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 2           JOINT HEARING BETWEEN  
 3           WEST HARTFORD TOWN COUNCIL  
 4           AND  
 5           WEST HARTFORD TOWN PLAN AND ZONING COMMISSION  
 6 -----

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9

10           VOLUME 1  
11           FEBRUARY 15, 2006

12           West Hartford Town Hall  
13           50 South Main Street  
14           West Hartford, Connecticut

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Reporter: Sandra V. Semevolos, RMR, CRR, LSR #74

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0002

1 A P P E A R A N C E S:

2

3 Present for Town Council:

- 4    Scott Slifka, Mayor
- Joseph Verrengia
- 5    Barbara Carpenter
- Shari Cantor
- 6    Charles T. Coursey
- Maureen K. McClay
- 7    Art Spada

Timothy Brennan

8 Carolyn Thornberry

Mark C. Sinatro

9

10 Present for Town Plan and Zoning Commission:

11 Robert W. Roach, Chairman

Tanya Meck, Vice Chairperson

12 Booker T. DeVaughn

Theodore M. Doolittle

13 Jeffrey Daniels

14

Also Present:

15

Charley Moss, Bow Tie Partners

16 Ben Moss, Bow Tie Partners

17 Joseph O'Brien, Esq.

Corporation Counsel

18

Town Staff:

19

Patrick Alair

20 Barry Feldman

Mila Limson

21 James Francis

Ronald Van Winkle

22 Dave Kraus

Norma Cronin

23

24

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0004

1 (Public Hearing commenced at 6:11 p.m.)

2 MR. SLIFKA: Good evening everyone. We  
3 are going to call the public hearing to order.

4 Mrs. Cronin, can we please have a roll  
5 call, please?

6 MS. CRONIN: Mrs. Cantor.

7 MS. CANTOR: Here.

8 MS. CRONIN: Mrs. Carpenter.

9 MS. CARPENTER: Here.

10 MS. CRONIN: Mr. Slifka.

11 MR. SLIFKA: Here.

12 MS. CRONIN: Mr. Spada.

13 MR. SPADA: Here.

14 MS. CRONIN: Mr. Coursey.

15 MR. COURSEY: Here.

16 MS. CRONIN: Ms. McClay.

17 MS. McCLAY: Here.

18 MS. CRONIN: Mr. Sinatro.

19 MR. SINATRO: Here.

20 MS. CRONIN: Dr. Thornberry.

21 MS. THORNBERRY: Here.

22 MS. CRONIN: Mr. Verrengia.

23 MR. VERRENGIA: Here.

24 MS. CRONIN: Mr. Brennan.

25 MR. BRENNAN: Here.

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1 MS. CRONIN: Thank you. Now I'll call  
2 TPZ not in alphabetical order. Mr. Roach.

3 MR. ROACH: Here.

4 MS. CRONIN: Tanya Meck.

5 MS. MECK: Here.

6 MS. CRONIN: Booker DeVaughn.

7 MR. DeVAUGHN: Here.

8 MS. CRONIN: Mr. Daniels.

9 MR. DANIELS: Here.

10 MS. CRONIN: Mr. Brown. Mr. Doolittle.

11 MR. DOOLITTLE: Here.

12 MS. CRONIN: Thank you. Did I miss  
13 anyone?

14 MR. SLIFKA: Thank you, Mrs. Cronin.

15 Ms. Meck, could you please read in the  
16 subject matter of the public hearing?

17 MS. MECK: My pleasure, Mr. Mayor.

18 Tonight we are hearing old business  
19 scheduled for public hearing. Item number 1 on our  
20 agenda, 50 South Main Street, 72, 90 and 103 Raymond  
21 Road. Special Use Permit 1015-R1 of Blue Back Square,  
22 LLC, requesting approval for an amendment to Special  
23 Use Permit 1015 granted by the TPZ on August 2nd 2004.  
24 The applicant is proposing certain modifications to  
25 the existing Special Use Permit to include an  
0006

1 adjustment to the parking configuration and parking  
2 space counts of the South Garage and the Town Hall  
3 parking lot, improvements to the South Garage facade  
4 and landscaping modifications to certain portions of  
5 the site. This application is filed in connection  
6 with several other applications relating to a  
7 mixed-use development known as Blue Back Square which  
8 is the subject of several zoning applications to the  
9 Town Plan and Zoning Commission and the Town Council.  
10 Submitted for TPZ receipt on January 4, 2006. The  
11 applicant has requested that the TPZ consider  
12 undertaking a joint hearing with the Town Council,  
13 pursuant to the West Hartford Code of Ordinances  
14 Section 177-42D of this application. Public hearing  
15 date to be determined. Scheduled for a Joint Public  
16 Hearing with the Plan and Zoning Commission tonight,  
17 February 15, 2006.

18 I'm sure nobody needs to take a  
19 bathroom break yet. But for members of the public, if  
20 you'd like to do so, I'm going to be talking for a

21 little bit.

22 Item number 2 on the agenda, 20 South  
23 Main Street and 33 Raymond Road aka 19 Isham Road.  
24 Application Special Use Permit number 1016-R1 of Blue  
25 Back Square, LLC, approval for an amendment to Special  
0007

1 Use Permit 1016 granted by the TPZ on  
2 August 2nd, 2004. The applicant is proposing  
3 modifications to the existing Special Use Permit to  
4 generally include design modifications and refinements  
5 to Webster Walk and Blue Back Square, elimination of  
6 the covered walkway connecting the North Garage to the  
7 library, modifications to the internal circulation,  
8 parking configuration and parking space count of the  
9 North Garage and reconfiguration of the area between  
10 the library and First Church property. This  
11 application is filed in connection with several other  
12 applications relating to a mixed-use development known  
13 as Blue Back Square which is the subject of several  
14 zoning applications to the Town Plan and Zoning  
15 Commission and the Council. Submitted for TPZ receipt  
16 on January 4, 2006. Again, the applicant has  
17 requested that the TPZ consider undertaking a joint  
18 hearing with the Town Council, pursuant to Section  
19 177-42D of the West Hartford Code of Ordinances.  
20 Scheduled for a Joint Public Hearing between the Plan  
21 and Zoning Commission and the Town Council on  
22 February 15, 2006.

23 Item number 3 on the agenda for this evening  
24 is 40 South Main Street, formerly portion of 20 and 28  
25 South Main Street. Application Special Use Permit  
0008

1 number 1017-R1 of the Blue Back Square, LLC,  
2 requesting an amendment to a Special Use Permit number  
3 1017 granted by the Town Plan and Zoning on  
4 August 2, 2004. The applicant is seeking approval for  
5 an increase in theater size from 24,300 square feet to  
6 28,300 square feet and a seating capacity increase  
7 from 1,000 to 1,137 seats. The applicant is also  
8 proposing modifications to include the addition of a  
9 multifunction community/lecture/screening room,  
10 elimination of the theater entrance on Blue Back  
11 Square and modifications to the theater signage. This

12 application is filed in connection with several other  
13 applications relating to a mixed-use development known  
14 as Blue Back Square which is the subject of several  
15 zoning applications to the Town Plan and Zoning  
16 Commission and the Town Council. Submitted for TPZ  
17 receipt on January 4, 2006. The applicant has  
18 requested TPZ consider undertaking a joint hearing  
19 with the Town Council, pursuant to the West Hartford  
20 Code of Ordinances Section 177-42D, of this  
21 application. Scheduled for a joint public hearing on  
22 February 15, 2006.

23 Item number 4, Mr. Mayor, 45 Raymond  
24 Road, formerly a portion of 33 Raymond Road.  
25 Application Special Use Permit number 1018-R1 of Blue  
0009

1 Back Square, LLC, and there is a hard word,  
2 Hayes-Velhage Post 96, American Legion, Incorporated  
3 requesting an amendment to the existing Special Use  
4 Permit number 1018, authorizing the construction and  
5 operation of a private nonprofit membership club. The  
6 proposed modifications consist of the addition of a  
7 basement level of approximately 2,400 square feet to  
8 be used as a storage area for the private club. This  
9 application is filed in connection with several other  
10 applications related to a mixed-use development known  
11 as Blue Back Square which is the subject of several  
12 zoning applications to the Town Plan and Zoning  
13 Commission and the Town Council. Submitted for TPZ  
14 receipt on January 4, 2006. The applicant has  
15 requested that the TPZ consider undertaking a joint  
16 hearing with the Town Council, pursuant to the West  
17 Hartford Code of Ordinances Section 177-42D, of this  
18 application. Scheduled for a Joint Public Hearing  
19 with Town Plan and Zoning and the Town Council on  
20 February 15, 2006.

21 Mr. Mayor, would you also like me to  
22 read the referral request for report, item number 5  
23 into the record?

24 MR. SLIFKA: Please do.

25 MS. MECK: Item number 5, 45, 72, 90

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1 and 103 Raymond Road, 20, 40 and 50 South Main Street,  
2 19 and 38 Isham Road, 15 New Street and 65, 70, 75 and

3 85 Memorial Road. Application Special Development  
4 District number 36-R1-06, SDD number 113-R1-06, SDD  
5 number 114-R1-06 of Blue Back Square, LLC, and the  
6 Town of West Hartford as co-applicant requesting  
7 approval for amendments to Special Development  
8 Districts connected to the Blue Back Square  
9 development. Proposed modifications generally include  
10 an increase in the size and seating capacity of the  
11 theater and additional screening community room in the  
12 theater, increase in the number of residential units,  
13 height increase in Building B, revisions to the  
14 circulation pattern of the North Garage and revisions  
15 to Webster Walk. Submitted to Town Council on  
16 January 10, 2006. TPZ receipt on February 6, 2006.  
17 The applicant has requested that the Town Council  
18 consider undertaking a joint hearing regarding this  
19 application and other related zoning applications with  
20 the Town Plan and Zoning Commission scheduled for  
21 joint public hearing of the Town Plan and Zoning  
22 Commission and Town Council on February 15, 2006.

23 Mr. Mayor, you have now effectively  
24 tired me of talking for the rest of the public  
25 hearing.

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1 MR. SLIFKA: There is a defibrillator  
2 in the hallway, if you need it right now. Thank you  
3 very much, Ms. Meck.

4 Good evening, everybody. As Yogi Berra  
5 once said, this is like deja vu all over again. For  
6 those of you who have seen the movie Ground Hog Day, I  
7 think that captures the feelings of all of us that are  
8 up here right now, and I'm sure many of the people who  
9 are going to come and speak later who are presenting  
10 as well.

11 This evening we begin our public  
12 hearings regarding a number of related applications  
13 seeking amendments to the plans for Blue Back Square.  
14 As the tentative hearing schedule suggests, we expect  
15 this hearing to last several nights. I hope that  
16 everyone will recognize that we are all here to  
17 consider these applications as fully and carefully as  
18 possible despite the time that it will take for us to  
19 do so. We expect that everyone will remain courteous

20 and respectful of others throughout this process.

21 As with the original applications  
22 relating to Blue Back Square, the Town Council and the  
23 Town Plan and Zoning Commission will be conducting  
24 this hearing jointly. We do so in the hope that it  
25 will give everyone, both members of the public and

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1 members of these two bodies, a better, clear, more  
2 efficient forum for understanding what appears to be a  
3 very complex project.

4 Robert Roach, chair of the TPZ, who is  
5 here to my left, and I will be taking turns sitting as  
6 the chair during this hearing. Both bodies have  
7 jurisdiction over different aspects of this project.  
8 Each will be conducting its own separate deliberation  
9 and voting process once the hearing has been  
10 concluded. During the hearing, however, we will  
11 proceed as if we are a single body for purposes of any  
12 motions regarding how to conduct our business, unless  
13 there is some unusual circumstance which applies to  
14 only one of the bodies.

15 As per our practice, the applicants  
16 will be asked to proceed first. We expect them to  
17 present the entire proposal to us and to provide us  
18 with the information necessary to allow us to consider  
19 each of the applications before both the TPZ and the  
20 Council.

21 Following this presentation, the  
22 Council and TPZ members will have the opportunity to  
23 ask any questions which they may have. I will  
24 encourage members of both bodies to hold their  
25 questions until the end of the presentation wherever

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1 possible in order to help us move things along.

2 Next comes the public comment portion  
3 of the hearing. I want to be very clear right now  
4 that this portion of the hearing may not begin until  
5 tomorrow night, though we will endeavor to get as many  
6 people in as possible. As with the first Blue Back  
7 Square hearings, we have all scrupulously tried to  
8 avoid hearing the details of this project before now  
9 in order to come to this hearing with a completely  
10 open mind. Please take that to heart as you sit here.

11 It will do us little good to hear your comments before  
12 we know the details of the application upon which you  
13 are commenting. If we have not asked our own  
14 questions and do not fully understand what is before  
15 us, we may not understand your comments to the fullest  
16 extent either.

17 We are going to ask the members of the  
18 public to try to be brief with their comments in order  
19 to allow everyone who wishes to do so the opportunity  
20 to address us. From prior hearings, experience tells  
21 us that many people will repeat much of the comment  
22 which has come before them. That is their right, but  
23 we ask that everyone try to be succinct and to remain  
24 on point. In order to accomplish this, again, per our  
25 practice, we are going to ask speakers to adhere to a  
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1 three-minute time frame, and we will have a timer  
2 monitoring that for you. Our friend Mr. Patrissi is  
3 over there with his famous egg timer that you may hear  
4 go off even if he is off camera. Speakers  
5 representing a group of people will be given five  
6 minutes.

7 As an alternative to waiting for your  
8 turn to speak, we will also accept written comments  
9 from members of the public until the close of the  
10 hearing, and you can be assured that we will read and  
11 consider any such comment just as if you presented  
12 them to us orally during the hearing.

13 Finally, following public comment, we  
14 will give the applicants an opportunity to respond to  
15 public comments and to any additional questions from  
16 member of the TPZ and the Council. We may also take  
17 that opportunity to ask Town staff any follow-up  
18 questions which we may have of them. We will then  
19 close the hearing and adjourn to hold our  
20 deliberations on these applications separately, and  
21 when that time comes, of course, we will advise the  
22 public in as many ways as possible what those dates  
23 will be.

24 I'm now going to turn the matters over  
25 to our Corporation Counsel, Joseph O'Brien, who is  
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1 going to outline for us the various applications which

2 are before us and to give us some additional guidance  
3 about how to proceed.

4 MR. O'BRIEN: Thank you very much,  
5 Mr. Mayor. This evening, you begin considering a  
6 number of related applications which address the  
7 proposed changes to Blue Back Square. As you do so,  
8 you are undertaking a formal joint hearing process as  
9 you did when you first considered Blue Back Square  
10 back in June 2004.

11 I'd like to take a moment to go through  
12 the process with you in order to lay some ground work  
13 for what is about to begin. Between you there are a  
14 total of five separate but related applications to be  
15 considered within the scope of this hearing. Some of  
16 these applications fall exclusively within the  
17 jurisdiction of the Town Plan and Zoning Commission.

18 The Special Development District  
19 application requires action by both sides. It is  
20 imperative as we go forward that both bodies take  
21 pains to remember their roles and to stay within the  
22 bounds of those roles.

23 The items and votes required upon them  
24 are as follows: One, application for amendment to the  
25 existing Special Development District approvals. The  
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1 approval of the proposed amendments to the three  
2 Special Development Districts falls within the  
3 jurisdiction of both the Town Council and the Town  
4 Plan and Zoning Commission because it requires both a  
5 recommendation of the TP&Z and final action by the  
6 Town Council.

7 Two, application requesting amendment  
8 to the existing Special Use Permit approval for the  
9 construction and operation of municipal government  
10 facilities, including the existing Town Hall building,  
11 the existing West Hartford Police Department, a new  
12 public parking garage structure, and a new park area.  
13 This application is exclusively within the  
14 jurisdiction of the Town Plan and Zoning Commission.

15 Three, application requesting amendment  
16 to the existing Special Use Permit approval for the  
17 construction and operation of municipal government  
18 facilities, including the existing Noah Webster

19 Library building, Blue Back Square, Webster Walk, and  
20 a new public parking garage structure on a portion of  
21 33 Raymond Road. This application is also exclusively  
22 within the jurisdiction of the Town Plan and Zoning  
23 Commission.

24 Four, application requesting amendment  
25 to the existing Special Use Permit approval for the  
0017

1 construction and operation of a theater. This  
2 application is exclusively within the jurisdiction of  
3 the Town Plan and Zoning Commission.

4 And finally, application requesting  
5 amendment to the existing Special Use Permit approval  
6 for the construction and operation of a private  
7 nonprofit membership club, the American Legion. This  
8 application is exclusively within the jurisdiction of  
9 the Town Plan and Zoning Commission.

10 Now, it is important that everyone  
11 understand the scope of this proceeding. We are not  
12 here to reopen the debate over whether Blue Back  
13 Square should be approved, nor is this proceeding  
14 about whether the Master Agreement should be executed  
15 or the bonds issued by the Town. That has already  
16 happened. What is before the Town Council and the  
17 Town Plan and Zoning Commission is a set of five  
18 specific applications seeking specific changes to the  
19 plans which have already been approved. The  
20 application submitted to you identify those changes,  
21 and the applicant's task is to explain to you why it  
22 believes that those changes are necessary. Similarly,  
23 public comment should be focused upon whether the  
24 proposed changes are positive or negative.

25 At the end of this hearing, as happened  
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1 with the prior applications, the Town Plan and Zoning  
2 Commission and the Town Council will undertake their  
3 decision-making discussions separately. The TPZ will  
4 meet to consider its recommendation regarding the  
5 Special Development District amendments and to  
6 consider the proposed amendments to the Special Use  
7 Permit. Thereafter the Town Council will meet to  
8 consider whether the proposed Special Development  
9 District amendments should be approved taking into

10 consideration the recommendation by the Town Plan and  
11 Zoning Commission.

12 In short, while the scope of this  
13 proceeding is much narrower than the original hearings  
14 held with respect to Blue Back Square in the summer of  
15 2004, the process is very much the same. Thank you.

16 MR. SLIFKA: Thank you very much,  
17 Mr. O'Brien.

18 And with that, I think we can turn it  
19 over to the applicant. Mr. Heapes, welcome back.

20 MR. HEAPES: Thank you, I think it's  
21 nice to see you again. I guess it's nice to be here.  
22 It is nice to see you again. We are going to have to  
23 go through the ritual of turning our chairs because I  
24 am going to be speaking from the screen tonight so  
25 take your time and get comfortable.

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1 I'm happy to be here today,  
2 particularly today, is a very big day for us at Blue  
3 Back Square. If you didn't notice the first steel  
4 arrived yesterday, and there are now two floors of  
5 steel up in the Hartford Hospital building, and we've  
6 mucked around in the mud long enough. It's time to  
7 start seeing some things come out of the project, and  
8 it's a good time to take a step back and remember  
9 where we were a year and a half ago when we were at  
10 these hearings.

11 We were proposing to do a project that  
12 at that time had no tenants, that at that time we were  
13 not certain if and what a residential market might be.  
14 We did not have a construction loan. We had not had  
15 two referendums, so we have been through a fascinating  
16 and interesting 18 months. And the question is, in my  
17 mind, that I've probably been wondering every night  
18 for the past 18 months is: Why are we here tonight?  
19 What is it that we are going to do that I'm going to  
20 explain to you? And we are really here to continue  
21 this conversation with you as the Council about  
22 changes. I don't even like the word "changes." I  
23 would call them "improvements," "modifications," but  
24 they are differences from the plan you proposed, and  
25 we are going to be proposing essentially nine changes

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1 to the plan that we will go through specifically.

