 think that once you guys see what we do
2 you'll love what we do. We're seen as an
3 amenity in the towns that we're in, and the
4 people that we serve, we're in some of the
5 best towns in Connecticut.

6 We've always felt West Hartford is
7 a great town, one of the towns I've always
8 wanted to be able to open a club, and until
9 Toys "R" Us vacated the space we really
10 couldn't find a good spot for us. So I think
11 that this spot here would be tremendous for
12 us.

13 I think the town will really enjoy
14 what we do, and we look forward to opening a
15 club and serving all the great people of West
16 Hartford. Some that we have now go to our
17 other clubs.

18 We monitor requests that we get in
19 our corporate office of people that want
20 clubs in their towns. And you know, believe
21 it or not -- I'm not going to just say this
22 because it's me, but we get requests from all
23 over to open clubs in Connecticut. And
24 obviously, where we go has to fit a certain
25 criteria, a population density and so forth.

1 And you know, West Hartford would be an
2 awesome, awesome town for us.

3 We are -- currently we just opened
4 a club in Bristol on the Farmington line in
5 August. We are getting ready, as Robin said,
6 to start construction in Glastonbury and we
7 have a club in Manchester. And I'm working
8 on another club in Newington on the Berlin
9 Turnpike. And that will kind of round out
10 our Hartford County market of clubs, and we
11 currently have clubs all through the rest of
12 Connecticut -- if you're familiar with our
13 operation.

14 So I just want to say, thank you
15 and hopefully we look forward to coming to
16 town.

17 PRESIDENT CANTOR: Thank you,
18 Mr. Sansone.

19 VINCENT SANSONE: And by the way,
20 one other thing I want to say on behalf of
21 our company. We really, like I said, look
22 forward to coming here.

23 When you're a member of our club
24 you can use all the clubs. So we have people
25 that travel and work all over. So it is

1 something that we get a lot of.

2 Thank you.

3 MS. PEARSON: So with that, we have
4 in our application letter the findings that
5 we feel are appropriate to support a positive
6 decision by this board. I hope that you will
7 see it that way.

8 You know, again remember that this
9 particular use will in many ways be positive
10 for the neighborhood in that it won't be a
11 retail use which would use large loading
12 trucks. There are other retailers that
13 Regency had looking at the space and
14 potentially using it.

15 The hours of operation, I know
16 there are people who might think that parking
17 could be an issue. As it turns out the hours
18 of operation for a health fitness club are at
19 times of the day which are favorable when
20 combined with a retail use.

21 You'll find that the busiest time
22 for them is early in the morning before the
23 center opens up, and another top time would
24 be at the end of the workday which actually
25 is not the busiest time of day at the center.

1 When a fitness club is not
2 typically in use is midday, or early
3 afternoon on the weekend on Saturday because
4 people who are thinking about working out
5 have typically hit the gym in the morning so
6 they can get on with their weekend. So it
7 doesn't conflict with probably the busiest
8 time in that shopping center which is midday,
9 early afternoon on Saturday.

10 So with that, I hope that we've
11 answered any concerns that you might have.
12 We'll certainly be available for questions.
13 I assume you might want to wait until after
14 you've heard from the public, and we hope
15 that you can favorably review this
16 application.

17 PRESIDENT CANTOR: Thank you.

18 I think we should look at the
19 sign-up sheet and see who has signed up, and
20 if anybody is here that would like to speak
21 to this public hearing.

22 It's blank. Is there anybody here
23 that would like to -- state your name and
24 address for the record.

25 JUDY ALLEN: Judy Allen, 25 Fowler

1 Drive, which is just -- I'm not within the
2 area where you get letters, but I am thrilled
3 that something is going in there that will
4 not have the traffic, the big trailer trucks.
5 That's the only problem we've ever had with
6 the shopping center, is having to -- early in
7 the morning with unloading and loading.

8 The parking, though, is
9 something -- when Trader Joe's is busy that
10 parking lot is full. Toys "R" Us was
11 mostly -- Christmastime was when their
12 biggest foot traffic was, and parking. So I
13 have no idea how a fitness center and a toy
14 store compare in terms of traffic and
15 parking, but that's my only concern.

16 PRESIDENT CANTOR: Thank you,
17 Ms. Allen.

18 Are there any other people from the
19 public that would like to comment?

20

21 (No response.)

22

23 PRESIDENT CANTOR: With that, how
24 about Councilors, are there any questions?

25 Mr. Williams.

1 COUNCILOR WILLIAMS: Thank you
2 Mayor.

3 Attorney Pearson, thanks for your
4 presentation. Just a couple of follow-up
5 questions.

6 Just to confirm, there's no
7 entrance on the backside. Right? Just
8 emergency?

9 MS. PEARSON: Emergency exit only.

10 COUNCILOR WILLIAMS: Okay. And
11 then you mentioned that the windows are
12 tinted, and then likewise there are the
13 street signs, the streetlights already behind
14 the building?