2 An interesting component to this

3 conversation is that almost all of these changes were  
4 desired by people other than the applicant. There are  
5 a number of changes desired by the Town having to do  
6 with you forwarding your plans for the Board of Ed  
7 building, requests that you asked us to consider in  
8 the last presentation. There is a number of changes  
9 associated with a very exciting plan that the First  
10 Church is endeavoring on post-approval to change the  
11 design and orientation of their building and really  
12 expand the redevelopment of that side of the Center.

13 There are changes that have come about

14 because we have leased the project to some very  
15 exciting key anchor tenants, and as they begin to work  
16 on the project and study it and understand it, they've  
17 asked for some things that are important. And then  
18 there are some specific and targeted changes that we  
19 are bringing to the table in response to various  
20 aspects of the market, primarily in the realm of  
21 residential.

22 I believe that every change we are

23 going to propose makes Blue Back Square better and  
24 will make it more successful. There were probably 20  
25 or 30 other changes we could bring that didn't do

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1 that, and we are not bringing them to you tonight.

2 Why are we not here? I think that's

3 bad English, Mrs. Carpenter, but we are not here to  
4 make any changes to the Master Agreement. It's not  
5 our desire; it's not proposed. It's really part of  
6 the process. And most importantly, we are not here  
7 trying to get out of any commitments we may have to  
8 you or to the citizens in the Town either through  
9 referendum or any conversations that we had. We could  
10 be.

11 I'll be very honest with you. The

12 garages that we agreed you would pay us for are 4 or  
13 \$5,000,000 more expensive than we anticipated. That's  
14 an issue in the whole country. In the wisdom of our  
15 agreement with the Town, that's our expense, that's  
16 our issue. But there are some issues like that, and  
17 we are not here to even talk about those or ask for

18 any change in the deal.

19 So let's walk through carefully and  
20 slowly what these changes are. Now, as with last time  
21 and as part of your process, we have had conversations  
22 with many of the same people that we did last time,  
23 including the people up here. We've talked about all  
24 kinds of things. We will continue to. It isn't  
25 something generated by this hearing. It's part of  
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1 being a good citizen. And these people can or will  
2 decide to speak to you directly as to those  
3 conversations.

4 In June 2004, this is the plan that was  
5 proposed and approved in terms of its scope. You all  
6 know it intimately. In February '06, that would be  
7 tonight, this is the plan that we are asking for nine  
8 changes on. We will go through each and every one of  
9 these changes. They are of all types. There are  
10 three changes that have to do with the site. Some on  
11 the South Campus, some around the Webster Walk area,  
12 and some around the area between the library and First  
13 Church.

14 There are some user-generated changes.  
15 As you know, we announced we have a lease and a  
16 commitment, and we will start construction on Crate &  
17 Barrel. Hartford Hospital, as you know, is our anchor  
18 tenant in the office building. There is a change  
19 associated with their permitting. The American Legion  
20 is requesting a few changes and Criterion Cinemas, who  
21 are our theater owner-operator are requesting some  
22 changes, as they've been to the market.

23 Please remember when we were approved,  
24 with the exception of the Legion, we didn't have these  
25 tenants. And I think personally we did a pretty good  
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1 job of guessing what their requirements might be, and  
2 I think you will find the changes are relatively  
3 modest.

4 We will have a conversation tonight  
5 about our two residential buildings that were  
6 approved, what we call Building D and Building B, and  
7 then at the end of the conversation, there is a few  
8 little cleanup things having to do with signage and

9 parking and traffic.

10 So let's go first just one at a time  
11 with the site differences. The South Campus has  
12 really three areas of change. One around the south  
13 part of the Town Hall, this little walkway over here,  
14 and the edge of the treatment around the parking  
15 garage. The opportunity on the South Campus really  
16 came about as you studied how you were going to  
17 accommodate the Board of Ed and consolidate the Board  
18 of Ed and think about the Senior Center and do all the  
19 studies post Blue Back Square to accommodate this that  
20 you didn't no longer need the ability to add on to the  
21 building, but that you would consolidate within the  
22 existing facility.

23 I'm sorry, I knew that was going to  
24 happen. Got trigger happy there.

25 In June '04, this was the proposal.

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1 There was the expansion of the Town Hall to the south.  
2 And in the application, there was kind of a big pad  
3 site there. The parking, the traffic, everything was  
4 configured to allow that building to get built. And  
5 in your wisdom to not do that, we've been able to  
6 reconfigure the parking in this configuration, add  
7 much more green space on the corner as you come into  
8 Town, and more importantly, be able to keep these  
9 trees and this parking configuration on the south side  
10 of the garage.

11 So from our perspective, it's really  
12 not a money issue, but we don't have to take down  
13 these trees. We will be repaving this parking  
14 facility. But the south entrance, the way it is  
15 today, with those trees and that edge, in the interest  
16 of the Town with this green corner, from my opinion,  
17 are significantly improved as a result of you being  
18 able to accommodate your changes within the building.

19 A more modest -- uh-oh, I did it again.  
20 A more modest approval, as we found out in your  
21 planning for this facility, you are turning, what I  
22 guess is a service area garage into the location of  
23 the credit union, with access direct to the public.  
24 This garage door, I believe, gets turned into a  
25 storefront with a door and a sign. And in order to do

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1 that we need a walkway that gets you from the sidewalk  
2 up to that building. That is the second change.

3 So both of those two changes are really  
4 in response to you doing your work to accommodate the  
5 Board of Ed building. I think they are great. It's  
6 going to be fantastic to have a little storefront and  
7 public access to this area, rather than a garage  
8 facility and a garage door.

9 A third change really has to do with  
10 the screening of the South Garage. In the other  
11 configuration, with the Board of Ed, it was pretty  
12 tight on the site to get all the parking spaces  
13 required by the Town. When we were basically able to  
14 loosen that up again, it allowed me to propose instead  
15 of these trees -- I should help you, this is the  
16 elevation of that garage facing here. This is the  
17 elevation of the garage facing south. Now, the  
18 character of this garage, its impact on the neighbors,  
19 lighting, has been the source of a lot of  
20 conversation. You had asked us to reconsider  
21 redesigning that garage, which we did, as represented  
22 here, but to take that further, it was my desire to  
23 loosen up the parking a little bit and be able to  
24 provide more screening to the Town Hall and to the  
25 Burr Street neighbors, so we've been able to add 7

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1 trees along the facade of these two garages and just  
2 add another layer of green and screen to that facility  
3 because of the new site available from the Board of Ed  
4 expansion. Those are the three changes in their  
5 entirety on the South Campus.

6 We will move forward to Webster Walk.  
7 As you will recall in the last hearing, there was good  
8 conversation about the accessibility -- number 1, the  
9 importance of Webster Walk to connect the Center and  
10 the foot traffic of the Center to the Blue Back Square  
11 district. We had lots of conversation about this  
12 crosswalk, a pedestrian signal. And what emerged was  
13 this idea of Webster Walk, which could be an  
14 interesting access point between the two. But at the  
15 end of the day, it's still 20 feet. I remember we had  
16 a conversation, how long would a handicapped ramp be?

17 And I believe we did an analysis that said it would  
18 have to go from here to someplace over in the Center.  
19 I didn't have an answer for you, but we agreed to  
20 study it.

21 Well, the reconfigure of Webster Walk  
22 is really in response to you asking us to look at a  
23 public elevator or some facility which required us to  
24 rethink it, and that's what we've done and that's what  
25 we are proposing. This was essentially Webster Walk.

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1 This is a slide from our presentation a year and a  
2 half ago.

3 There was always conversation and  
4 concern with the library addition here, here. This  
5 was a little tight and narrow, and concern about the  
6 amount of steps, et cetera, combined with something we  
7 will share with you in a minute with the cinema.  
8 We've actually been able to keep the best qualities of  
9 that space, meaning the pedestrian walk, the  
10 crosswalk, the Noah Webster statue relocation here,  
11 the entrance to the library. We've been able to do a  
12 reconfiguration that's fundamentally different and I  
13 believe better.

14 This is what was approved before,  
15 relatively narrow, series of planters on this wall,  
16 entrance to the library. There is Noah, of course.  
17 This is the existing Board of Ed as we proposed it.  
18 The new Webster Walk design, as you can see, is  
19 significantly wider, basically by this area shown in  
20 pink, by pulling back on our property, this area here,  
21 having to do partly with an entrance to the cinema,  
22 which we will talk about, and access to a public  
23 elevator located here.

24 The trick here was basically, how can I  
25 get you from South Main Street level flat, where you

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1 could walk along at South Main Street level -- let's  
2 see here -- along this veranda, to a public elevator,  
3 which would then take you down a level and onto Blue  
4 Back Square.

5 A couple of little sketches. This is  
6 how our proposal looks standing in Blue Back Square.  
7 That's the new entrance to the library. You could

8 walk up the stairs to South Main, Noah would be  
9 sitting here. Or you could come here and enter the  
10 public elevator, go up a floor and then out to this  
11 veranda. You would come out a door here and walk  
12 along this veranda at South Main Street level, and  
13 then over to South Main Street.

14 We will be discussing with you some of  
15 the amenities that happened along this walkway, the  
16 planting, fountains, some work that we are -- I'm  
17 sorry about that. I'm really losing it here. There  
18 we go.

19 We are working with the Webster House  
20 on some displays here, the loose furniture, the new  
21 cinema marquee location which we will get into. But  
22 essentially that was driven by the ability to come  
23 from Webster Walk, in an elevator, up and out the  
24 elevator, and along this veranda, and not have to  
25 engage these steps, which would be great. It's a

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1 public elevator, BBS is paying for it. We are  
2 discussing issues with easements on how to make that  
3 happen appropriately, but it will be available and  
4 accessible to the public.

5 Remember, you can also go through the  
6 library, up an elevator and out. You can also go  
7 through Crate & Barrel. But I think this is  
8 important, not only for accessibility, but women with  
9 strollers, maybe people who just don't want to walk  
10 upstairs. I don't worry too much about walking down  
11 the stairs, but to go back up into the Center, it's  
12 very important.

13 Along with that, as we've been able to  
14 work on the design of Blue Back Square a little bit,  
15 there has been some more refinement to our thinking.  
16 Originally, I believe we proposed a kind of park  
17 pavilion in the Center of the square that was kind of  
18 a -- had a pediment on it and sat in the middle of the  
19 square. As I began to look at it and think more how  
20 it would be use, there of course is a new pediment in  
21 front of the library and a new one on the front of the  
22 library, I was getting a little nervous that it was  
23 starting to be a lot of neoclassical dolly houses all  
24 over the place in Blue Back Square as entrances, and

25 we thought about who would use it both in the  
0030

1 wintertime and summer. We are really proposing a  
2 modification to that structure as more of a garden  
3 structure that is a trellis structure with plants on  
4 it and built out of stone and as more of that open  
5 structure that doesn't cut Blue Back Square in half.

6 And that's kind of illustrated here.  
7 You can be from one end of Blue Back Square, see all  
8 the way up to South Main Street and feel a little more  
9 open and civic. We are providing, in that structure,  
10 benches where you can sit, such as these. And also in  
11 the floor of that structure is where we finally landed  
12 our crossword puzzle that we are working with the Noah  
13 Webster House to kind of design so the kids can be up  
14 there. It can be safe and you can sit under these  
15 trellises, which are shaded in the summer and in the  
16 sun in the winter, which I've gotten a little more  
17 sensitized to here, and the kids can play around on  
18 the steps and the crossword puzzle.

19 We have also -- boy, this seems like  
20 this is going to be the program tonight. We also are  
21 working with the Webster House on telling the Noah  
22 Webster story along the wall of that veranda through  
23 some lights and plaques and make it a learning  
24 environment. One of the things that came out of the  
25 last hearing was a notion that your dog could get a  
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1 drink at Blue Back Square, so -- which I took to  
2 heart, and maybe the Fire Department will really like  
3 this, I don't know. But along Webster Walk, we are  
4 proposing this fillable dog bowl. It's the coolest  
5 thing ever. You fill up the bowl, and you can then  
6 lift it up and empty the water, so like everything  
7 else in West Hartford, dogs will only drink  
8 freshwater. There will be no stale water.

9 We are proposing some loose chairs in  
10 Webster Walk so you can sit there and have events  
11 there. We are also proposing two fountains on either  
12 side of the square, one is a little fountain that  
13 comes out of the pavement. I don't know what you  
14 would call it, located at the foot of Webster Walk so  
15 that you can sit on the stairs, the kids can kind of

16 splash around. In the wintertime, it just goes away,  
17 it gets shut off and is part of the pavement, and a  
18 secondary fountain right here. So there is two  
19 fountains in the square, a pergola, and then  
20 finally -- boy, I'm really a mess tonight. That's  
21 okay. I forget -- oh, jeez. Hang in here with me.  
22 Oh, man.

23 I forgot to tell you about the loose  
24 chairs that are in Webster Walk, and we are providing  
25 five of these kind of large fawn umbrellas that are  
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1 actually like trees. And when you crank them open,  
2 they have like big leaves, and you kind of sit under  
3 there with the loose chairs, and then they all fall  
4 down like leaves. They are the coolest thing I've  
5 ever seen. And people will talk about these blue  
6 umbrellas.

7 So those are some of the amenities that  
8 are in the package that are better defined now, and  
9 I'll be very honest, the staff has been bugging me  
10 about seeing the dog fountain, and I said, no, you  
11 can't get to see it till Council gets to see it. But  
12 it's going to be great.

13 So that's Webster Walk, really  
14 generated by the accessibility and reconfiguration of  
15 how you walk there. Over the past 90 to 120 days, we  
16 engaged in a conversation with First Church. For  
17 those who don't know, they are doing their own  
18 expansion and renovation, redevelopment plan of the  
19 church property to relocate a major entrance along the  
20 back where the preschool is, and began conversations  
21 with -- they've had a large fund-raising exercise and  
22 are prepared to move forward with plans. We have  
23 engaged them to put our plans together so that this is  
24 really an extension of the redevelopment that's  
25 happening all through this part of West Hartford,

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1 including Whole Foods.

2 So we have an integrated plan for the  
3 back of the church that actually takes their existing  
4 curb cut, brings it down adjacent to the library, so  
5 we only have one curb cut down here on the back of  
6 Isham. We have a joint kind of use of paving for

7 service and sidewalk and makes that no longer the back  
8 of the church, but now really an expansion of Blue  
9 Back Square, its sidewalk, its paving, all the way now  
10 from Memorial, all the way to Farmington.

11 The timing is fantastic. We are going  
12 to work with the church when we order lights or if  
13 they need some dirt. And collectively, during the  
14 course of Blue Back Square, that part of West Hartford  
15 will come alive in a new way of thinking, as each  
16 building now on Main Street begins to think  
17 differently about its front and back. So that's a  
18 very cool thing.

19 One of the discussions that came out of  
20 that, and it was not a new discussion, was this  
21 covered walkway over Isham, between the garage and the  
22 library. And there may be some confusion. You will  
23 still be able to walk from this point around  
24 undercover to the library door. It's this piece that  
25 just crosses the street.

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1 You may or may not recall, but the  
2 urban design people that advised the Town on our plan  
3 had proposed two things: Have a cinema entrance on  
4 Main Street so that that activity was strong and get  
5 rid of that bridge, because in their mind this kind of  
6 created a wall that made this the back of the Center,  
7 visually, et cetera. As we began to look at the  
8 design of it and the need for it to be really high so  
9 fire trucks and moving vans and things could go under  
10 it, it became pretty clear to us that it wasn't really  
11 going to keep any or much weather off of people and  
12 was really creating a visual wall there. So we are  
13 proposing, since this is getting all redeveloped, and  
14 this was to be a part of this, that that bridge be  
15 removed.

16 DRAC agreed with that, the folks from  
17 Harvard agreed with that. So that is another proposal  
18 driven out of this redesign of this part of the  
19 neighborhood at Blue Back. Those three changes, the  
20 South Campus, Webster Walk and First Church, are all  
21 the changes that we are proposing for the site, driven  
22 by, in my mind, the Town, the Council's request for  
23 accessibility and First Church's great new design.

24 Now, we have four uses that have been  
25 generated in our conversation and work with tenants,  
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1 the first of which being Crate & Barrel. One of the  
2 reasons I love having Crate & Barrel is they are  
3 spectacular designers. They come and look and make  
4 suggestions -- in their case, requirements, couched as  
5 suggestions -- that always make the project better.  
6 The first thing they did when looking at our plan,  
7 this was the 2004 plan, I didn't have any tenants, so  
8 I was trying to create some opportunities. I knew if  
9 we got a major store here, they would want an  
10 entrance, so I was trying to find ways to have  
11 different kinds of paving in that green, and we knew  
12 we wanted to have restaurants in the Board of Ed  
13 building, so I was trying to have some paving that  
14 could have some cafe area in it, and it did make this  
15 area more active than it is in front of the Town Hall  
16 or it is in front of the library and the church.

17 Crate & Barrel's suggestion was to  
18 continue the pattern from Farmington all the way down,  
19 and move the cafes directly in front of the Board of  
20 Ed so they are part of that porch area and do a much  
21 more kind of meandering pathway that's more green,  
22 that's gardenlike, that has, frankly, inspired and  
23 very similar to what's in front of the Town Hall. We  
24 would use the same lighting bollards; we would have a  
25 little garden area and retaining walls, like you have  
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1 at the Town Hall, so that you really get a continuum  
2 of landscaping all the way, with the only interruption  
3 being Webster Walk.

4 I thought that was tremendous and  
5 better by far, and I was embarrassed we didn't think  
6 about it. But who cares? It's a change that makes it  
7 much better, so the whole green is consistent, and  
8 it's going to be a meandering and more green approach.  
9 That is one of the changes asked for by Crate &  
10 Barrel.

11 The other two changes have to do with  
12 their store and their concept of how to participate in  
13 the architecture of this part of Town. And in the  
14 previous plan, you can see the face of the building

15 continues along with the face of the Board of Ed.  
16 That is in fact still the face of their store. They  
17 would like the ability to add a small porch, an  
18 extension with some columns to, number 1, help with  
19 daylighting and make it fit in more with the concept  
20 of how the buildings sit on the green, and I'll show  
21 you that in a minute.

22 They also have asked, and we've been  
23 working with the truck dock, which as you recall was  
24 located here, for Building A, and in working with how  
25 we would deal with trash delivery and removal, have

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1 found a way to make that three bays instead of four.  
2 It's still two bays of truck dock and one bay of trash  
3 and dumpsters, so we've been able to cut that wide  
4 area of nonstorefront down by 25 percent and still  
5 service and do everything we want to do, so we are  
6 going to propose going from four bays to three bays.

7 In order to have a little conversation  
8 about this porch, in walking the town with Crate and  
9 talking about it, it's important that you understand  
10 the role of architecture to them as a company. This  
11 of course is their flagship store in Chicago. I don't  
12 know if you've been there on Michigan Avenue. But  
13 their stores, if you've seen them around the country,  
14 have a very similar vocabulary. They are usually  
15 white and usually they are painted brick. They  
16 usually have very simple white columns and lots of  
17 window and glass for displays. That is essentially  
18 their sign, which as you can see the furniture in  
19 there. And as we walked around the Town, we began  
20 talking about that and became -- I guess I knew this  
21 before, but I became aware that your commercial  
22 buildings at every entrance to the Center have some  
23 very similar interesting vocabularies. You have 20  
24 buildings in Town that are white painted brick, that  
25 have large windows, that have a vocabulary of their

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1 era when they were built. You might call them modern.  
2 Many of them were built in that time frame. And in  
3 fact, it is one of the things that let's the historic  
4 building stand out and gives the Center an interesting  
5 mix of looks and architecture that makes it real and

6 not Disneylandish. And everything from Chico's to, I  
7 don't know the names of the buildings, unfortunately,  
8 to the big glass Lavery's. It's pretty interesting as  
9 you walk around buildings that you may not notice.  
10 They may not be your favorite buildings, but there is  
11 an interesting dynamic.

12           When we first talked about the  
13 architecture with DRAC, they expressed a lot of  
14 concerns that it was all kind of, of a piece, and  
15 looked a little projectlike, all happened at once. At  
16 the time I was hoping that we would get Crate & Barrel  
17 because I would know what their kind of orientation  
18 would be.

19           So in thinking about this porch idea  
20 and having conversations with DRAC, we really began to  
21 look at the series of porches that really affect how  
22 these buildings sit on the Town green. And if you  
23 look at them, and as we walked down from the church to  
24 the library to the Board of Ed building, to the Town  
25 Hall, including the extension of the Town Hall, and  
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1 even to the Town Center office building, across Main  
2 Street, you have a series of kind of very pronounced  
3 porches that are all white, that are all kind of known  
4 by being the architecture of their time, you know,  
5 both this and this. They are somewhat civic. They  
6 have a front door on the green, whether that's the  
7 real front door or not, in fact, it tends not to be,  
8 including the office building, that the question was:  
9 Could this building sit within that family? And that  
10 was really Crate's notion of sitting there with its  
11 own set of columns, a very simple structure.

12           Now, this was the rendering from the  
13 2004 approval, with this building kind of sitting  
14 along this set of columned porches, if you would. So  
15 that is really the proposal, is rather than having a  
16 flush building on the green, they would like to come  
17 out with a porch that might be something like this.  
18 Very simple, white, white columns. It's interesting  
19 that the spec for Crate's white matches the church  
20 steeple, and it matches the cupola. So we kind of  
21 worked with them on that. So that is the proposal to  
22 add this front porch.

23 Now, although we are not changing the  
24 Crate building, I thought you would be interested to  
25 kind of see where they are at on the building design  
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1 and just kind of understand what's going to happen.  
2 If you'll kind of focus on the existing rendering  
3 there, their proposal is actually to make it quite a  
4 bit shorter than we had proposed so that its impact on  
5 the green is probably 25 percent shorter. If you look  
6 at what was approved, essentially this was the  
7 diagram, because as you'll recall, Crate's buildings  
8 are a lot of storefront. So it's four columns, very  
9 simple white, kind of simple frame building with  
10 storefront in there. This is the proposal that we are  
11 making now, which is significantly shorter and sits  
12 much more modestly adjacent to the Board of Ed  
13 building.

14 We had this illustration in the last  
15 approval to kind of illustrate what that might look  
16 like with the storefront filled in and this is  
17 actually the building that Crate is proposing with  
18 four columns, a porch and storefront behind it. Much  
19 shorter, more kind of in the first floor level of the  
20 Board of Ed and sits on the corner more modestly. Of  
21 course, the trees and whatever, will continue to be  
22 there and their idea of the porch is really -- this is  
23 a little hard to read, but that is their furniture  
24 section where they have the bigger pieces of stuff in  
25 the storefront, because you are going to view it more  
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1 from a car, not so much from a pedestrian point of  
2 view.

3 Back on Isham Road, this is what was  
4 approved, which was pretty simple, spandrel, two  
5 columns. This is their proposal, which is a little  
6 more interesting on Isham, that has a major entrance  
7 at the corner of Isham and Memorial. Our guests had  
8 some storefront and some solid area. This corner will  
9 be the entrance to the Home Goods, which will be the  
10 smaller, more intimate, pedestrian-scaled things, and  
11 will be a kind of brightly-lit corner, Isham and  
12 Memorial, of course layered behind the street trees as  
13 approved.

14 Memorial, it's interesting, this was  
15 what was in the approval documents, it had -- this was  
16 our kind of rendering of it. It had some concerns  
17 from me because of the slope. This is actually  
18 underground, this area here is, so we had proposed  
19 kind of a garden wall, and maybe we could talk Crate  
20 into some little kind of picture windows or something  
21 just to break that experience up. And of course,  
22 there is the four bays of loading dock, which we  
23 talked about having glass doors like the firehouse  
24 does, et cetera. The rest is kind of storefront.

25 In Crate's design, they are actually

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1 finding a way to peel their floor back and bring  
2 display windows all the way to the ground, so as you  
3 are walking down the slope, you will have  
4 merchandising directly adjacent to you. The truck  
5 docks are now three bays and simpler. And then this  
6 building is somewhat similar.

7 An interesting thing about Crate &  
8 Barrel, this is really a three-dimensional jewelry  
9 box. When you see some elements like this, they are  
10 actually designing from the inside out and the outside  
11 in to set up the displays of their furniture. This is  
12 a split-level store where you will come along this  
13 level, and you'll go down to Isham or up to a special  
14 furniture gallery, which is what this is. This area  
15 on the corner will now look like this, so it will be  
16 two floors of merchandise. Even though the store  
17 level at Main Street will be there, you will be  
18 walking along merchandise here.

19 One of the cool things about the store  
20 is this area in the split level is really an atrium,  
21 which is what will be facing Town Hall. That will  
22 look something like that. It will be three levels of  
23 glass, and the atrium will be something where they  
24 display their Amera Mico fabrics and the escalators  
25 will be there, so what you see along Memorial will be

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1 pretty exciting there. So you really get one, two,  
2 three, four kinds of building expression that will be  
3 really a remarkable store. That's Crate & Barrel. We  
4 are asking for a change in the landscaping on the site

5 and the ability to do a front porch.

6 I will remind you that this part of the  
7 green is part of the Board of Ed building and is under  
8 our ownership with various lines and veranda lines  
9 kind of identifying these things. It is different  
10 than the green in front of the public facilities.

11 Hartford Hospital has brought to us the  
12 opportunity to have an outpatient surgery center as  
13 the foundation of their practice group. It's a very  
14 cool thing. We are very excited about it. It's one  
15 of a few in the state. In getting their permit from  
16 the state, they need to be able to get a patient  
17 undercover from the building to the curb to an  
18 emergency vehicle in the case of an emergency. And in  
19 working through this with them, there was a  
20 possibility of coming out the front door to a  
21 facility, but that really kind of messed up the  
22 parking and the number of parking spaces, and so they  
23 are proposing to come out of the core, out the south  
24 core and out to this curb, where there is a natural  
25 place for an emergency vehicle to turn, get in and get

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1 out of the site. It's a requirement of the permit for  
2 the surgery center, and it will be a garden structure,  
3 using the same kind of materials that we are using on  
4 the pavilion, and it will be more like a site  
5 structure. But at the end of the day, it's an  
6 important facility relative to the state permit on the  
7 outpatient facility.

8 American Legion, of course, as you  
9 know, is located on property that they own, of which  
10 the Town garage extends above their facility, and they  
11 are asking for really one thing. They, like you,  
12 hadn't really completely thought through their  
13 facility, how it would work, what they would do,  
14 pending the approval of Blue Back Square.

15 Post Blue Back Square, and thinking  
16 about whether this would have meeting room space and  
17 lounge space and how it might work differently, they  
18 have realized the need for a basement -- a partial  
19 basement under their space for storage, be it chairs,  
20 be it extra food, alcohol, beverage, et cetera. So  
21 that's essentially the change to the SUP, is storage

22 only basement that would sit under the building.

23 I show you this elevation which is of  
24 the Raymond Road side of the garage to show you where  
25 we are at with the thinking about how the building  
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1 would look civically. Of course, they have a flagpole  
2 on the sidewalk there, which is a big deal to them.  
3 And at, I don't know if it's my urging, but it was  
4 certainly my idea to allow them to brand that facade  
5 and that building, realizing that we'd want the  
6 garages not to look like garages, as kind of the civic  
7 building that you would get in the old Legion. So we  
8 are proposing that you allow them to put these  
9 medallions up on the top of your garage and make the  
10 building more institutional, more civic, like a  
11 separate building. So that is the other second  
12 condition we are asking for, for the Legion, that is  
13 also supported by DRAC.

14 The fourth tenant who has come to us  
15 with some interesting and exciting ideas, of course,  
16 is Bow Tie Partners. Some of you may have been at the  
17 announcement of them as our partners back, I guess, in  
18 the summer, and I've actually asked Charley and Ben  
19 Moss, the Bow Tie Partners, to come speak to you about  
20 the ideas and the changes that they've asked us to  
21 propose, and so together we will kind of present it.

22 So I'm going to ask Charley to come up  
23 and introduce and fill you in on the cinema in general  
24 so you get a good feeling of what's going on, and I  
25 will review with you the changes.

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1 MR. CHARLEY MOSS: Thanks, Richard.  
2 I'm Charley Moss, one of the two Bow Tie Partners, my  
3 partner is Ben Moss, here.

4 Since we are a small private company,  
5 and not known to everybody, I'd like to take two  
6 seconds and just sort of introduce ourselves and  
7 explain who we are. We are basically four -- we  
8 represent two of four generations of fathers and sons  
9 that have worked together, starting with my  
10 grandfather, Ben's greatgrandfather. In the  
11 entertainment industry, our roots go back to the  
12 vaudeville days. My grandfather, who was an

13 immigrant, came here and started some vaudeville  
14 theaters, after being in the sponge business for some  
15 reason. Not very synergistic, but he wound up in the  
16 vaudeville theater business. And that has evolved  
17 over the years to our family being involved intimately  
18 in the beginnings of Hollywood and now in the cinema  
19 part of the industry.

20 That's something I'm very proud of,  
21 frankly. We are thrilled to be part of Blue Back  
22 Square because today our company really specializes in  
23 the development and operation of upscale luxurious,  
24 intimate and sophisticated cinemas. We kind of  
25 position ourselves, frankly, as the antimall. We've  
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1 done a project in New Haven, which some of you I know  
2 are familiar with called the Criterion Cinemas in New  
3 Haven, and that's sort of a good example of what we  
4 want to bring to bear here at Blue Back Square.

5 We basically, from our vaudeville roots  
6 and our early cinema roots, come from a tradition of  
7 respecting and catering to our public, and it's with  
8 that in mind that we want to bring basically style and  
9 elegance back to the movie-going experience. That's  
10 our mission. And it's the kind of style and elegance  
11 that used to exist in that experience. That's kind of  
12 what we are about. That's what we are trying to  
13 accomplish here. And I'll give you back to Richard.

14 MR. HEAPES: Thanks, Charley. What I'd  
15 like to do is just walk through the specific changes  
16 and then Ben will come up and elaborate a little  
17 better. When we did the proposal last time, this was  
18 the SUP that showed five theaters, 999 seats. We were  
19 talking with three theater companies, none of which  
20 was Bow Tie Partners. For no good reason, we were  
21 trying to present to you the most flexible, most  
22 likely scenario to get a legitimate partner in here to  
23 do this. It was five screens. It was basically 1,000  
24 seats, in this configuration. Most importantly, this  
25 conversation, we had an entrance on Blue Back Square,  
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1 which was important to us, because the people would be  
2 parking in these garages, and we wanted to drag that  
3 traffic in front of our stores, and we wanted all

4 those people in the square. Frankly, at Mr. Feldman's  
5 desire and your consultants from Harvard, and they  
6 were right, they said, can we have a second entrance  
7 from South Main Street? Because remember, in Building  
8 A, we were trying to put those anchor tenants for the  
9 whole Center. And we agreed to do that, not having a  
10 clue whether the movie people would say yes or no, but  
11 we just said we are going to make that happen.

12 Well, in conversations with the  
13 gentlemen there, they said, we are not having two  
14 entrances. So it was pretty clear to us that really  
15 the right approach was to keep the South Main Street  
16 entrance and to lose the Blue Back Square entrance.  
17 So one of the changes in the SUP is to go from two  
18 entrances to one entrance, accessible from South Main  
19 Street.

20 Also going back to the Webster Walk  
21 discussion, what is in blue is the old SUP. We used  
22 that opportunity to pull that entrance back and to  
23 widen Webster Walk and give us the ability to get you  
24 access to that elevator. There is all kind of one of  
25 a piece. The elevator, Webster Walk, single entrance,  
0049

1 et cetera. And so that's the primary diagrammatic  
2 change to the SUP.

3 There is a seat change, which is just  
4 the fact that these guys actually do theaters and I  
5 talk about them. So we did an estimate in the same  
6 square footage as before. They've laid out the  
7 theaters and worked, and as the theater sizes work  
8 out, they found 70 more seats, so which just makes the  
9 theater more successful. It doesn't change the size  
10 of the theater complex, but that is a change in seats.  
11 We are still talking -- boy, oh, boy, oh, boy. We are  
12 still talking about five screens with 10,000 seats and  
13 the addition of what we are calling a community  
14 lecture/screening room, which is a media savvy room  
15 that is part of the design of the lobby, a cafe  
16 concessions area and community room that is all  
17 outside the control point for the theaters. This is  
18 an idea that they brought to me that I thought was the  
19 coolest thing I ever heard of. So it was pretty easy  
20 to want to bring it to you.

21           There is an issue about traffic and  
22 drop-off for the theaters that I want to mention,  
23 which it has always been our intention in  
24 conversations with the Town and the staff to have a  
25 full valet service in Blue Back Square, and that is  
0050

1 where the theater, in our minds, still has its primary  
2 drop-off, because you are going to drop off and then  
3 go to the garage or go to the garage, you will come up  
4 Webster Walk and into the theater. So I want to  
5 mention that is still our intention to keep that valet  
6 service there.

7           I will admit, I found this on the  
8 Internet, but when I saw it, I said, wow, that's what  
9 our valet should look like, you know, blue shirts. It  
10 would be great. It's not part of the application, by  
11 the way.

12           So what I would like to do is have Ben  
13 come up and talk about how they see this lobby, cafe,  
14 concessions, community room working, based on their  
15 New Haven experience. And I'll give it to you Ben.

16           MR. BEN MOSS: Thanks, Richard.

17           I'm Ben Moss, also with Bow Tie  
18 Partners, Bow Tie Cinemas. When I do wear a tie, I'm  
19 required to wear one of these.

20           I want to echo Charley's comments about  
21 how excited we are to be part of this project and part  
22 of the Town. We feel a great fit with the folks at  
23 Street-Works, and we are very excited about bringing  
24 our product to West Hartford.

25           I want to talk for just a few minutes

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1 about what makes a Bow Tie Cinema a unique experience  
2 and during that conversation, I will address some of  
3 the things that Richard was talking about, about how  
4 the facility works.

5           First and foremost, we have no  
6 on-screen advertising in our theaters whatsoever. So  
7 you will see previews for coming attractions, which  
8 people like, but you won't see any of the annoying  
9 commercials that you typically get in a mall,  
10 multiplex environment. We pay very special and  
11 specific attention to the quality, content and

12 appearance of our concession items in our concession  
13 stand.

14           We feature premium quality wine and  
15 beer service in an area called the Criterion Cafe,  
16 which sits just opposite the space that is the  
17 concession stand. I can't point it out from here  
18 because I don't have a device to do it, but Richard is  
19 going to do it. It's right there.

20           The Criterion Cafe in concept now has  
21 some glass walls in it, so that you can see back and  
22 forth between the corridor that allows you to access  
23 the auditoriums and the seating area. And in that  
24 corridor and in other areas of the theater, we  
25 typically display personally-selected original art

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1 works. So you will be able to see some of those both  
2 from the cafe and from the exteriors of the theaters  
3 when you are walking in.

4           In the concession area, we pop our own  
5 popcorn, and for those who wish, we top it with 100  
6 percent real butter. We try to be as innovative as we  
7 can with the concession items that we serve. One  
8 example is a product called snuts, which is a gourmet  
9 frosted peanut. They were first sold at Bow Tie  
10 Cinemas in New Haven, and they are about to be sold at  
11 Fairway Markets and Dean and DeLuca in New York.

12           We equip all of our cinemas with very  
13 luxurious seating, very generous leg room between the  
14 seats so that you can cross your legs and stretch out,  
15 back support in all the seats. And we like to use a  
16 seat that has leather arms and a wood back, so that it  
17 looks much more like what you would be accustomed to  
18 seeing in a live performance venue rather than a mall  
19 multiplex.

20           We feature spacious, well-lit, clean  
21 wash rooms with entries that don't require the public  
22 to open or close the door after washing your hands, to  
23 keep them as sanitary as possible. We focus heavily  
24 on employing a highly-trained, presentable, polite and  
25 respectful staff, all of whom can and will readily

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1 assist patrons with any questions or concerns or needs  
2 that they may have. And along that same line, our

3 theater managers work in public view. There is no  
4 manager's office. They work in full view of the  
5 public.

6 Richard, if you can point to where the  
7 box office is. That curved section right in front is  
8 the customer service desk, the guest services desk,  
9 and that's where the managers work all the time, so  
10 they are always available to the public as well as the  
11 rest of the staff to deal with any questions or needs  
12 or concerns that our patrons may have.

13 We pride ourselves on participating in  
14 the communities where we own and operate theaters. A  
15 few small examples, we are a sponsor for two years  
16 running now, and hopefully will continue to be, of the  
17 International Festival of Arts and Ideas, which takes  
18 place every year in New Haven. We are now the  
19 permanent home of the New Haven Film Festival, which  
20 used to roam from venue to venue in New Haven. And we  
21 are active members of a group called The New Haven  
22 Town Green Special Services District, which provides  
23 various neighborhood services related to the  
24 businesses in the downtown area.

25 We like to present community-oriented

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1 specialty programming in our theaters, things such as  
2 film festivals, film discussion groups, classic film  
3 events and family events. And a few examples of  
4 those, some of which are up there, and I'm going to  
5 scope about a couple that aren't up there. Every  
6 Sunday we present a series called Movies and Mimosas,  
7 which is a classic film series complemented by the  
8 service of premium quality mimosas in the cafe. You  
9 can take those into the theater with you as well. We  
10 feature family friendly programming such as a series  
11 called Mommy and Me, in which we showcase family films  
12 at times that are convenient for mothers to attend  
13 with their children.

14 And this year at the Criterion Cinemas  
15 in New Haven we've dedicated one auditorium to the  
16 live broadcast of the Academy Awards and that  
17 broadcast is going to be as a benefit for an  
18 organization called Leeway, which provides inpatient  
19 care and community treatment options for the benefit

20 of those who are living with the AIDS virus.

21 Last, but not least, we host a number  
22 of film-oriented discussion groups, the most notable  
23 of which is a series called Film Rounds. People come  
24 to the theater for a private screening and then use  
25 the cafe area for a discussion, which can last up to a  
0055

1 couple of hours. And we also use our theaters from  
2 time to time for general lectures and for discussion  
3 groups.

4 So I hope that gives you a fair  
5 overview of the kind of programing we have and the way  
6 the facility is going to operate, and I'll give it  
7 back to Charley.

8 MR. CHARLEY MOSS: I'd just like to  
9 take one or two more minutes of your time to explain  
10 our thinking behind the proposed addition or the  
11 requested addition of this community lecture screening  
12 room facility. We feel that the addition of this  
13 facility will enhance the experience, the positive  
14 experience of our prospective patrons for the  
15 following sorts of reasons: It's going to provide a  
16 setting for -- well, first let me step back and say  
17 it's going to be somewhere around 65 to 70 seats, if  
18 it's approved. And it's going to be a media savvy  
19 room, as Richard said. It will have proper public  
20 address system, lighting, electronics, and so forth.  
21 So it will be suitable for lectures, meetings,  
22 discussion groups, and that type of use. It would be  
23 equipped, as I said, with a public address system,  
24 electronics and lighting necessary to accommodate  
25 that.

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1 It's also an ideal environment for the  
2 exhibition of classic -- of specialty kinds of films,  
3 classic films, some foreign films, the kind of films  
4 that don't normally get exposure in the commercial  
5 market, but for which we feel there is an audience in  
6 the West Hartford community that would be anxious to  
7 see that kind of product. It doesn't make economic  
8 sense for us to show that kind of product in a larger  
9 auditorium, but with 60, 65, 70, seats, it does make  
10 sense and it provides thereby an additional service

11 for the community.