15 MS. PEARSON: Correct.

16 COUNCILOR WILLIAMS: So in other
17 words, the surrounding neighborhood is not
18 going to have a net increase of lighting
19 pollution within their neighborhood?

20 MS. PEARSON: We certainly do not
21 think so.

22 COUNCILOR WILLIAMS: All right.
23 That's all I have. Thank you.

24 PRESIDENT CANTOR: Thank you,
25 Mr. Williams.

1 Anything else? Mr. Davidoff?

2 COUNCILOR DAVIDOFF: Thank you,
3 Madam Mayor.

4 Attorney Pearson, I just have just
5 a few things. In your cover letter of
6 December 28th you asked -- requested a waiver
7 because you couldn't get the owners of the
8 free land and the buildings to sign off. Any
9 feedback on that?

10 MS. PEARSON: None whatsoever, and
11 I did send everything out.

12 COUNCILOR DAVIDOFF: I appreciate
13 that.

14 Now with respect to the lighting of
15 the sign, or the proportion of the sign that
16 you said was 271 square feet or 217 -- I
17 don't remember which one it was.

18 PRESIDENT CANTOR: 271.

19 COUNCILOR DAVIDOFF: 271. What is
20 the maximum allowable space that would have
21 been allowed? Because DRAC did make a
22 comment that the sign needed to be reduced
23 proportionately to the main facade.

24 And then you said that they had
25 made a recommendation as to what target

1 number that was, but we don't have anything
2 in your materials that says -- what did you
3 have it at previously? And how much did you
4 reduce it to where you came to the conclusion
5 that it was proportionately reduced as they
6 had requested?

7 MS. PEARSON: They had asked us to
8 reduce it 10 percent from the signage that
9 you have in the original set of plans. And I
10 do have that information, how much we reduced
11 it by. I'll get it for you.

12 This is more than 10 percent. And
13 part of the issue comes up because I
14 believe -- I worked this out previously that
15 this conforms to your zoning regulation,
16 because if you are able to account for all
17 the linear frontage of this store, this
18 building, you could have a sign bigger than
19 the one we presented initially with the
20 plans.

21 However, this is a design district.
22 So DRAC felt that since you only see from
23 here to here, that it was too much at this
24 level and wanted it reduced by 10 percent. I
25 know we reduced in more than by 10 percent.

1 VINCENT SANSONE: Thirty,
2 30 percent.

3 MS. PEARSON: Okay. Mr. Sansone is
4 telling me we reduced it by thirty percent.

5 COUNCILOR DAVIDOFF: Well, thank
6 you. I think that's important to have on the
7 record.

8 Now with respect from a comment
9 from the TPZ with respect to the hours of the
10 illumination of the lighting -- or the
11 lighting, the illumination that we're worried
12 about? Or, I don't --

13 MS. PEARSON: Yeah, it's confusing.

14 COUNCILOR DAVIDOFF: They were
15 concerned -- yeah, the signage, how long it
16 could be lit for.

17 I presume that it's going to be lit
18 while the business is in operation, open for
19 operation. So you said that there was some
20 periods of time where it wasn't open 24/7.
21 So at that point would it be on a timer that
22 it would go off? Or is that the plan?

23 MS. PEARSON: No. Here's the issue
24 that came up with the Town Plan and Zoning
25 Commission, and frankly I hadn't thought

1 about it.

2 In our original application we
3 suggested that you eliminate the condition
4 that said, the signage had to be off at
5 eleven. And instead say that the signage
6 should only be on for all the time the store
7 is open, and if it's -- the Edge Fitness is
8 open, and if it's open 24 hours then the sign
9 would be on for 24 hours, except during the
10 day, I guess.

11 But then it would be turned off a
12 half hour after the Edge Fitness closes. It
13 was then brought to my attention that they
14 close at seven on Saturday and Sunday. So
15 what the Town Plan and Zoning Commission said
16 was, well, that doesn't make any sense
17 either, Attorney Pearson.

18 They said, you would then have a
19 situation where you could have the rest of
20 the signage -- you could have all of --
21 everything on Seritage lit up and you could
22 have everything else in this portion, the
23 Corbins Corner portion lit up until at least
24 eleven, because that's the current condition
25 that's imposed.

1 But if these -- if Edge closes at
2 seven you're going to have this dark spot in
3 the corner deep in the recesses of that
4 shopping center.

5 So they said, that doesn't make any
6 sense. If you close at seven you should be
7 able to keep the sign on until eleven when
8 the rest of the signs go off. So that's what
9 they were recommending to you in the referral
10 letter.