12           It also provides a functional space for  
13 private screenings and film discussion groups. That's  
14 kind of along the lines of some of the specialty  
15 programming that Ben was talking about a minute ago.  
16 It's also, it will be designed for the presentation of  
17 nonfilm media, such as video, slide projection, Power  
18 Point presentation, this kind of thing. That will all  
19 be available for use. And it provides an intimate  
20 configuration for private parties and groups, and our  
21 plan is to make that space available to the public at  
22 reasonable rates. Almost as -- well, at reasonable  
23 rates.

24           Lastly, it helps the operation of the  
25 theater and thereby makes the prospect of coming to  
0057

1 the theater more appealing for the public because it  
2 will allow us to increase the flexibility of our time  
3 schedules. This is going to give us the opportunity  
4 to make a film available to the public at more times  
5 or more frequent spacings, therefore, enhancing their  
6 ability or making it more -- improving the  
7 accessibility of the facility for them.

8           And finally, it will enable us to take  
9 a film that is popular, but as everybody knows, the  
10 films open up, the first week is usually stronger than  
11 the second week and so forth. A lot of times films  
12 still have an audience that wants to see them, but we  
13 are required because we only have, at this point five,  
14 screens to take that film off for a new picture. By  
15 having this sixth room, we will be able to carry that  
16 film over for an additional number of weeks and still  
17 make it available to the public that hasn't seen yet  
18 or wants to come back and see it a second time. So  
19 those are the kinds of reasons that we feel it would  
20 be an addition to the facility. Richard.

21           MR. HEAPES: Thank you, Charley. I  
22 hope that gives you some sense as to some of the  
23 thinking. Frankly, it's a facility that needs to find  
24 its home and use as it comes here. The interesting  
25 thing about the design of it is, because it's not in  
0058

1 line with the other theater, you can actually have the

2 theater opened, manned by a person at the concession  
3 stand and have any kind of meeting you want. And I  
4 can personally tell you that having media-oriented  
5 events in the Center is a challenge. So I think it  
6 would be a great addition to the meeting room spaces  
7 in the Center.

8 I need to go through a little specifics  
9 having to do with the signage, because obviously the  
10 entrances moved, which means the marquise needs to  
11 move, et cetera, et cetera.

12 What was approved in the previous  
13 thing -- approval was this collection of signs that  
14 all had to do with seeing the theater and accessing  
15 the theater. We had intended the marquise to be here  
16 with a sign over the door down here, a secondary  
17 marquise on Main Street that you would be able to  
18 notice and notice that there is an entrance there, one  
19 freestanding sign which could be used for show times,  
20 et cetera, that you would see as a pedestrian, and  
21 then what we call a blade sign, so that from the South  
22 Garage and looking at Isham, you would know the  
23 entrance to the movie theater is down there.

24 Essentially what we are proposing is to  
25 reconfigure those signs relative to the new entrance.

0059

1 We would have one marquise, which is here over the  
2 entrance. We would have the same blade sign that you  
3 would see north and south on Isham, a sign up over the  
4 lobby so that from Blue Back Square you knew what it  
5 was doing, and we are proposing to move the cinema  
6 pylon, if you would, or freestanding sign up near the  
7 crossover of Webster Walk since we are no longer  
8 across and in front of the Board of Ed. To give you  
9 some sense as to how we are thinking about this, this  
10 is essentially how you might see the marquise from  
11 across Main Street. There is a library entrance  
12 that's further back, the Board of Ed building  
13 obviously. And the inspiration for the marquise that  
14 we are proposing is really a rethinking of the Central  
15 Theater marquise, which as you know it still sits out  
16 there. It's a V-shaped marquise. And this is the  
17 classic marquise that has the name of the theater on  
18 the top of it, a changeable system for special

19 announcement, film times, et cetera. You can see that  
20 that shape is really what we are proposing for the  
21 marquise here, angled so that it can be seen from  
22 South Main on one facade and from Blue Back Square,  
23 Webster -- up Webster Walk from the other facade. In  
24 spite of that, but done in a cleaner, better  
25 technology such as this. This is their marquise in  
0060

1 New Haven, which has the elements of tradition, but  
2 done in a nice, simple way that's very modest during  
3 the day when you are coming up and down to the  
4 library, but at night can be lit and give the  
5 excitement, et cetera, in a way that's, I think,  
6 pretty sophisticated. It matches their mission.

7 We don't have a specific design for  
8 what I call the blade sign. These guys haven't seen  
9 this, so this was the blade sign that was in Bethesda  
10 in a similar situation. That's a little big. I see  
11 Dr. Thornberry agrees with me. Really the criteria,  
12 we are asking for a smaller sign in the SUP, but we do  
13 want the ability to light it, because this is a sign  
14 that only makes sense in the dark. That's essentially  
15 what we are looking for, is the ability to light that  
16 blade sign, so that up and down Isham, you can see  
17 that.

18 The standalone sign really is -- will  
19 be modelled on a piece of garden furniture that you  
20 should see across Townwide, be it the directory, a  
21 phone book, a bollard, a bike rack. We need to start  
22 to establish a collection of garden urban ornaments,  
23 if you would, and this is one that I kind of mocked  
24 up. But it could sit back and be quiet. It doesn't  
25 need to be loud, pedestrian size, but just so you  
0061

1 would know from South Main Street what's currently  
2 playing, and I've learned these are called one sheets.  
3 I've been calling them tear sheets, but Charley has  
4 taught me something tonight.

5 Finally, we have a little signage issue  
6 here for what -- for the poster boards that go outside  
7 the entrance to the theater. This is only an issue  
8 because it's on tenant space that isn't the theater's.  
9 It's on this restaurant's tenant's space, which is

10 designed for that. It's a solid wall, but that's  
11 where those things go. And those -- all the signage  
12 design will be submitted through the signage criteria  
13 that we've established. But that's the thinking on  
14 the collection of signs that you are being asked to  
15 kind of weigh in, associated with the SUP, and the  
16 change in entrance.

17           That is, in a nutshell, the seven  
18 changes generated on the site and users, Crate &  
19 Barrel, Hartford Hospital emergency access, American  
20 Legion basement and medallion, and of course the  
21 cinema's change in entrance and request for additional  
22 seats and the community screening room.

23           The next conversation really has to do  
24 with condominiums, which in our minds are generated by  
25 the market and by the Town's desire to have

0062

1 residential as part of its project, and of course we  
2 call them Building D and Building B. We didn't think  
3 of names for them. This was the document from last  
4 summer's presentation, Building D, Building B. We had  
5 estimated 45 units in Building D and 25 units in  
6 Building B, not having a clue whether there was a  
7 market for them, there wasn't a comp, how we would  
8 finance them. But we had always anticipated on having  
9 residents on both sides of Memorial and two, probably,  
10 different kinds of buildings. This is a little  
11 standalone, which is phase 1. Building D, which was  
12 phase 2.

13           And it's an interesting conversation  
14 that I'll take a step back before last year's  
15 approval, and remind you what the Town's intentions  
16 were relative to residential, by focusing you on some  
17 of the incentives the Town had for us to build the  
18 residential.

19           First and foremost, from the Master  
20 Agreement is the statement that the inclusion of  
21 residential is the material inducement for the Town to  
22 participate at all on this project. I can be very  
23 clear, and Barry is nodding his head up and down, if  
24 we had come in with a project without residential,  
25 none of us would be sitting here tonight. That's a

0063

1 fact. And that was known from the beginning.

2 As you read through the Master  
3 Agreement, this was not some generalized goal and  
4 objective. There were specific hammers, maybe not  
5 hammers, incentives that were made available to us to  
6 make sure that we did this. If we didn't take steps  
7 within the first five months after our closing with  
8 the Town and pull a building permit within 12 months,  
9 there were implications on Building D.

10 Oh, my goodness gracious. I know you  
11 want to read the Master Agreement more.

12 Same thing on Building B. If we didn't  
13 take steps within five months of our closing and  
14 commence construction by November of this year, there  
15 were implications. What are some of those  
16 implications? In case we were not clear on the Town's  
17 desire, on Building D, the Town has the right to go  
18 back and take the land back. So that land is  
19 available for residential only, and we best get onto  
20 it or the Town could take it back. They can't do that  
21 on Building B because -- I'm sorry, on Building B  
22 because that is on property that was ours. Hang in  
23 there.

24 I'm afraid to do more. That was  
25 Building B. D, they can take the land back, Building  
0064

1 D. If we don't get around to it, they will phase in  
2 the taxes on the cost of that building, \$18,000,000  
3 for improvements beginning in 2010. So we would get  
4 assessed and have to pay the taxes on that no matter  
5 what. Secondly, if it's not completed in that time,  
6 we will have to pay the SSD taxes, as if it had been  
7 there, some \$1,700,000. Those were pretty good  
8 incentives to get the residential program going and to  
9 be a part of this. Likewise, if Building D and B are  
10 not done, we will owe the SSD levy as if they were  
11 built. Of course, we agreed with these, and it was  
12 not our desire to get out from doing it, but we knew  
13 it would be a challenge.

14 We talked first about Building D. The  
15 proposed changes on Building D really have to do with  
16 how many units and what the configuration of those  
17 units are. We are not proposing any changes in the

18 footprint of that building. We are not proposing any  
19 changes in the height of that building, the bulk of  
20 the building, or zoning things. We had assigned,  
21 frankly, 45 units to it because we had 75 units total,  
22 which, by the way, was the most that our financing  
23 partners would commit to, and it was somewhat  
24 arbitrary whether it was 45/25 or 30/30, or whatever,  
25 but that building was assigned 45 units in its current  
0065

1 size.

2           Since the approval, as you well know,  
3 we have been in the marketplace trying to do focus  
4 groups, understand what the market wants, what the  
5 market requires in terms of size of unit, mix of  
6 bedrooms, balconies or not balconies, how many parking  
7 spaces, storage, et cetera. Two things have happened  
8 through that process. Number 1, this is a national  
9 phenomenon, the cost of construction has almost  
10 doubled on that type of building. It's pretty simple,  
11 drywall numbers have doubled. There is a lot of  
12 drywall going down to New Orleans and Florida. There  
13 is a lot of concrete going to China. Neither here nor  
14 there, but the cost of that building has increased  
15 dramatically. We have found that people wanted bigger  
16 units, and they wanted some services that we were  
17 surprised at. They want a full-time concierge  
18 service, and that of course generates a huge monthly  
19 maintenance fee over 6, 7, \$800 a month for those  
20 services.

21           I'm not surprised by that. We thought  
22 the residential would be successful. We didn't know  
23 if we could prove it to the bank, because there aren't  
24 any. So the good news is that Building D can, has had  
25 presales enough to finance it; the money is there; the  
0066

1 increase in sales price is there to support a higher  
2 construction cost. That's the good news. And that's  
3 very positive.

4           So what we are asking for is a new  
5 configuration of units based on the market that's a  
6 real building, not a guess building, and that means a  
7 couple of changes, increasing the number of units to  
8 62, although not the size, the size is the same, and

9 making some changes -- this is driving me crazy --  
10 making some changes on the exterior.

11 When we first -- this is the exterior  
12 that was essentially approved the last time. The idea  
13 was to break a big building down into smaller units,  
14 almost like townhouses and make it look urban, and  
15 what you would see in a neighborhood of this type.  
16 Working extensively with DRAC, we proposed an  
17 elevation that is more reflective of the units, that  
18 has more special features, where the top level, which  
19 is higher-priced units, is more distinguished, rather  
20 than looking like the attic of a four-story building.

21 If you've been to the sales center, and  
22 I certainly invite you to go, you can see the model of  
23 it. It is a great collection of urban townhouse-type  
24 dwellings that support that kind of collection of  
25 buildings around that courtyard.

0067

1 I'll repeat, the size, the height, the  
2 character of the building, working with DRAC are  
3 really not being proposed as changes, which brings us  
4 to building -- what we call Building B. Building B  
5 was that building up here, shown up there. This  
6 building was originally shown as a five-story  
7 building, a level of retail on the first floor, four  
8 floors of residential of a certain height.

9 As we began negotiating with the Town,  
10 we were very nervous as to whether we would be able to  
11 build this building. We knew we would try to build  
12 this building, and we pulled it back in its footprint  
13 in this orange area because that is where the truck  
14 docks are for this block. As you'll recall, the truck  
15 docks are right there. And the Town made it very  
16 clear to us that we are not going to let you occupy  
17 these buildings unless the truck docks and all that  
18 stuff is in for those buildings in day one. So we  
19 said, jeez, we better be careful and make sure that  
20 that footprint is outside of that so there would be  
21 retail on Blue Back Square day one, very important,  
22 and the truck docks would be there.

23 And this building in the original  
24 approvals, you will see several plans for it. You  
25 will see plans that are green grass. You will see

0068

1 plans that are one-story retail. And you'll see plans  
2 for a 54,000 square foot building that sits there,  
3 leaving us flexibility in the market, always with the  
4 hammer that if we didn't build this thing, we will be  
5 paying the SSD taxes no matter what after a period of  
6 time.

7 Well, we learned some things on this  
8 building, that people like units that face south, with  
9 the sunlight, that there was an appetite for bigger  
10 units. One of the challenges in this building had  
11 been people coming to us to combine units, price being  
12 essentially no option. Could we combine two units?  
13 Could we combine four units? Because relative to a  
14 house, they are still not a house.

15 So in working on Building B, we are  
16 proposing to essentially extend out over the retail  
17 and truck dock, reduce the retail by 4,000 square  
18 feet, and have the same number of units that we are  
19 proposing here, 62 units here, 62 units there. It's  
20 an important number to us because it takes that many  
21 units to support the concierge that the people want,  
22 to support the services, to support the lobby  
23 experience, et cetera, and it makes it a viable option  
24 to be built. As a result of that, we are going to  
25 commit to building that in sync with all of Blue Back

0069

1 Square and not necessarily to push it off into the  
2 future.

3 What's interesting about it is, yes, we  
4 are asking to put another level of residential there,  
5 which is in the underlying zoning, so that it is five  
6 floors of residential over retail. In working on  
7 this, we've been able to work with the grade,  
8 squeezing the retail down and modifying the  
9 floor-to-floor plan, so essentially it is the same  
10 height as what was approved before. This is along New  
11 Street. That is the outline of what's approved in the  
12 previous approval. It goes down over the truck dock,  
13 back up to two stories of retail. This is Raymond  
14 Road. This is Isham.

15 So, yes, we are adding a floor back,  
16 but the height is essentially the same. We are

17 viewing this as three buildings, not separate  
18 townhouses. A lot of this has been driven by a  
19 conversation with DRAC, so you will have several  
20 entrances and three kind of larger buildings and a  
21 different kind of unit. These will be three units  
22 with windows for bedrooms facing the garage and living  
23 rooms facing the south. This building here is two  
24 units per floor serviced by one common elevator that  
25 opens into the unit. We will talk about the cost  
0070

1 price issues that have been driving this.  
2           From Raymond Road -- I have to be  
3 careful here -- this is the elevation from Raymond  
4 Road. That is the building elevation. The retail  
5 across from Whole Foods. You can see the yellow  
6 dotted line. That is the height of what was approved  
7 in the last thing. So we have just been able to, as  
8 we carefully design it, not necessarily change the  
9 height and bulk, but to change the number of floors to  
10 five over the retail. And that is really all nine  
11 changes.

12           I want to walk through a couple of  
13 issues that are general in nature, specifically  
14 brought up by a couple of tenants. We have a tenant  
15 underneath the cinema that we were hoping to get.  
16 There is the cinema plan, as you'll recognize it.  
17 Under the cinema, we have a very large space, as you  
18 see here, with a little bit of storefront along Blue  
19 Back Square. This is all essentially buried under the  
20 movies, and we have signed a lease with Barnes & Noble  
21 to do a flagship book store that we are very, very  
22 happy about. You've had two substandard Barnes &  
23 Nobles in the marketplace. You had kind of two half  
24 Barnes & Nobles, one at Bishop's Corner and one at  
25 Corbin's Corner. And you've missed the dynamics that  
0071

1 come with this book store. Not only the sale of  
2 books, but a spectacular Internet cafe. The Internet  
3 cafe will be able to be here and have seats out on  
4 Blue Back Square, the book signings and the children's  
5 events and the kind of center of learning that these  
6 bookstores can be are really pretty tremendous, and we  
7 think it's a fantastic mix, particularly with the

8 movies, particularly for the size of space we are  
9 talking about. There aren't a lot of users. There  
10 could be low-end fashion, or some things that we  
11 didn't want to see here. We are thrilled about this.

12 It is -- in writing the signage with  
13 them, there is a peculiar circumstance here, where  
14 they have a little second floor space, which is the  
15 corner of the building, as a tower, and yet they view  
16 that as very critical for where their sign goes, et  
17 cetera, because they are almost a 20,000 square foot  
18 tenant. So this was the sketch before where we had  
19 the movie marquise here, we had this tower element  
20 here on the corner of Blue Back Square. We had  
21 negotiated with Barnes & Noble to do a tower on the  
22 corner -- this is actually one of the lease  
23 documents -- with their sign on the second floor, of  
24 course, there are doors and nice scale things at the  
25 entrance. But in the way we designed the sign code  
0072

1 for this project, meaning you could have signs on two  
2 levels when there is retail on two levels, that second  
3 level is so small it doesn't generate any signage. So  
4 we are asking you to allow us to put the signage where  
5 it makes sense for the tenant and not necessarily on  
6 the floor, that it is specifically for that little bit  
7 of thing generates a little teeny sign, and the whole  
8 first floor generates tons of signage that we are not  
9 using. So we are asking you to let us put the sign  
10 where it belongs, so to speak. You wouldn't want a  
11 sign that size down at the street level. And we can  
12 discuss this further.

13 Barnes & Noble is also asking for a  
14 blade sign different than the movies that can be seen  
15 from the South Garage looking up Isham, since you  
16 won't be able to see a sign on their entrance from  
17 there. This is, frankly, one that we did in Bethesda  
18 over the entrance to the office building, and these  
19 are the kinds of signs they are talking about, not lit  
20 up like the cinema, but still that's a sign that's  
21 technically on the lease space of the movies and yet  
22 for a tenant that's below it. So it's a little  
23 idiosyncratic in terms of its location.

24 Parking. I knew we'd have to talk

25 about parking. As a result of this change, losing  
0073

1 4,000 square feet of retail, adding 50 some units for  
2 the residential, we do need an increase in parking for  
3 the residential, and we have expanded our below grade  
4 parking to accommodate that. There is one change in  
5 the parking strategy. We've redone the parking plan  
6 and we've mentioned that at the last Council meeting.  
7 And that was the operations of the North Garage.  
8 Remember, we talked about, we've got to make them work  
9 and how you are going to pay and what's the  
10 circulation?

11 In working with the Town on the  
12 operations of the garage, rather than having one  
13 ingress and one egress at New Street, one ingress and  
14 one egress on Isham, it became clear that the garage  
15 would work much more successfully with just an  
16 entrance on New Street and two egresses out on Isham,  
17 in terms of coming and going, putting the traffic in  
18 the right place so that the project worked better.  
19 It's an operational, almost striping issue to the  
20 garage, but that is a change that we've done working  
21 with the Town, working with Dave Kraus. We have  
22 redone the parking strategy in terms of shared  
23 parking, and with that new parking for Building B  
24 underground, that is essentially status quo as it was  
25 before.

0074

1 Now, this parking change, of course,  
2 affects the traffic patterns and the operations of the  
3 traffic in the system, and so we have also redone the  
4 traffic plan, and it has one implication, which is  
5 partly due to the parking access, and frankly  
6 integrating with Whole Foods, which is now open, and  
7 we are agreeing to and paying for a new signal at  
8 Isham and Raymond that was not in the previous traffic  
9 plan. That is essentially the changes in the traffic.

10 Those are, as short as I could make it,  
11 the nine changes between the '04 plan and the '06  
12 plan. And let me just summarize by telling you why I  
13 think it's a better plan. First and foremost, the  
14 South Campus changes have given us more green. They  
15 have kept the large trees in the South Garage and

16 screened better the South Parking Garage with new  
17 trees. Webster Walk is clearly a better connection  
18 between the Center and Blue Back Square. It's wider,  
19 it's sunnier, and has a new public elevator that makes  
20 it accessible to everybody.

21           The Center expansion inspired by Blue  
22 Back Square in some cases now has the First Church in  
23 addition to Whole Foods getting on board and  
24 rethinking how their site works between Main Street  
25 and this and has been incorporated into this, and I  
0075

1 think that's a much better plan than was before.

2           We have a better South Main Street  
3 green because of Crate & Barrel, and their new porch  
4 puts it more in context and scale with the things that  
5 are there today.

6           We have a better Hartford Hospital  
7 because we can have the surgery center that will be a  
8 key regional anchor that will bring people to the  
9 Center, rather than purely the Wellness Center that  
10 they proposed.

11           We have a better American Legion  
12 facility because they have a basement, and it's a more  
13 civic-looking building. I will mention that we expect  
14 the Legion to come back to you and ask for retail on  
15 the first floor, which would be even better, but that  
16 is not part of that application. So we are  
17 anticipating that.

18           We have the coolest cinema in  
19 Connecticut, better than New Haven, with all due  
20 respect to those people, that can be used as a  
21 community place. Some of those things that we talked  
22 about, as what should happen to the Board of Ed  
23 building, we now have an Art Center that is  
24 film-based, where people can meet and talk, and we  
25 have a more successful cinema, which is important.

0076

1           We have, with all due respect, done a  
2 remarkable thing in Building D. When we came here,  
3 the underwriting of the cost or the sales cost of  
4 units, we thought was about \$225 to \$250 sales price  
5 per square foot. So we said, you know, we are going  
6 to go for it. This is the Center, we believe in it.

7 We are going to get 275. The contracts that are for  
8 sale there, yes, are significantly higher. \$400 a  
9 square foot. It's a damn good thing, because the cost  
10 of that building is \$350 a square foot, not the 150,  
11 160. So that means we can do it.

12 And finally, and that gives a more  
13 diverse place to live. It gives another way to live  
14 in the Center. And finishes our commitment to the  
15 Town to build it. Probably most important, and I save  
16 this for last, is the additional units in Building B  
17 will add to your bottom line \$600,000 a year in new  
18 property taxes. For those, that's over the \$3,000,000  
19 we proposed. That's money every year to the bottom  
20 line of the Town that you can do with whatever you  
21 like. If you were to capitalize that, at the interest  
22 rate you are paying on your bond today, that's a  
23 \$14,000,000 cash gift today that it would take to  
24 generate that income.

25 And at the end of the day, all of that  
0077

1 put together, those nine things, I believe, certainly  
2 make a more successful and better Blue Back Square,  
3 and as a result, a better West Hartford Center.

4 So I've taken longer than I thought,  
5 but I thank you for your attention and I'm looking  
6 forward to your questions. Thank you.

7 MR. SLIFKA: Thank you very much,  
8 Mr. Heapes. I think we are going to take a brief  
9 recess before we begin the questions.

10 (Recess taken from 7:48 p.m. to 8:08 p.m. )

11 MR. SLIFKA: We are going to open up  
12 the public hearing again. At this point, we are going  
13 to go to questions. Before we get too far into that,  
14 I do want to say at the beginning we thought it was  
15 going to be unlikely that we would get to any public  
16 comment tonight. I think we've now had an assessment  
17 that it might be very likely. There is a sign-up  
18 sheet, it's been up here all night. To the extent  
19 anybody is here and intends to testify tonight and you  
20 have not signed up, I guess, I would encourage you to  
21 do that before we get to the sheet. We will open it  
22 up to anybody that walks in later and announce that  
23 you can still come up and speak regardless if you sign

24 up, but if you want to hold your place in line, the  
25 sign-up sheet is already there, and we don't have any  
0078

1 idea how long the questions are going to take, but it  
2 does appear at this point that it may be likely that  
3 we are going to get to some of the public comment this  
4 evening.

5 But we will go to the questions at this  
6 time. We've had one small request, the gentlemen from  
7 Bow Tie Cinemas will have to return to New York this  
8 evening and requested that to the extent we have any  
9 questions directed at them, perhaps we could put those  
10 first. We have no other order, obviously, with the  
11 questions. But again, I guess in the interest of  
12 having them here and being able to respond to it, to  
13 the extent that anyone on either body has questions  
14 directed to those gentlemen, maybe we could address  
15 those first.

16 I'm looking and I'm going to ask  
17 everybody here, if you are going to have questions,  
18 since we have no particular set order, if you can  
19 signal by hand, and if I somehow miss you, please pass  
20 something down, or whatever else, or hoot and holler,  
21 whatever might be appropriate.

22 The first hand I saw was  
23 Dr. Thornberry.

24 MS. THORNBERRY: I have to get used to  
25 this new system. I don't think we had this a year and  
0079

1 a half ago.

2 The question really deals with the  
3 elimination of the two entrances to the theater, and I  
4 was wondering if you could kind of walk us through  
5 this footprint for the theater again and really talk a  
6 little bit more about why the entrance from the Blue  
7 Back Square area was eliminated and what the  
8 advantages are, again, for it. Thank you.

9 MR. CHARLEY MOSS: Certainly. I'm  
10 going to get my north, south, east and west wrong so  
11 I'm just going to not use that terminology. There are  
12 multiple reasons why we felt the entrance, as it's  
13 proposed tonight, is the way -- is the best way to run  
14 the theater and best for the community as well. First

15 of all, we think that there will be a large portion of  
16 our patrons who will come from the existing part of  
17 Town on the other side of Farmington Avenue, as well  
18 as from Blue Back Square. So putting the entrance  
19 sort of in quotes in the Center rather than at one end  
20 made it more accessible for everybody, point number 1.

21 Point number 2, there will be an  
22 opportunity to drop off people at that point and then  
23 go park your car, that sort of thing.

24 Number 3, we felt that the entrance  
25 down below required vertical transportation to get  
0080

1 people up, once they are inside the building, and that  
2 was sort of -- that complicated the operation of the  
3 theater.

4 When you run -- those are the three  
5 exterior reasons. There are a bunch of interior  
6 reasons. But sort of back-up house reasons. When you  
7 run a cinema, you've got to have one point where your  
8 ticket gets taken before you go into the theater.  
9 We've all had that experience. You go to an usher and  
10 he tears your ticket and puts it into a container.  
11 With two entrances, you kind of have to have two of  
12 those places where that occurs. You also have to have  
13 two box offices. And then you have the problem in  
14 addition to, frankly, the increased cost of doing that  
15 and the increased potential for confusion,  
16 particularly at busy times. You also have the  
17 problem, even with a computerized system, of making  
18 sure that you are not overselling the theaters. If  
19 this person is down below buying two seats for a show,  
20 and somebody up here is buying two seats for a show,  
21 and we only have two seats left, we are not going to  
22 know which one is which. And we don't want to be in a  
23 situation of double selling the theater, and then  
24 obviously alienating people and so forth.

25 And I guess those are basically the  
0081

1 reasons. We thought, just to sum up, it's a much more  
2 efficient entrance off of Farmington Avenue. It makes  
3 for less -- it makes for less confusion. It's more  
4 easily accessible, and it makes the internal operation  
5 flow that much smoother.

6 MS. THORNBERRY: One additional  
7 question. We might have some idea as to what types of  
8 films that you are showing, and we know that they are  
9 not going to be those traditional first-run mall or  
10 big-theater types. You know, I doubt very seriously  
11 whether you'd be showing King Kong or Harry Potter.  
12 But could you tell us, let's say, what's running at  
13 your cinema in New Haven currently.

14 MR. CHARLEY MOSS: Yes. Let me answer  
15 that by just taking a step back to put this in  
16 perspective. There was a time when there was a real  
17 distinction between art films or independent films and  
18 commercial films. Today that line has blurred, and  
19 actually if you look at the five pictures nominated  
20 for Academy Awards, leaving Munich in a gray area,  
21 every one of them would have in an earlier era been  
22 called a specialty film or an independent film. So  
23 it's a gray area.

24 Given that as a background, we would  
25 play all five of the films that are nominated for  
0082

1 Academy Awards, and in fact, we have. Actually we  
2 didn't play Munich, did we? We did not play Munich.  
3 We played four out of the five. So we would play a  
4 Capote, a Good Night and Good Luck, Mrs. Henderson  
5 Presents, that type of film. And you are right, we  
6 wouldn't play Batman Returns or that type of film.

7 MS. THORNBERRY: So that would be  
8 currently playing right now. You'd be playing perhaps  
9 films that are considered independent films in the  
10 range of a Munich and Good Night and Good Luck?

11 MR. CHARLEY MOSS: Right. The reality  
12 is all those films are released by the major  
13 distribution companies.

14 MS. THORNBERRY: Yeah, I know.

15 MR. CHARLEY MOSS: But yeah.

16 MS. THORNBERRY: But we want a sense  
17 of, you know, so that we can -- people will ask us.

18 MR. CHARLEY MOSS: If you look in the  
19 New Haven register, where we advertise the New Haven  
20 Theater, or if you go on line and our website is  
21 Criterioncinemas.Com, it will give you a listing, but  
22 it's that kind. It's the kind of film that I just

23 articulated that is the focus of what we do.

24 MS. THORNBERRY: That's great. That's  
25 all the questions I have. Thank you.

0083

1 MR. SLIFKA: Thank you, Dr. Thornberry.

2 Let's just for sake of simplicity, stay  
3 on this side of the table. Are there any other  
4 questions? Okay.

5 I'm sorry, Mr. Daniels.

6 MR. DANIELS: I have two totally  
7 unrelated questions. I was trying to understand the  
8 screening community theater a little better. I guess  
9 my first question is: Is it in design the same as the  
10 other five? And I'm wondering if it will -- if you  
11 can give me some sense on a percentage basis of how  
12 often it will be simply operating as an additional  
13 regular theater.

14 MR. CHARLEY MOSS: The answer to the  
15 first part of your question is we haven't designed it  
16 because we haven't gotten your approval to do it, but  
17 our thinking is that it would have the same look.  
18 There were some photographs before of the New Haven  
19 facility with wood back chairs and leather arms and  
20 that kind of performance space environment. Our  
21 thinking is that we would do it the same way as the  
22 other five will be.

23 I can't really answer the second  
24 question directly because I don't know -- we haven't  
25 developed the whole course of action, but we

0084

1 typically, for community meetings, group meetings,  
2 those kind of events, those are daytime events. So we  
3 can really do those, and you are typically more -- oh,  
4 yeah, if you look, that's the look.

5 MR. BEN MOSS: You had also asked about  
6 are there differences between that and the other  
7 auditoriums. And while we like to maintain a  
8 consistent look throughout the facility, there will be  
9 additional equipment in there that will make it usable  
10 for the presentation of other types of nonfilm media.  
11 So we will be able to present videos. We will be able  
12 to present slides with these kind of presentations,  
13 and we will have public address and appropriate

14 lighting and microphones and that sort of stuff for  
15 those uses.

16 MR. DANIELS: So it would be fair to  
17 say for a substantial amount of time it's a sixth  
18 movie theater?

19 MR. CHARLEY MOSS: Well, that's  
20 actually not what we are saying. What we are saying  
21 is it will serve double duty, I guess is the best way  
22 to say it, and it will be used, I think there are  
23 three, sort of categories, we will use it for. One  
24 would be for these public events, not movie theater  
25 related. Two would be to show films either -- show

0085

1 films that primarily that we want to continue to run  
2 that normally we'd have to take off the screen. And  
3 three would be for some of these specialized programs  
4 that don't wind up in large -- that are better served  
5 in a smaller auditorium, like the mothers and children  
6 presentation, that kind of thing.

7 MR. DANIELS: Related question to that.  
8 During the last hearing, there were some questions  
9 relative to the number of theaters, and this may be  
10 for Mr. Heapes because you were not present at that  
11 time, but there was a lot of debate and some questions  
12 relative to the number of theaters that ought to be in  
13 this environment, particularly because of concern  
14 about Real Art Ways and what is now different  
15 ownership now, but Cinema City. And I'm wondering  
16 whether -- how this, what appears to be an expansion  
17 from the original proposal, fits with that.

18 MR. HEAPES: I won't use any slides for  
19 this answer.

20 MR. DANIELS: Good.

21 MR. HEAPES: As I recall, the issue was  
22 five screens or four screens, what's the product mix,  
23 what's the product that's out there? Is this  
24 competitive? I'll be absolutely clear, this is an  
25 expansion of the cinema program and the film program

0086

1 because we have a real operator. As you'll recall, my  
2 answer before was, listen, if you knock it down to  
3 four screens, we may not get a cinema. And the people  
4 we were talking to, Landmark, et cetera, were all

5 telling me, this is the minimum number of screens you  
6 need in this zone.

7           What is really fundamental about the  
8 proposals today is it's not a theory. It's a real  
9 operator, dealing with real product, dealing with the  
10 realities, with a real lease. So there is that  
11 difference. Before it was a lot of talk and theories.

12           Having said that, one of the reasons we  
13 went with Bow Tie is we want it to be the most unlike  
14 other theater experiences in the market. Forget mall,  
15 no mall. I don't want it to be like Cinema City. I  
16 don't want it to be like any other theater, and I want  
17 to make absolutely sure that we give them everything  
18 they need to be the most successful theater in the  
19 market long term.

20           Usually that conversation has to do  
21 with what happens if they don't make it? Are we going  
22 to have dollar movies? Are we going to have blah,  
23 blah, blah, blah, blah. So from my perspective as the  
24 developer, I want them to be the most successful  
25 theater they can be.

0087

1           There was lots of conversation about,  
2 how does this public building react and can it play a  
3 role as part of creating community? And from my  
4 aspect, whether it's a sixth screen or not a sixth  
5 screen, really what I'm about is it's a much better  
6 theater. It has a way for the community to come and  
7 use the theater. And all of that has nothing to do  
8 with the film product.

9           Now, I've asked Charley to analyze --  
10 somehow I knew that question might come up -- to  
11 analyze what's going on in the marketplace and to  
12 speak about that. But from my aspect, I've got a  
13 theater operator here that I want to make absolutely  
14 sure is the most successful asset possible. So that's  
15 our answer to that, is that we have a real theater now  
16 in a real market, and I've asked Charley to kind of  
17 look at that and give his response to the product, the  
18 market, real arts, et cetera.

19           CHARLEY MOSS: I'd like to make a  
20 couple of observations. We just completed a study.  
21 New Haven has been open for a little over a year. We

22 just completed a study of what happened in the  
23 marketplace before Criterion in New Haven was there  
24 and in the years since it's been there. And in fact,  
25 we did it film distributor by film distributor so the  
0088

1 results varied somewhat. But we found that, on  
2 average, we increased the market share, in other  
3 words, the number of people going to the movies, by  
4 anywhere between 15 and 25 percent. We compared '04  
5 grosses to '05 grosses for the same theaters, and as  
6 part of The Hartford DMA, which is the market area,  
7 and we found that that increased percentage occurred,  
8 and it was attributable to the existence of the  
9 Criterion.

10 So point number 1 is that if that  
11 remains true -- if that pattern follows, and I can't  
12 imagine why it won't, you are going to see an increase  
13 of a number of people going to the movies, just  
14 because we're here, because hopefully we are going to  
15 be an attractive, appealing facility. Number 1.

16 Number 2, our view is that Real Art  
17 Ways is a complementary, not a contradictory or  
18 competitive use. They do a whole different thing than  
19 we do. We are a theater that plays mainstream films,  
20 by and large, the sixth room would play, as I say,  
21 pictures we continue to hang -- we would want to  
22 continue to hang on to for a couple of weeks or an  
23 occasional specialty product. But Real Art Ways has a  
24 small seating capacity, they are a not-for-profit.  
25 They do subscription business. And they play much  
0089

1 more esoteric pictures or specialty pictures that have  
2 already been in release. Like Squid in the Whale is  
3 playing there now. That's been in release for five or  
4 six months. That would have been long gone from here,  
5 as it was long gone from the Cinema City.

6 So we see them -- we see the  
7 combination of our increasing the market share of  
8 creating a better -- a bigger appetite amongst the  
9 public for wanting to go to the movies, and we think  
10 actually that's probably going to help them, not hurt  
11 them.

12 MR. DANIELS: I did have one other

13 question relating --

14 MR. SLIFKA: Yes, sir.

15 MR. DANIELS: Do you serve alcohol --  
16 actually two questions -- do you serve alcohol in New  
17 Haven?

18 MR. CHARLEY MOSS: Yes.

19 MR. DANIELS: Maybe you can walk me  
20 through that quickly, because I'm a little confused as  
21 to how you'll control whether the alcohol remains with  
22 people who are legally able to drink, and if it's  
23 taken away from the site.

24 MR. CHARLEY MOSS: Since he is recently  
25 of the age to be able to drink, I'll let him answer

0090

1 it.

2 MR. BEN MOSS: A little less than  
3 recently.

4 MR. CHARLEY MOSS: More recently than  
5 me.

6 MR. BEN MOSS: But since we haven't  
7 fully designed this setup yet, I'm not sure under what  
8 category of liquor permit this will fall, but in New  
9 Haven, beer and wine is served to you in a cafe area,  
10 which is, like this one, opposite the concession  
11 stand. So you don't walk up to a counter and buy it.  
12 You actually sit down in a table service area, a staff  
13 member, who is of legal age to serve it, comes over  
14 and takes your order. You pay for it with that staff  
15 member, and then he or she brings the beverage back to  
16 you, at your table, in the cafe.

17 MR. DANIELS: So you won't be able to  
18 take it into the theater?

19 MR. BEN MOSS: No, in New Haven, you  
20 can take it into the theater, but only after you've  
21 been served the beverage at the table.

22 MR. CHARLEY MOSS: The liquor  
23 authority, I believe this is called -- there are  
24 several alternative licenses you can get, I think this  
25 is called a cafe license. The theory is that by

0091

1 having the beverage served -- by having your order  
2 taken and then having it served to you, it prevents  
3 people under age going up to a bar and getting the

4 alcohol themselves. And that's -- we are just  
5 following what the Liquor Authority requires, and that  
6 seems to work.

7 MR. DANIELS: Thank you.

8 MR. SLIFKA: Thank you, Mr. Daniels.  
9 Mrs. Carpenter.

10 MS. CARPENTER: Yes. Thank you. This  
11 community room screening room, at what percent of time  
12 would it be available to the community?

13 MR. CHARLEY MOSS: We don't really know  
14 what the demand in the community is. So it's a tough  
15 question to answer in that respect. Our goal, as it  
16 is in New Haven, in terms of integrating ourselves  
17 into the community, has been talked about before with  
18 film festivals, Festival of International Arts and  
19 Ideas. Our goal here is to make this facility a  
20 community facility in the sense of really having -- we  
21 want the people of West Hartford to take ownership of  
22 the theater, and we want them to feel like it's their  
23 theater.

24 So what we envision here is, as we go  
25 forward, if you grant the approval for this, we are  
0092

1 going to make the thing available on -- we have to  
2 feel our way as we go forward. We want it to be -- we  
3 want people to come into the facility, because  
4 frankly, we think it's good for the community. But  
5 the more people that we get in there and the more they  
6 enjoy the environment, the more they are going to be  
7 likely to come back to go to the movies.