11 COUNCILOR DAVIDOFF: All right. So
12 just to make sure I understood what you said.
13 So if the rest of the plaza, the sign, the
14 lights go off at eleven, yours would go off
15 at eleven on the days that you close at seven
16 or six?

17 MS. PEARSON: Correct.

18 COUNCILOR DAVIDOFF: Otherwise it
19 would stay on throughout the entire evening?

20 MS. PEARSON: Yes.

21 COUNCILOR DAVIDOFF: And I think
22 the reasoning one could argue would be that
23 if something is going to use something for 24
24 hours it would be an identifying landmark to
25 find where that business is located in the

1 plaza. You go for where the lit sign -- and
2 if the sign was off at two o'clock in the
3 morning it would probably give the impression
4 that the establishment was closed?

5 MS. PEARSON: That is correct, and
6 it also I think would leave people
7 certainly -- I could imagine it might lead
8 people feeling unsafe trying to get into a
9 place that doesn't have the sign on.

10 COUNCILOR DAVIDOFF: Now I
11 understand that the SUP granted the 24-hour
12 access. I did sit on the Anytime Fitness
13 and I have seen the wisdom of some of my
14 thinking may be not as appropriate today as
15 it was then, but -- so I understand that
16 people's work schedules are much different
17 and the time that they want to work and work
18 out, they may work third shift, second shift
19 and that might be the time that they want to
20 go work out, three o'clock in the morning,
21 two o'clock in the morning, whatever, when
22 some of us are sleeping.

23 Now you stated that somebody would
24 always be present in the facility. Correct?

25 MS. PEARSON: It will always be

1 staffed when it's open.

2 COUNCILOR DAVIDOFF: By at least
3 one employee. Correct?

4 MS. PEARSON: Yes.

5 COUNCILOR DAVIDOFF: Now the access
6 into the facility, there's no -- I think,
7 anytime Fitness, I think they had a card key
8 system.

9 MS. PEARSON: It was different.

10 COUNCILOR DAVIDOFF: Correct?

11 MS. PEARSON: Yes.

12 COUNCILOR DAVIDOFF: This is going
13 to be anyone could walk in. Correct?

14 MS. PEARSON: Correct, and if you
15 look at the -- in your set of plans there is
16 a floorplan that was submitted in the last
17 submission dated 2/6/'19, and that shows you
18 that there is a desk right inside the
19 entrance to the facility.

20 So when you walk in the door you go
21 right up to the desk. It's right there. So
22 you know, the staff person sitting there is
23 going to monitor whoever is coming in in the
24 off hours.

25 COUNCILOR DAVIDOFF: Okay. So when

1 someone comes in, they present some type of
2 membership card. It either gets scanned or
3 something.

4 MS. PEARSON: I assume it's scanned
5 in.

6 VINCENT SANSONE: Yeah.

7 MS. PEARSON: Mr. Sansone is
8 nodding. It's scanned in. So that's how
9 they know when you're there and when you're
10 not, too.

11 COUNCILOR DAVIDOFF: Now what
12 happens if the scenario is there's people who
13 are not members? You know, they've been out
14 visiting our very popular center and they
15 say, oh, let's just see what's going on.

16 Oh, this place is open here at
17 one o'clock in the morning. Is there some
18 mechanism to deal with anybody who might be
19 up to no good at that hour?

20 MS. PEARSON: Vincent, would you
21 come on up and respond to that? I assume
22 it's as simple as a staff person would handle
23 it, but this is the man who can answer the
24 question for you.

25 VINCENT SANSONE: No, it's a good

1 question and we think about this all the
2 time. And you know, our clubs are big clubs.
3 They're all open 24 hours in communities like
4 Fairfield with Bridgeport right next door,
5 and Stratford with Bridgeport next door. So
6 we are near cities. Manchester is open.

7 We always have somebody at the desk
8 and all of our clubs are 24-hour surveillance
9 as well. So we have cameras everywhere. We
10 have signs up that say we have cameras.

11 One of the reasons really we're
12 open 24 hours is -- I think you said it. We
13 do have third-shift people that either work
14 in the hospitals -- we have a lot of members
15 that are firemen, police officers. That
16 that's when they need to go to the gym. So
17 that that's why we're open.

18 We certainly don't get a lot of
19 people over that from -- I'll say from, you
20 know, after midnight, one o'clock until four
21 in the morning. That's like our very, very
22 slow time, but we do have people that because
23 of their schedule that's when they have to
24 go. You know, knock on wood. In all the
25 years we've been doing it we haven't had an

1 incident.