8 MS. CARPENTER: And would it be  
9 available to nonprofit groups at no cost?

10 MR. CHARLEY MOSS: We haven't thought  
11 that through.

12 MS. CARPENTER: Okay. The other  
13 question has to do with the comments that were made  
14 about the sign, the large sign, that was in Bethesda.  
15 I happened to see that. And I just want for the  
16 record to know that the size would be really  
17 inappropriate for that location.

18 MR. CHARLEY MOSS: I'm going to defer  
19 that to Richard.

20 MS. CARPENTER: I know you mentioned it

21 in the hearing.

22 MR. HEAPES: We are not asking for a  
23 sign remotely that size.

24 MS. CARPENTER: Right. Thank you.

25 MR. HEAPES: I agree with you.

0093

1 MS. CARPENTER: Thank you. That just  
2 would not fit in. I happened to see it. I mean, I  
3 was very impressed with the theater there, but I was  
4 not impressed with the sign.

5 MR. CHARLEY MOSS: I want to just go  
6 back to one question you raised a minute ago about the  
7 cost availability and so forth. The goal here in  
8 terms of making this room available to the public is  
9 not to make money on it. We are not going to --  
10 that's not going to be a profit center for us. There  
11 is a cost to doing it. We've got to bring staff in;  
12 we've got to have heat, electricity, power running,  
13 and there is insurance, et cetera, et cetera, et  
14 cetera. It's not a staggering cost, but there is a  
15 cost associated to it.

16 And our goal, as I said, is to not lose  
17 any money, but that's really not the focus of our  
18 business. It's more of an amenity that we would like  
19 to have available for the community.

20 MS. CARPENTER: Thank you. I was just  
21 trying to figure it out, because if you use it as a  
22 sixth screening room, you know, the commitment to use  
23 of the community would have to be worked out.

24 MR. CHARLEY MOSS: Well, most of the  
25 community activities that we are thinking about

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1 anyway, and as I said, we haven't thoroughly explored  
2 it in detail, occur during the day, and that's really  
3 not contradictory to showing the film at night. I  
4 mean, it's kind of what Real Art Ways does in a  
5 certain sense. So if we had -- let's say we had  
6 Capote playing in the theater, and by the fifth or  
7 sixth week, it was down to a smaller audience, we can  
8 then put it into this sixth room, play it for another  
9 3 or 4 weeks in the evenings. And to the extent that  
10 there was demand during the day to use the facility  
11 for community services, that that would not be

12 contradictory. We could do both.

13 MS. CARPENTER: Thank you.

14 MR. SLIFKA: Thank you, Mrs. Carpenter.

15 Mr. Doolittle.

16 MR. DOOLITTLE: Thank you, Mr. Mayor.

17 I just want to ask a brief follow-up question to these  
18 questions that you've been asked, which really go to  
19 the nature and intensity of the use. Equally  
20 important for the Town Plan and Zoning's analysis is  
21 the location and size of the use. We need to make  
22 sure it's in harmony with the neighborhood and that it  
23 won't hinder, discourage development of the  
24 neighborhood.

25 With that in mind, I understand the

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1 increase in the seats, and so forth. Can you talk to  
2 me about the increase in the footprint? Is this  
3 building getting bigger or not?

4 MR. BEN MOSS: I'll defer to Rich.

5 MR. HEAPES: I'll handle that.

6 I won't try to show you visually. The  
7 answer is no.

8 MR. DOOLITTLE: Thank you.

9 MR. SLIFKA: Thank you, Mr. Doolittle.

10 Mrs. Cantor.

11 MS. CANTOR: Thank you. I just have  
12 two quick questions, and they may be -- I'm sure  
13 they've been answered, and I figured out. The second  
14 exit that is being -- or the original entrance that's  
15 being eliminated, was that ever going to be a fire,  
16 you know, entrance or exit, and so there is no other  
17 changes to it to allow for configurations of other  
18 doors for fire?

19 MR. CHARLEY MOSS: No. First of all,  
20 we don't want to have a facility that doesn't meet  
21 codes or requirements, which of course this will. But  
22 that entrance predated us, but I don't believe that  
23 was designed as a secondary means of egress. It was  
24 downstairs. I mean, because if you have the vertical  
25 transportation involved, it probably wouldn't have

0096

1 served for that purpose.

2 MS. CANTOR: Okay. The other question

3 I had then, the main entrance is going to be in the  
4 front. So if there is popular movies playing and  
5 queuing of people along that, I guess, along that -- I  
6 guess, can you just highlight to me how you would  
7 expect people to line up when you have those evenings  
8 that are so jam packed.

9 MR. BEN MOSS: Sure. There is two  
10 complementary answers to that. One is that if you  
11 notice where the label that says "Lobby" is, right  
12 where the pointer is, right there, there is like a  
13 curved counter there, and that, I think I said before,  
14 is the guest services counter. At busy times, that  
15 doubles as a third or, in some cases, fourth box  
16 office terminal. So we have the ability to scale our  
17 ticket-selling capabilities to busy or not-as-busy  
18 times so that we can hopefully move people through  
19 fairly quickly. But the ability that we will have  
20 with the community and screening room to more greatly  
21 stagger show times also helps with having crowds  
22 lining up outside because we can get people in at  
23 different times closer to when the movie starts as  
24 opposed to having them all waiting for the same show  
25 time.

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1 MS. CANTOR: Thank you very much.

2 MR. SLIFKA: Thank you, Mrs. Cantor.

3 Is that a hand, Mr. Spada?

4 MR. SPADA: Sure. Thank you,

5 Mr. Mayor, good evening.

6 Just two questions, kind of  
7 piggybacking on Mr. Daniels, the first is on the  
8 liquor. Of course, this isn't for self-interest, but  
9 I need to understand the process.

10 I was a little unclear, when you  
11 said -- I understood the part about having to be  
12 seated, being served a drink, and then you can take it  
13 into the theater. Now, what about if that patron then  
14 wants a second or a third? Do they come back, sit  
15 down?

16 MR. BEN MOSS: Yes.

17 MR. SPADA: You actually have to have  
18 them leave the theater and sit down and then be served  
19 again?

20 MR. BEN MOSS: That's the method that  
21 the law provides. So they have to come back out, sit  
22 down anywhere in the cafe, be served, and then they  
23 can go back into the theater.

24 MR. SPADA: Is the intent to have a  
25 beer and wine license or to go the whole liquor?

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1 MR. BEN MOSS: In New Haven, we do beer  
2 and wine. We haven't planned far enough ahead yet  
3 here to know whether that's what we would do, or  
4 whether we would do something more. But it typically  
5 is beer and wine.

6 MR. SPADA: The second is on the  
7 community room, and I appreciate you indicating that  
8 it's certainly not going to be a primary revenue  
9 generator, but I suspect, if this is going to take  
10 off, as we all hope it will, that perhaps that there  
11 is going to be high demand for that room. There are  
12 all sorts of businesses in our Town that will want to  
13 use it for meetings, for all different types of  
14 purposes.

15 So I just, and perhaps you don't need  
16 to answer now, but I would think there has to be some  
17 definition around, you know, what your vision is for  
18 that room. You know, is it for off-site corporate  
19 meetings? Is it for birthday parties? I think it's  
20 easy tonight to think of it as just kind of a reason  
21 to discuss a movie within the context of an artistic  
22 group of people. But quite frankly, there is going to  
23 be a high demand for that room, period. And so,  
24 that's just -- it's an open-ended statement. It  
25 doesn't necessarily -- but I would suspect if you open

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1 it up to the public, there will be a line of people  
2 that will want to use that room. Thank you.

3 MR. SLIFKA: Thank you, Mr. Spada.  
4 Ms. Meck.

5 MS. MECK: Thank you, Mr. Slifka.

6 Following up on Mr. Daniels' first  
7 question about the number of screens. I certainly  
8 understand what he was asking, and of course, it was  
9 my first reaction too, that we had approved five and  
10 what we are really looking at is six. To put that in

11 a little bit of perspective though, I'm not overly  
12 concerned about it, you were not here, obviously, for  
13 our first round of public hearings, and with all due  
14 respect to your assessment of this bringing additional  
15 people, movie goers into the market, we did hear a lot  
16 of testimony from the Real Art Ways of the world, the  
17 Cinema Cities, that there was a distinct difference.  
18 And Mr. Heapes, correct me if I'm wrong, but the  
19 conversation there was between four and five screens.

20 MR. HEAPES: Correct.

21 MS. MECK: We heard a lot of public  
22 testimony that going from a four-screen movie theater  
23 to a five-screen movie theater was going to be very  
24 detrimental to their business. In the end, Mr.  
25 Heapes' plea to us in making a decision to leave it  
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1 flexible so that we could have a very profitable movie  
2 theater here in West Hartford, a very successful movie  
3 theater, we decided that it was in the best interest  
4 to leave that at five.

5 So part of me wants to say that  
6 although that was my first reaction, my first  
7 question, that's really a moot point here, going from  
8 five to six.

9 I will say that with that as a preface  
10 though, that I really do see this in many respects  
11 without some formalized plan as a sixth screening  
12 room. It just seems to me like it's going to have  
13 alternate ways of presenting audio-visual content.

14 MR. BEN MOSS: We certainly don't want  
15 anybody to be misled. We would like very much to show  
16 movies in there. That's primarily what we do. So I  
17 don't want anybody to think that we are not going to  
18 show movies there. But our idea is that we in New  
19 Haven, for example, have seen a lot of demand for the  
20 rental of theater spaces at nonprime times, let's say.  
21 Not just for corporate uses, but for other civic uses  
22 a well. A lot of organizations have come to us and  
23 wanted to use it for various purposes.

24 What they found in some cases is that  
25 to have the type of environment where you can have a  
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1 more intimate or close discussion or presentation, the

2 theater is, the larger theaters are not necessarily  
3 suitable because they are simply too big, and the  
4 equipment requirements for other kinds of  
5 presentations are such that while they are doable,  
6 they are expensive to add. And so it wouldn't be  
7 practical to add them to all of the screens, rather  
8 you want a designated area that's appropriate for that  
9 kind of presentation.

10 So our thinking with this was that this  
11 was of a very good size for that type of thing. It's  
12 a place where we can, on a reasonable basis, add the  
13 kinds of equipment that we would need to be able to  
14 accommodate those types of presentations and meetings  
15 in an environment that's appropriately sized.

16 MS. MECK: Don't get me wrong, I'm  
17 thrilled that there may be a venue to see movies a  
18 long time after they came out, because by the time I  
19 get to the movies, invariably I can't find them  
20 anywhere anymore. I'm glad to know that I can go to  
21 Real Art Ways now to see the Squid in the Whale  
22 because I wanted to see that for a while as well.

23 But I guess the question gets back to  
24 community use as well, and some of the things that  
25 we've been hearing, and what I think you are

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1 addressing along those lines, my last question is, as  
2 far as setup, are the seats in that particular theater  
3 going to be -- you showed the picture -- are they  
4 going to be removable seats, or is that going to be  
5 the layout of the community room in traditional  
6 theater format?

7 MR. BEN MOSS: With the exception of  
8 the addition of whatever equipment and possibly  
9 lectern or other presentation facilities, it's going  
10 to have to look like all the other ones look. Because  
11 to be able to show films in it, as you probably know,  
12 you have to have a sloped floor, and that doesn't lend  
13 itself to removable seating.

14 MS. MECK: Thank you very much.

15 MR. SLIFKA: Thank you, Ms. Meck.

16 Mr. Verrengia.

17 MR. VERRENGIA: Thank you. My first  
18 question is, where do I get one of those bow ties?

19 And I do have some concerns with respect to alcohol  
20 use. Even last night at the Council meeting, there  
21 was a lot of concern in this community with respect to  
22 under-age drinking.

23 So my question is a two-part question.  
24 What is your target age or your target market with  
25 respect to age? And the second question -- the  
0103

1 follow-up part of the question is: What percentage of  
2 your business is alcohol-related?

3 MR. CHARLEY MOSS: The answer to your  
4 first question is, we don't look at it from the  
5 perspective of a target market. We have a certain  
6 product that we want to present. One of the reasons  
7 that we're here tonight is because we feel that West  
8 Hartford and the surrounding environments have the  
9 population that appreciates the kind of films that we  
10 like to put on that we do best. We are really -- I'm  
11 not trying to blow our own horn, but I'm trying to  
12 express to you where we are coming from. We are  
13 really a very specialized operation. We are a niche  
14 operation. And we pride ourselves in showing respect  
15 for the customer and providing an environment that  
16 really makes you want to come to us, and I think New  
17 Haven is a good example of that.

18 So we don't have -- it's not that we  
19 sit down and say we want to target 18 to 22 year olds.  
20 We sit down and say we want to play Capote, and we  
21 want to play Mrs. Henderson Presents. That's going to  
22 attract a certain group of people. And it's not going  
23 to attract a certain other group of people. Teenagers  
24 typically don't go to those kinds of movies. Those  
25 kinds of movies are a little more sophisticated. They  
0104

1 are a little more adult, in the best sense of the  
2 word, oriented. So that leads kind of to a diminution  
3 of any issue of -- I'm not saying it doesn't exist,  
4 but a diminution of any issue about under-age  
5 drinking. That's point number 1.

6 Point number 2 is we are regulated by  
7 the state, and the state checks us, and they do in New  
8 Haven. And if they see a violation, just like any  
9 bar, you know, if they see a violation, we are going

10 to lose the license, or we are going to get penalized  
11 for it. So we are very concerned about that. And  
12 I've forgotten the other thing that you asked.

13 MR. VERRENGIA: If you can give me a  
14 sense of what percentage of your business is  
15 alcohol-related.

16 MR. CHARLEY MOSS: I don't know the  
17 answer to that. Do you?

18 MR. BEN MOSS: I don't know off the top  
19 of my head. I do know that it's not terribly large.  
20 We view it as an amenity to the people that come to  
21 the theater, and we still sell more popcorn than beer.

22 MR. VERRENGIA: Thank you. And maybe,  
23 just to follow up with our corporation counsel, at  
24 some point, Mr. O'Brien, first of all, I guess, does  
25 our Town ordinance cover this -- you said it was under  
0105

1 a cafe license or cafe permit.

2 Do we have an existing Town ordinance?

3 MR. O'BRIEN: No. The cafe permit  
4 would come from the State of Connecticut Department of  
5 Liquor Control. It's a state license.

6 MR. VERRENGIA: So if we were to  
7 approve this, at some point, just help me understand,  
8 their next step in the process would be through the  
9 state of Connecticut?

10 MR. O'BRIEN: That's correct. They  
11 would have to get a license for the service of  
12 alcoholic beverages.

13 MR. VERRENGIA: At some point would  
14 they have to come through the Town for any reason?

15 MR. O'BRIEN: No, not for that.

16 MR. VERRENGIA: It's regulated through  
17 the state?

18 MR. O'BRIEN: Yes, through the state.

19 MR. VERRENGIA: Thank you.

20 MR. SLIFKA: Thank you, Mr. Verrengia.

21 Going down the table, no hands on  
22 movies. Okay. I'll go back to this side one more  
23 time. Is there anything further from these gentlemen?  
24 Dr. Thornberry.

25 MS. THORNBERRY: I remember the

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1 discussion we had about -- when we were here before --  
2 about the number of theaters, whether it was going to  
3 be four, five or now people are talking about six.  
4 However, if we could go back to the blueprint of the  
5 theaters, my recollection of the seating was that the  
6 seating for one through five was in the range of 200  
7 seats per movie. That sixth venue, or the community  
8 room, was about 62 seats. Am I correct, Mr. Heapes?

9 MR. HEAPES: Yes.

10 MS. THORNBERRY: Okay. So to  
11 characterize this as a sixth screen isn't really  
12 correct. I mean, this truly looks like a community  
13 room with -- I mean, half the seating. I mean, even  
14 less than half. It's less than half the seating and  
15 really functions the way that you've described it.  
16 It's not just an excuse to get a sixth, you know,  
17 screen in there for regular showing for 200 people or  
18 so.

19 MR. CHARLEY MOSS: That's correct.

20 MR. BEN MOSS: That's correct.

21 MS. THORNBERRY: Okay, great. Thank  
22 you.

23 MR. SLIFKA: Thank you, Dr. Thornberry.

24 I have one follow up to Mr. Verrengia's  
25 question, too.

0107

1 Mr. O'Brien, the licensing process that  
2 you described to Mr. Verrengia for the cafe, is that  
3 process any -- is that any different than what any  
4 restaurant in Town goes through?

5 MR. O'BRIEN: No, it's no different.

6 There is various types of licenses depending on what  
7 you seek to serve and what kind of a facility you  
8 have, but it's exactly the same that any restaurant  
9 would have to go through and so forth.

10 MR. SLIFKA: So there is no higher or  
11 lower threshold --

12 MR. O'BRIEN: No.

13 MR. SLIFKA: -- related to the fact  
14 that it's a movie theater?

15 MR. O'BRIEN: Not to my knowledge, no.  
16 It's really, the type of alcohol you want to serve,  
17 that determines the cost, obviously, of the license

18 itself. The type of facility can also affect the type  
19 of license that you need, but I don't think it's any  
20 higher threshold or there is any standard, other than  
21 that you obviously cannot serve under-age drinkers and  
22 you cannot overserve any patrons. Those are your  
23 obligations. And you have to serve within the  
24 prescribed hours, obviously, too.

25 MR. SLIFKA: Thank you, Mr. O'Brien.

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1 Mr. Roach.

2 MR. ROACH: Thank you, Mr. Mayor. A  
3 question either for Mr. Heapes or for Town staff. Has  
4 a building permit been pulled for this building yet?

5 MR. HEAPES: No.

6 MR. ROACH: No, okay. So then this  
7 will be designed under the new Building Code, the IBC?

8 MR. HEAPES: Correct.

9 MR. ROACH: Okay. I just wanted to  
10 point something out and express concern. One of the  
11 requirements of that code is with assembly space, is  
12 that two-thirds of the occupants in a space, in a time  
13 of an emergency must leave, are expected to leave  
14 through the doors in which they entered that space, so  
15 the main entrance to the space. So in the instance of  
16 this room, if this were a movie theater, and you  
17 entered from the rear doors, two-thirds of the full  
18 occupancy would be expected to exit through those  
19 doors and the other one-half of the occupants,  
20 although that's over 100 percent, would be expected to  
21 leave through the rest of the exits.

22 So I just wanted to make sure that in  
23 your design of the lobby, if you are going to be  
24 using, in the highest, your peak use, when you are  
25 expecting to fill all the theaters, and you are going

0109

1 to be using both ticket counters, that you are taking  
2 into consideration the number of egress doors --  
3 obviously, the building inspector will go over that  
4 with you -- but just the safety of the people leaving  
5 that lobby, if there are people queued up and if there  
6 are a bunch of people that have to leave for whatever  
7 reason. Thank you.

8 MR. CHARLEY MOSS: Of course.

9 MR. SLIFKA: Thank you, Mr. Roach. I  
10 think that was the last of the movie theater  
11 questions. So thank you very much.

12 MR. BEN MOSS: Thank you very much.

13 MR. CHARLEY MOSS: And we really  
14 appreciate your accommodating us by taking us first.

15 MR. SLIFKA: Sure. Have a safe trip  
16 back.

17 We now move to any other topic anyone  
18 wants to bring up. I'm going to start on the left  
19 side of the table this time and I'll go with the first  
20 hand we see. Dr. DeVaughn.

21 MR. DEVAUGHN: Thank you, Mr. Mayor.

22 If I'm understanding this correctly,  
23 the plan is to eliminate the crossover or the  
24 crosswalk from the South Garage to the library. And  
25 my question has to do with whether or not this or to

0110

1 what degree does this constitute limiting the access  
2 for persons with limited mobility? I understand the  
3 reason you said for doing this is that it's a barrier,  
4 and it sort of cuts off one section of the development  
5 from the other one. So I'm wondering how you  
6 reconcile the need to have this easy access as  
7 possible with your need to not make the development  
8 appear cut off and creating barriers from one section  
9 to the other.

10 MR. HEAPES: I think there might be  
11 some misunderstanding, which will be easy to  
12 understand. A crossover was just to cover the grade  
13 sidewalk level exposure. It was never to be able to  
14 come across above like a second level and go into the  
15 library. It was simply a weather protective covering  
16 that was, you know, the width of a crosswalk for 8, 10  
17 feet. When we looked at how high it had to be to take  
18 a fire truck under there, which means it has to be  
19 like 16 feet, I'll give you a good example. I  
20 hesitate to use the Mobil Station, but the old Mobil  
21 Station has a canopy on it that's that height where  
22 you can get under it. We don't want it to be a big  
23 concourse. We want it to be just a width. It was  
24 pretty clear, and DRAC agreed with us, that it wasn't  
25 going to do any good, because rain doesn't exactly

0111

1 fall straight down. So it was our estimation, and  
2 DRAC agreed with us, that there is no issue on  
3 accessibility, and that it had a lot to do with making  
4 sure the church was a part of this with their new  
5 entrance.

6 So I think some people had the  
7 misconception that you could roll or walk across the  
8 second floor, and that was never the case or the  
9 intention.

10 MR. DEVAUGHN: The response to that is  
11 it has no impact at all on accessibility?

12 MR. HEAPES: No, sir.

13 MR. DEVAUGHN: Thank you.

14 MR. SLIFKA: Thank you, Dr. DeVaughn.  
15 Mr. Coursey.

16 MR. COURSEY: Thank you, Mr. Mayor.  
17 Mr. Heapes, first of all, I just want to say that my  
18 dog Walter is going to be ecstatic about the new  
19 drinking fountain for dogs.

20 I wanted to talk about the North Garage  
21 a little, and I think the improvements where the  
22 American Legion is, I think that's a great  
23 improvement. And I'm also pleased on how we are tying  
24 in with the First Church. There is a concern that  
25 this could be seen as the back of Blue Back Square and

0112

1 maybe not get as much attention.

2 MR. HEAPES: Right.

3 MR. COURSEY: We are in receipt of a  
4 letter from the Historic Commission, which I'm sure  
5 you've had a chance to take a look at.

6 MR. HEAPES: Right.

7 MR. COURSEY: And they bring up some  
8 concerns that while we have wonderful design elements  
9 on the South Garage, that perhaps those elements  
10 weren't brought up to the North Garage and perhaps  
11 there is some lacking there. And I wanted to give you  
12 an opportunity to respond to that.

13 MR. HEAPES: I have seen the letter  
14 today and most of the comments in the letter were  
15 comments similar to the last hearing. And of course,  
16 the biggest impact of that garage is to all residents

17 in Building B. So -- which is right across the street  
18 from that garage. The elements -- let's go through  
19 what the goals were on all of the garages, north and  
20 south.

21 First and foremost, there is one garage  
22 in Town that we all hold up as what we don't want them  
23 to be, with all due respect, a big slab of gray  
24 concrete that is unfriendly and not pedestrian  
25 accessible. The strategies for both garages were to  
0113

1 make them not one building but appear to be several  
2 smaller buildings, in terms of the articulation of the  
3 facade. That is the case on the North Garage. It's  
4 really three buildings. You have the American Legion  
5 building facing Raymond Road, which has storefront and  
6 active uses at ground level. It's one color of brick.  
7 It happens to match the Board of Ed building and looks  
8 like a building.

9 We have what I call the core building,  
10 if you would, on the other end, which houses the  
11 elevator, the escalators, the entrance. That's how  
12 you go in and out of the garage. And that faces the  
13 library and First Church. It has its own design. And  
14 then you have the garage element in the middle.

15 The materials on the North and South  
16 Garage are the same. In fact, in this application, we  
17 have added pre-cast details and some medallions and  
18 some of the architectural features that we were  
19 incorporating in our revision of the South Garage, not  
20 enough to say it's a new garage, but we have added  
21 materials and details. We've also added trees in  
22 front of the North Garage along New Street, that we  
23 didn't have before relative to the sidewalk design.

24 So essentially it is the same  
25 components, the same materials, the same limestone and  
0114

1 brick facade as the South Garage is. It's a different  
2 configuration in a different location. I think, and  
3 DRAC agreed with me, not to speak for them, but they  
4 could speak for themselves, that it is an upgrade and  
5 it is complementary as the South Garage is. And of  
6 course, we are very concerned about it. I have  
7 residential units directly across the street from it,

8 so certainly from our case, the North and South  
9 Garages are equal but in different places. I guess  
10 that's really all I can say.

11 MR. COURSEY: Great. Thank you, I  
12 appreciate it.

13 MR. SLIFKA: Thanks, Mr. Coursey.  
14 Mr. Sinatro.

15 MR. SINATRO: Thank you, Mr. Mayor.

16 Mr. Heapes, thank you for the very  
17 informative presentation. My question has to do with  
18 the habitational portion of the project, the  
19 residential. To make the residential component more  
20 inclusive instead of exclusive, could there be a  
21 portion of the new units planned be less upscale on  
22 the interior to provide more moderate income residents  
23 the opportunity to live in Blue Back Square?

24 MR. HEAPES: As I said in the original  
25 hearings, issues of what I would call work force

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1 housing were brought up. I believe, Mr. Daniels for  
2 one, brought up the question of work force houses. I  
3 say "work force" rather than "affordable." There is  
4 lots of words being used.

5 We've had pretty long and serious  
6 conversations with the League of Women Voters, The  
7 Interfaith Housing, West Hartford Housing Authority,  
8 about how it is you go about including more diversity  
9 and more availability of these units to a broader  
10 population, which I believe is the goal you are  
11 essentially suggesting. Frankly, if I just took all  
12 the interiors of the units out, just take them all  
13 out, no kitchens, no bathrooms, no doors, no walls,  
14 which of course you are not going to do. But let's  
15 just take that model to the extreme, it's really not  
16 going to significantly reduce the cost of those units.

17 What's causing those units cost? First  
18 and foremost, they are on the most expensive land in  
19 West Hartford. We know that, we made it that.  
20 Secondly, they are in a building type, meaning mixed  
21 use, that is the most expensive building type, which  
22 is residents on top of retail, made even more  
23 expensive by the fact that all of its parking is not  
24 only in the structure, but below grade. Give you a

25 little sensitivity there, a surface parking space

0116

1 costs about \$4,000 a space. A below grade space costs  
2 \$40,000 a space. Layer on top of that the finishes,  
3 and you don't get much for the finish. So as a  
4 strategy to provide some diversity and affordability,  
5 I don't think you will find it in the characterization  
6 of the architecture. We would probably look for a  
7 different way to do that.

8 MR. SINATRO: Thank you.

9 MR. SLIFKA: Thank you, Mr. Sinatro.

10 Anything else on the left side? Joe.

11 Sorry, Mr. Verrengia.

12 MR. VERRENGIA: That's all right. As  
13 always, Mr. Heapes, you did a great job in the  
14 presentation, and you were able to put everything in  
15 perspective, and it's great to be able to see all the  
16 slides, and it's very helpful. The question I have,  
17 what is the impact of the parking spaces with respect  
18 to the additional housing units, if any?

19 MR. HEAPES: In terms of cost or --

20 MR. VERRENGIA: Well, as far as lost  
21 spaces. I would imagine you need more parking  
22 spaces --

23 MR. HEAPES: We did. When we added the  
24 units to Building B, we, under the parking analysis,  
25 as we did it last time, we needed to add more below

0117

1 grade parking spaces, which we are adding under a  
2 portion of Building B. Still accessible, the same way  
3 the ones under the office buildings were, we have  
4 expanded that below grade to accommodate those spaces.  
5 Then you have to ask yourself, well, jeez, you've  
6 added more spaces, does that add more traffic? I  
7 don't know if that's where you are going with that.

8 MR. VERRENGIA: No. Actually, I was  
9 just concerned, because as you know, parking is key  
10 for the Town in generating the revenue.

11 MR. HEAPES: Absolutely.

12 MR. VERRENGIA: I just wanted to make  
13 sure that the Town wasn't losing spaces or revenue or  
14 being impacted at all with these units.

15 MR. HEAPES: No, not at all. It should

16 help, because you will still have visitors or whatever  
17 to those units, and those people will be parking in  
18 most likely the North Garage or across the street, so  
19 it should increase the demand a little bit, not much.

20 MR. VERRENGIA: Great, thanks.

21 MR. SLIFKA: Thank you, Mr. Verrengia.  
22 Ms. Meck.

23 MS. MECK: Thank you, Mr. Mayor.

24 Mr. Heapes, a question for you regarding Building B.  
25 You showed us a nice diagram with a dotted yellow line  
0118

1 that appeared to show real minimal increase in height  
2 from what was approved the last time we went through  
3 these hearings. Just for the record, can you tell me  
4 what the approved height was using numbers for me,  
5 what it -- you are asking now what that difference is  
6 in height.

7 MR. HEAPES: The answer is I could tell  
8 you and I would tell you, but I don't know the number  
9 right now, and I will explain why. The new height is  
10 77 feet. What was on -- the reason I can't tell you  
11 is I have a chart as to what it was before. It was  
12 58.5, but that was not for the residential. That was  
13 for the office building, which was the tallest  
14 building on that block. The residential was as an  
15 option. So I just don't have another chart. I will  
16 get the number for you and give it to you, but I don't  
17 have it in front of me.

18 MS. MECK: That's fair enough. Thank  
19 you, Mr. Heapes.

20 MR. HEAPES: I can tell you from  
21 Raymond Road, which is kind of how I kind of used the  
22 measurement, because it's the most prominent position  
23 from the public, meaning Trout Brook, the most  
24 visible, let's put it that way, I believe it's about  
25 four feet taller, just having to do with the parapet.

0119

1 So it is essentially not taller, which is  
2 counterintuitive because we are adding a floor, so I  
3 will get you the number.

4 MS. MECK: Thank you.

5 Thank you, Mr. Mayor.

6 MR. SLIFKA: Thank you, Ms. Meck.

7 Mrs. McClay.

8 MS. McCLAY: Thank you. Thankfully

9 most of my questions have been answered, so this is a  
10 very small one. As I was going through the parking  
11 system and how it's going to work, I couldn't help but  
12 notice that the American Legion Hall was using numbers  
13 that I assume that they have now, like the amount of  
14 use that the hall has and what they expect the use to  
15 be on Saturday and Sunday and during the week. I  
16 mean, as Mr. Verrengia and some others said, I think  
17 some of these, the theater community room, as you  
18 yourself said, Mr. Heapes, we have a real shortage of  
19 meeting spaces in this area.

20 MR. HEAPES: Correct.

21 MS. McCLAY: I expect when this new

22 building is built that these numbers are going to be  
23 drastically different than what they actually have  
24 right now, so I'm wondering how much difference that's  
25 going to make. I mean, they are thinking that the

0120

1 banquet facility is rented on either a Saturday or  
2 Sunday with an attendance averaging 70 people. What  
3 is the actual -- does anybody know what their banquet  
4 facility room actually holds? Because I can picture  
5 it becoming full capacity.

6 MR. HEAPES: Well, the real answer to

7 that is that our parking peak, when we are tightest on  
8 our parking, is at 1:00 in the afternoon. That's when  
9 the Town Hall is fully utilized, the office space is  
10 working on Building C and B, and the retail is  
11 happening, and so the shared parking analysis was to  
12 accommodate lunch and right after lunch. Forget  
13 whether that's good or bad news. By the time it comes  
14 around, on weekends and evenings, when the cinema is  
15 gearing up and the Legion, theoretically, would be  
16 having a meeting or a banquet, we are significantly,  
17 from our perspective, overparked by a long shot, and  
18 that's not even including the availability of the Town  
19 lot to participate in that, which we haven't included.

20 So our real parking crunch, and that's

21 what is represented in those numbers, is at 1:00 in  
22 the afternoon during the week, which is really not a  
23 peak time for movies or for the Legion banquet

24 facility. So that's the explanation of those numbers.

25 MS. McCLAY: That makes sense. Thank

0121

1 you.

2 MR. SLIFKA: Thank you, Mrs. McClay.

3 Moving over here, Mr. Spada.

4 MR. SPADA: Thank you, Mr. Mayor. I

5 guess I'll kick off the right side with, it's a

6 subjective question. I just want to get your insight.

7 It's 18 months ago that I believe that maybe the first

8 question from Mayor Slifka that kicked off this

9 odyssey was what your definition of density was.

10 MR. HEAPES: Right.

11 MR. SPADA: And I guess with 60

12 additional condominiums -- I mean, I think we wrestled

13 mightily with that issue with 70 condominiums. And

14 now we've got, you know, north of 100. And I just

15 want to understand, I guess your insight, as having

16 done this before and as one of our experts, your sense

17 of what the impact to density, to quality of life. I

18 think in some respects we want to be -- you know, it's

19 fashionable to be compared to New York, but then all

20 the downside to be in New York is all the people and,

21 you know, there is that fine balance that we are

22 trying to reach, and building 60 additional condos

23 with 120 more people, that becomes problematic to some

24 of us potentially.

25 MR. HEAPES: Well, the good news is we

0122

1 are not going to fill them up with New Yorkers, so I

2 think you can be assured of that. I don't actually

3 remember what I said about density, but that was a

4 general conversation. Let's talk about the specific

5 of where these units are proposed to go. They are

6 being proposed to go in the least impact from an

7 exterior point looking in, meaning in the middle of

8 the project, not on the edge or adjacent to a

9 neighborhood or on the south lot, et cetera. So their

10 impact is to Blue Back Square.

11 From my perspective, I was very

12 disappointed when, in order to cover our bases, we

13 pulled those units off of Blue Back Square. I think

14 it's fundamentally different when you have a public

15 square that has residences with their balconies or  
16 their doors or their windows on the square so that at  
17 nighttime you are where people live.

18 Under the current approval, yeah, there  
19 is the movies; there is the library; there is an  
20 office building; there is no residential. To me, it  
21 just makes all the difference in terms of being safe  
22 and more of a neighborhood. Going back in history,  
23 the first slide I ever showed, the cover slide, was  
24 the agreement to make this a neighborhood, not a  
25 retail project, not an office project, but a

0123

1 neighborhood with people living here. That to me is a  
2 huge perspective.

3 To give you a little bit more  
4 perspective, and don't take this the wrong way, we are  
5 not going to build the units unless we get those  
6 additional units, because it doesn't make sense. What  
7 people want is a concierge. What they want is some  
8 nice amenity space. What they want is certain  
9 threshold. We probably won't build it and just pay  
10 the SSD tax, because it won't make economic sense to  
11 just build the rest of the units there, and I don't  
12 mean that in any way other than just some perspective.  
13 We didn't know any of this stuff a year and a half  
14 ago. We weren't in the market talking to buyers.

15 You know, I'll tell you, quite  
16 honestly, I think I said this, we kind of thought that  
17 building might be for younger people, more urban  
18 professionals, if you kind of want to do that, the  
19 more step-down people would be in Building D, and this  
20 would be more working professionals, younger. We  
21 haven't shown -- we haven't seen that customer show up  
22 on Building D, for whatever reason. We could all talk  
23 for hours on why, but they haven't shown up. Our  
24 customer for Building B is going to more resemble that  
25 customer in Building D, whether we like it or not.

0124

1 So I'm trying to be sensitive to what  
2 we've learned from people in West Hartford, and  
3 anyway, I don't know if that's helpful, but I really  
4 want some people living on the square. That's what I  
5 really, really, really, really want.

6 MR. SPADA: Thank you, Mr. Heapes.

7 And thank you, Mr. Mayor.

8 MR. SLIFKA: Thank you Mr. Spada.

9 Mr. Daniels.

10 MR. DANIELS: I had a couple of  
11 questions that grow out of my confusion on the  
12 building heights which were an issue early on in the  
13 conversations at the last hearing by staff, and the  
14 presentation suggested that the changes in building  
15 heights were minimal. The last response to Ms. Meck's  
16 question further confused me.

17 Let me just read you the three places  
18 that are causing my confusion and maybe you can walk  
19 me through them. At the risk of sort of losing  
20 people, two of them are in the Day, Berry & Howard  
21 summary of December 30th. And on page 3 of that, in  
22 the middle of the page, there is a notation of the  
23 increase in the number of floors in Building B, and I  
24 can't remember A from B from D sometimes, from 6 to 5,  
25 and if you could clarify at some point any changes in  
0125

1 the height that results from the addition of a floor  
2 or not.

3 And then further on in that document,  
4 on page 7, there is a reference to -- excuse me.  
5 There is a reference to Building C and a discussion of  
6 an increase in the building height from 180 and 6  
7 inches to 184 or 5 percent. And I got confused in  
8 that. And then the last one was way back in another  
9 document, and I'll read you the date, just I'm trying  
10 to prove I read this thing anyhow. January 13th, a  
11 letter from -- it's actually a question from Mila  
12 Limson, from staff, but there is a reference on page 3  
13 to something called A Zoning Data Table, and now it  
14 refers to Building A. And it says, I'll only read a  
15 portion of it, "The approved building height is 40.5  
16 feet. The proposed building is 49 feet. The building  
17 height is increased by 8.5 feet," which is a 20  
18 percent increase.

19 So if you could kind of walk me through  
20 the buildings that are having changes in heights or  
21 not changes in heights so I can understand what's  
22 happening.

23 MR. HEAPES: Excellent. Let's start  
24 with Building C.

25 MR. DANIELS: Which one is C?

0126

1 MR. HEAPES: If you'll turn around,  
2 Building C is the Hartford Hospital building, which is  
3 located right there. There is the South Garage. And  
4 I'm sure Mila will correct me if I get this wrong.  
5 The Building C and South Garage, administrative  
6 amendments were presented and approved at a past  
7 hearing. That's why they are under construction. And  
8 the Building C, just so you know, in putting the  
9 surgery center in, some of the floor to floor heights  
10 had to change because of the equipment. That building  
11 had a parapet at a certain height. We essentially  
12 changed the height of the building behind the parapet.  
13 Floor heights changed, the exterior didn't really  
14 change, and those were absorbed and approved by  
15 Council action October or November.

16 Building B -- and Building B can be  
17 very confusing if you --

18 MR. DANIELS: Hold on for a second  
19 before you go to that. So Building C does have a 5  
20 percent increase in the building height?

21 MR. HEAPES: That's correct. And that  
22 was approved. That was approved and acted on by  
23 Council.

24 MR. DANIELS: Okay.

25 MR. HEAPES: It's really not totally

0127

1 part of this. What we call Building B -- let me give  
2 you a quick lesson on naming buildings. A, B, C, D,  
3 no rhyme or reason to it. Building B is really this  
4 whole block, which includes two stories of retail  
5 here, four stories of office here, and then what we  
6 call Building B residential. And that's where there  
7 is a little confusion in the nomenclature.

8 Mrs. Meck's question on heights is on  
9 the Building B residential, there were options in the  
10 approval where the residential goes from nothing to  
11 one-story retail to five floors of building, and hence  
12 the confusion. What is listed in the zoning chart,  
13 because we weren't committing to build that building,

14 was the height of the office buildings. So that's the  
15 reason I don't know.