2 The other thing that we have is we
3 have a cleaning company that we work with
4 that does cleaning for us all over, not just
5 in Connecticut. And there's -- cleaning
6 crews are there overnight as well kind of
7 like a partner for us as well. So they're in
8 the building. So it's not like you're
9 walking in and there's nobody else there.
10 They're in the building as well. So I hope I
11 answered the question.

12 COUNCILOR DAVIDOFF: No, you
13 answered the question. Thank you.

14 So other than working out, if
15 somebody wanted to join the club they
16 could -- are there set hours that people do
17 that? Or do they just do that?

18 MS. PEARSON: Could somebody come
19 in at one o'clock and join?

20 VINCENT SANSONE: So in all the
21 years I've been doing this -- and it's been a
22 long time -- I don't think we've ever had
23 anybody join between one and four in the
24 morning. You know, they just don't do that.

25 The only people that come in that

1 time are people that are already members
2 that, for whatever reason, they have to work
3 out at that time. So -- but I guess if
4 somebody wanted to join, yeah, they could
5 sign them up at the desk.

6 COUNCILOR DAVIDOFF: And I have one
7 last question.

8 So you said that the unsightly
9 compactor is going to be removed, and it's
10 going to be replaced with a different type of
11 trash receptacle. Correct?

12 VINCENT SANSONE: Yeah.

13 COUNCILOR DAVIDOFF: And that's
14 going to be screened, or not screened?

15 MS. PEARSON: No, it's not
16 screened. There are dumpsters -- let's see.
17 I think you can see them --

18 COUNCILOR DAVIDOFF: No, I know
19 there's dumpsters throughout the backend of
20 the parking lot, and it's been like
21 that for --

22 MS. PEARSON: It will just be a
23 regular free-floating dumpster. There's no
24 proposal to screen and it will be what's
25 there now, but not -- the big compactor will

1 come out, but there will be a dumpster right
2 here which is noted on the trash plan.

3 The only thing I can -- if you're
4 looking for a fancy dumpster treatment --

5 COUNCILOR DAVIDOFF: No --

6 MS. PEARSON: -- I don't have
7 anything to offer you right now.

8 COUNCILOR DAVIDOFF: I was just
9 wondering if it was going to be screened.
10 I'm not looking to do that. It is the
11 backside and there is that, that brick wall
12 and the arborvitae that are there. So no one
13 will notice it.

14 Well, thank you very much.

15 PRESIDENT CANTOR: Thank you,
16 Mr. Davidoff.

17 Anybody else?

18

19 (No response.)

20

21 PRESIDENT CANTOR: With that, any
22 final comments?

23 MS. PEARSON: No. Thank you very
24 much, and Mr. Sansone and I and Mr. Mirkov
25 hope that you approve the application. Thank

1 you.

2 PRESIDENT CANTOR: Thank you.

3 I'd like to read into the record a
4 letter dated February 6, 2019, from TPZ
5 recommending approval; and a letter dated
6 February 1, 2019, from DRAC also recommending
7 approval.

8 And with that I would like to close
9 the public hearing.

10

11 (Whereupon, the above proceedings
12 were concluded at 8:16 p.m.)

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1 CERTIFICATE

2 I hereby certify that the foregoing
3 52 pages are a complete and accurate
4 computer-aided transcription of my original
5 verbatim notes taken of the Public Hearing In
6 Re: APPLICATION OF FW CT-CORBINS CORNER
7 SHOPPING CENTER, LLC, OWNER OF 1459 NEW
8 BRITAIN AVENUE LOCATED WITHIN SPECIAL
9 DEVELOPMENT DISTRICT #6, 1445-1459 NEW
10 BRITAIN AVENUE, TO AMEND SDD #6 TO AUTHORIZE
11 FOR EDGE FITNESS CLUB, PROPOSED TENANT FOR
12 VACANT TOYS-R-US SPACE, EXTENDED HOURS FOR
13 ITS ILLUMINATED SIGNAGE, FACADE CHANGES TO
14 THE FRONT OF THE CLUB INCLUDING ALONG THE
15 WALKWAY BETWEEN PARKING AREAS, ADDITIONAL
16 WINDOWS ON THE SIDE AND REAR (SOUTH AND EAST
17 ELEVATIONS) OF THE BUILDING, AND IMPROVEMENTS
18 TO THE PEDESTRIAN WALKWAY AREA INCLUDING
19 LANDSCAPING, held before the West Hartford
20 Town Council, at Town Hall, 50 South Main
21 Street, Room 314, West Hartford, Connecticut,
22 on February 26, 2018.
23
24
25

20 Robert G. Dixon, CVR-M 857
21 Notary Public
22 BCT Reporting Service
23 55 Whiting Street, Suite 1A
24 Plainville, CT 06062
25 My Commission Expires:
6/30/2020