16 As you know, in the zoning, height is  
17 measured by number of stories, not feet. For whatever  
18 reason, I don't really -- you know, that's just the  
19 way it is. So that Building B, as was entitled, was  
20 four floors of residential over one floor of retail.  
21 You are correct, relative to stories and how height is  
22 measured, we are asking for an increase in the height  
23 of the building by one floor, which is what's in the  
24 underlying zoning.

25 MR. DANIELS: Can you translate one  
0128

1 floor into feet, in terms of increase or --

2 MR. HEAPES: That's where it gets very  
3 interesting. Essentially I'm telling you, and this is  
4 the crux of Ms. Meck's question, you are adding a  
5 floor and not adding any feet. You say, how is that  
6 possible? But that is essentially the question,  
7 meaning that we didn't have a design for that  
8 building. We didn't really go to the floor-to-floor  
9 height. We had an illustration of the zoning. It was  
10 probably a little fat because it's not designed. As  
11 we designed it, realizing that forget stories or feet,  
12 we don't want the building to get taller.

13 MR. DANIELS: That was my question.

14 MR. HEAPES: To a regular person, when  
15 you stand there and look at it, did the building get  
16 taller from Raymond Road? And the answer is  
17 essentially no, but I owe you and Ms. Meck that  
18 difference in feet. And how do you do that? We  
19 worked on the retail, squeezed some room out of that.

20 MR. DANIELS: It's okay. Go to  
21 Building A now.

22 MR. HEAPES: Building A, I don't have  
23 the answer for immediately. I have to look into that.  
24 I can tell you this much, for sure, the portion of  
25 Crate & Barrel is lower than what was entitled, and I

0129

1 have to find out where this event happened. So now I  
2 have two homework assignments, all revolving around  
3 height. I will get back to you on that.

4 MR. DANIELS: I don't know if you can

5 find the page I was referring to.

6 MR. HEAPES: Yes, we have it right  
7 here.

8 MR. DANIELS: So you can't give me an  
9 answer to that right now.

10 MR. HEAPES: I can't tell you where and  
11 how, but there's a reason, I'm sure.

12 MR. DANIELS: So essentially it's a 5  
13 percent change upward on Building C, and it's zero in  
14 terms of the number -- the height and feet change in  
15 C?

16 MR. HEAPES: It's more than zero and  
17 less than 10. I'll get you the number.

18 MR. DANIELS: Okay. I have a totally  
19 different question, if that's okay. And I don't know  
20 if this one is to staff or not. But again, the  
21 December 30th letter from Day, Berry & Howard, there  
22 is a paragraph on page 10 that I need translated, and  
23 actually it's not the words, it's more the  
24 implications. Well, I guess it's not 10, I'm sorry.  
25 It's page 11. It's only one paragraph, I'll read it.

0130

1 For people who cannot find it, it says, 1, it says  
2 they want the Council to approve the following,  
3 "increase the maximum lot coverage of all buildings in  
4 SDD 113, 114 from 50 percent to that area remaining  
5 after provisions for yard requirements and parking are  
6 met. The applicants are seeking a waiver of yard and  
7 parking requirements. Upon the approval of such  
8 waiver, the maximum coverage shall be shown as the  
9 revised plans submitted herewith."

10 Could somebody tell me what that means  
11 and what the implications are?

12 MS. LIMSON: Mr. Mayor, Mr. Chairman,  
13 Mr. Daniels, could you repeat that question, please?

14 MR. DANIELS: No. How about if I give  
15 it to you to read. (Handing.)

16 There is a line from Philadelphia, that  
17 Denzel Washington gives repeatedly, he says, explain  
18 it to me like I'm a 6-year-old. I mean, it has to do  
19 with lot area coverages, which my memory from the TP&Z  
20 sometimes can be a significant issue, and I just can't  
21 understand what it's saying to me.

22 MS. LIMSON: Let me just take a moment  
23 and kind of read it and refresh my own mind.

24 MR. DANIELS: I read it three times and  
25 I still couldn't get through it.

0131

1 MS. LIMSON: Mr. Daniels, this is not  
2 inconsistent with the other waivers that have been  
3 granted for the other buildings on this project. What  
4 this is is your 100 percent coverage of the lot  
5 basically, and that's pretty consistent, again, with  
6 the other types of design developments that have  
7 occurred here. You can cover that lot, as long as you  
8 provide for the parking associated with the uses in  
9 that building. And again, because this is an  
10 integrated development, all of that parking now occurs  
11 in that shared parking arrangement.

12 MR. DANIELS: So the parking required  
13 under this lot coverage is then going to be in the  
14 garage?

15 MS. LIMSON: Again, you can't look at  
16 the parking required for this particular building to  
17 be provided on that site. It's the waiver of the  
18 parking requirement associated really with the entire  
19 development. It goes back to the entire integrated  
20 parking scheme that's associated with all the uses  
21 there, and I believe what Attorney Hammer is just  
22 re-emphasizing or clarifying for you is that this  
23 particular waiver is a waiver that he has to directly  
24 request of you, but again, not inconsistent with the  
25 types of other waivers that are included in this

0132

1 development proposal, with all of the buildings that  
2 really are now almost at a -- in the smaller lots, and  
3 this particular, if you look at -- perhaps the best  
4 one would be the American Legion lot as well. That is  
5 a small lot with 100 percent coverage there, that  
6 building. Parking associated with that American  
7 Legion is associated as the integrated parking as part  
8 of the entire Blue Back proposal.

9 Does that help you?

10 MR. DANIELS: I think so, yes. And I  
11 have one last question.

12 MR. SLIFKA: Mr. Daniels, I believe

13 Mr. Alair wants to add something before you move on to  
14 the next topic.

15 MR. ALAIR: Actually what I want to do  
16 is mess up the camera angles for the TV studio in  
17 tagteaming with Mila.

18 The language that Mr. Daniels was  
19 reading is specifically, and I can see Attorney Hammer  
20 standing there who drafted the letter in question, is  
21 a repeat of the specific language in the ordinance for  
22 the CBDH zone, which provides, and you can track it  
23 along with the paragraph that you read, that "the  
24 height of buildings may be increased to six stories.  
25 The maximum lot coverage of all buildings may be  
0133

1 increased to that area remaining after provision for  
2 yard requirements and parking are met." That's what  
3 Ms. Limson just referred to. And then there is a  
4 parenthetical "unless said parking and/or yard  
5 requirements are waived by the Town Council." Hence  
6 the request that, please waive some of those parking  
7 and side yard requirements and let us have what the  
8 ordinance allows, which is maximum lot coverage of  
9 everything that's left over after that waiver is  
10 granted. So it's simply a repeat of our own language  
11 to request what the ordinance allows you to do, or  
12 allows the Council to do.

13 MR. HAMMER: Could I add a brief --  
14 Joseph Hammer from Day, Berry & Howard.

15 MR. SLIFKA: Mr. Hammer.

16 MR. HAMMER: I just wanted to point out  
17 that all of those actions that are being requested now  
18 were previously requested and granted by the Council,  
19 so really the purpose for restating them is to the  
20 extent that a veranda has been added here or a porch  
21 there or a building changed to just basically bring  
22 those within the umbrella of the prior actions. But  
23 we are, again, only looking at the incremental  
24 additions before you tonight on those items.

25 MR. SLIFKA: Is that all, Mr. Daniels?  
0134

1 MR. DANIELS: I have one more question.  
2 I wanted to clarify relative to any restaurant and  
3 cafes that are being proposed. This is to the

4 applicant.

5 At the moment, do they include any  
6 approvals for outdoor dining, or will that be handled  
7 separately and at a later date?

8 MR. HAMMER: My response to that,  
9 again, Joseph Hammer, Day, Berry & Howard, our intent  
10 is basically we recognize that there are certain  
11 additional permits that may be necessary specifically  
12 from the Plan & Zoning Commission. We would or the  
13 tenants would return to get those at a later date,  
14 once we know, you know, who is going to be where and  
15 what their specific needs would be. So any additional  
16 permits would be obtained, but yes, it's definitely  
17 the intent to have outdoor dining as part of the  
18 project. And I believe, I think on the plans, there  
19 is some general indication of where those potential  
20 areas may be.

21 MR. DANIELS: Just as a follow-up, for  
22 clarification, that's what prompted my question. So  
23 if I'm hearing you right, you want to have outdoor  
24 dining, but the TP&Z will get separate applications  
25 for that special use after, at a later date?

0135

1 MR. HAMMER: That is correct, when all  
2 the details are known as to particular tenants, yes.

3 MR. DANIELS: And the reason for that  
4 is the Council and the TPZ are now considering new  
5 regulations to govern outdoor dining, and obviously  
6 these coming later will come under that. Okay. Thank  
7 you.

8 MR. HAMMER: Thank you.

9 MR. SLIFKA: Thank you, Mr. Daniels.  
10 Mrs. Carpenter.

11 MS. CARPENTER: Thank you, Mayor  
12 Slifka. This past weekend, I read -- went back and  
13 read the transcript section in regard to the building  
14 of the condominium. I think that the good news is  
15 there was some real fear of the unknown, not knowing  
16 the market, that they might not be built at all, and  
17 what would happen in the event that they weren't built  
18 was that there would just be remaining green space.  
19 So it's great that we are able to build them, and that  
20 one of the intents was to provide a housing choice in

21 our condominiums, was certainly a compelling argument  
22 in voting for Blue Back Square. And in the  
23 transcript, what was quoted on saying was on either  
24 side a different twist of the aisle, and the intention  
25 was for the condominiums to be for investors and  
0136

1 professionals without children.

2 My question is -- I have two questions  
3 related to this. The first one is: What -- right now  
4 we are at 106,000 square feet. What square feet --  
5 what will the increase be with the additional  
6 condominiums?

7 MR. HEAPES: It's approximately -- it's  
8 a little less than 50,000 square feet. That's about  
9 50 units. It's 46,000 plus or minus square feet.

10 MS. CARPENTER: Thank you. And the  
11 other question is really having to do about price,  
12 present price range, and that you just said in your  
13 presentation that the anticipation was to reach a  
14 \$600,000 tax, you know, increase, base for our  
15 citizens. In order to reach the \$600,000, what would  
16 be the price range or the new price range need to be  
17 of the condominiums in order to maximize that income?

18 MR. HEAPES: We are currently averaging  
19 over \$400 a square foot sales price, I believe 420,  
20 plus or minus. Of course, it changes with each day  
21 that we sell a different unit. So it was really that  
22 basis that we used, assuming that we would continue  
23 that pace at that price range. And that represents  
24 units, depending on their size, of half a million  
25 dollars or more.

0137

1 MS. CARPENTER: So at this time the  
2 price range is, the start would be at \$420,000?

3 MR. HEAPES: No. That's \$420 a square  
4 foot, depends on how big the unit is.

5 MS. CARPENTER: But \$500,000 would be  
6 the start of most of the units, additional units?

7 MR. HEAPES: No. It would be  
8 significantly less than that. A one-bedroom, I  
9 believe, is 1,000 square feet, 850. So 850 square  
10 feet for the one bedrooms times 400 plus. So 300  
11 something would be the starting price, just based on

12 that math. And it was really just using that math to  
13 generate the 600,000 number.

14 MS. CARPENTER: So based on that, it  
15 would be about \$357,000?

16 MR. HEAPES: Approximately.

17 MS. CARPENTER: Okay. Thank you. And  
18 then at the higher end, what was the --

19 MR. HEAPES: I hope it will be about  
20 \$8,000,000 a unit.

21 MS. CARPENTER: You will sell one for  
22 \$8,000,000, is what you are saying?

23 MR. HEAPES: By the way, if we do, your  
24 taxes will go up.

25 MS. CARPENTER: Okay. So given that  
0138

1 range, in order to get there, that's a range. Thank  
2 you.

3 MR. HEAPES: Correct.

4 MS. CARPENTER: The other question is  
5 we've been getting certainly a lot of material from  
6 certainly, as Town Council members, related to Blue  
7 Back, and we had a meeting on the value engineering  
8 allowances, and I don't know whether or not this would  
9 be a good time to discuss any of the issues relating  
10 to the value engineering allowances. Would that be  
11 okay?

12 MR. HEAPES: Sure.

13 MS. CARPENTER: Okay. I did have a  
14 couple of questions actually. We got a correspondence  
15 December 9th and another one prior to DRAC. Then we  
16 got another correspondence on December 13th that  
17 didn't show the changes. So you had had your meeting,  
18 and I wanted to know what changed. On item 641, did  
19 you pull that? It said it was pulled. It was  
20 reducing the slab thickness. I know I'm being  
21 specific, but I just wanted to --

22 MR. HEAPES: No, that's fine. The  
23 answer is yes, we pulled that.

24 MS. CARPENTER: Okay. And the other  
25 one is item number 648, it's still on here, but the  
0139

1 notice from DRAC, I didn't know whether or not you  
2 took the recommendations, that's why I'm asking these.

3 MR. HEAPES: Can you tell me which item  
4 it was?

5 MS. CARPENTER: Yes, change profile  
6 material aluminum tube trellis.

7 MR. HEAPES: In working with DRAC, we  
8 worked out a substitution material to do the same  
9 thing. So the detail stayed on the buildings. We  
10 changed it from aluminum.

11 MS. CARPENTER: And the other question  
12 was, which was financially a substantial change, was a  
13 substitute ground cover for paver tree grates and said  
14 that that item would be discussed at the hearing.

15 MR. HEAPES: That was an item along the  
16 New Street and along the park side of Building D  
17 actually. I can show you. Originally along this  
18 sidewalk and along that building, we had something  
19 called paver grates. What they are is tree grates  
20 that you actually put pavers in, so it looks like the  
21 tree is growing out of the hole in the sidewalk  
22 basically, and it allows more accessibility. I also  
23 have them in Blue Back Square, because they are great  
24 to put tables and chairs under. Tree grates aren't  
25 too good for tables and chairs.

0140

1 The proposal was, number 1, when we  
2 realized we were most likely not going to put a  
3 restaurant in that location, and number 2, we were  
4 never going to have tables and chairs in front of the  
5 garage, that it was too much pavement, and we were  
6 spending hundreds of thousands of dollars for  
7 something we didn't even want. I would much rather  
8 have, like the rest of the trees, ground cover and  
9 greenery on the sidewalk when you are not putting  
10 cafes, et cetera. This is with respect to the cafe  
11 issue, to a certain extent.

12 So we had asked the Town to go back and  
13 have the same tree pit situation that we have  
14 everywhere else in the project, on Memorial, on  
15 Raymond, on Isham, where it's green under the tree,  
16 rather than paver grates. But that was a change from  
17 our initial proposal, yes.

18 MS. CARPENTER: And the fill would be  
19 there, still staying with the pachysandra?

20 MR. HEAPES: No.

21 MS. CARPENTER: It says pachysandra  
22 here.

23 MR. HEAPES: That was a very dear  
24 friend of mine, a creative civil engineer, who  
25 substituted some --

0141

1 MS. CARPENTER: Who put the pachysandra  
2 in Blue Back Square?

3 MR. HEAPES: Let me be clear. We will  
4 not be doing pachysandra there. And we will be  
5 working with the Town and DRAC, quite honestly, to go  
6 through all the plant materials, their operations  
7 issues, their maintenance issues. It's something we  
8 are working through with staff, and I'll give you my  
9 personal guarantee, there will not be pachysandra  
10 there, but there will be something green.

11 MS. CARPENTER: Thank you. Two other  
12 questions. Again, in questioning on the value  
13 engineering allowance, in item number 902, and this  
14 was just brought up to my attention by someone, was  
15 that elimination of stainless steel rebars was that it  
16 can be a real problem with rusting, and it has been a  
17 problem in some of the -- actually in one of the  
18 parking garages across the street where they had to do  
19 some replacement.

20 MR. HEAPES: Right.

21 MS. CARPENTER: I just didn't know if  
22 that was -- just what your thoughts were on that.

23 MR. HEAPES: What had happened on that  
24 was we had double protected. We had -- in the  
25 concrete, you could put an add mixture that prevents

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1 rust of the rebar or you cannot put that in and have  
2 stainless steel rebar. It had been in both specs,  
3 didn't make any sense, so we had asked to keep the add  
4 mixture in the concrete that prevents rusting, it's a  
5 better device, and use normal rebar. So we were  
6 overdoing it, and that was the reason we had DRAC  
7 review all the value engineering items because they  
8 are professional engineers and architects, and they  
9 agreed with that assessment.

10 MS. CARPENTER: And the last question

11 is, again, in referring to the engineering, value  
12 engineering allowances, and it was actually in the  
13 plans here, and it was the choice that Blue Back has a  
14 choice of using EIFS or Drivet instead of masonry, and  
15 again, it was a caution that that EIFS is actually not  
16 the best. I mean, you are the ones, but I'm just  
17 bringing this to your attention because you hate to,  
18 you know, get into a project and ten years down the  
19 line, like what happened to UCONN and some other large  
20 projects is, then the problems go, so I'm just being  
21 really cautious about the building materials and the  
22 substitutions we are making right now.

23 MR. HEAPES: A couple of things. Just  
24 so people know what we are talking about, EIFS is  
25 exterior insulating finish system. It's a generic  
0143

1 name like tissue is, and Drivet is a product like  
2 Kleenex is. And in the initial approvals with DRAC,  
3 we were using that material in a few places that are  
4 up on the building, like the cornice on top of the  
5 building or a penthouse that are not structural, that  
6 are not accessible to the public. You can't touch it.  
7 It's up in the air. That was always originally part  
8 of the approval. And there is a few places where we  
9 are substituting not so much for value engineering  
10 purposes but just systemwide purposes of that, and it  
11 doesn't degrade the building. It is warrantied and it  
12 is the same thing.

13 Our agreement with DRAC is that there  
14 is a right way to use it, meaning for little details,  
15 not structural things, and up out of the public, and  
16 so we are consistent with that original kind of  
17 proposal. We are not proposing to substitute a lesser  
18 material for a better material.

19 MS. CARPENTER: And will Turner  
20 Construction also be installing, you know, the  
21 entire -- the exterior of the garages also?

22 MR. HEAPES: Yes.

23 MS. CARPENTER: Okay. Thank you.

24 MR. SLIFKA: Thank you, Mrs. Carpenter.  
25 Mr. Brennan.

0144

1 MR. BRENNAN: I think it's time for me

2 to pull the pachysandra from in front of my house,  
3 I'll have to work on that.

4 A few questions, Mr. Heapes, on the  
5 condos. You talked about who your typical tenant is  
6 not. You said, I think you said that they are not  
7 going to be professionals.

8 MR. HEAPES: No, I said that customer  
9 hasn't shown up yet.

10 MR. BRENNAN: Hasn't shown up yet?

11 MR. HEAPES: Yeah.

12 MR. BRENNAN: But you've been doing  
13 some targeting?

14 MR. HEAPES: We've been selling units.

15 MR. BRENNAN: Could you describe for us  
16 who your present tenant is. Some of my questions are,  
17 where are they from; are they selling houses; are they  
18 from West Hartford selling houses; are they  
19 professionals; are they empty nesters; what is their  
20 income level like?

21 MR. HEAPES: I would say generally  
22 speaking, they are -- it's hard to generalize, but we  
23 have sold 30 units. They are empty nesters, typically  
24 moving out of a house. They are -- I'm not sure what  
25 the right market description is -- from Simsbury and  
0145

1 the valley to West Hartford residences. We do not  
2 have out-of-town investors, like you might expect. We  
3 have some pretty stringent rules on that that appears  
4 to be preventing the purchase of these as investments.  
5 To the best of our ability to do that, that was a goal  
6 of ours. You can't restrict that, but they are people  
7 who seem to be intending to move in.

8 Generally speaking, they are no  
9 children, which kind of goes along with that package,  
10 and basically making that 50, 60 something change in  
11 lifestyle and want to stay in West Hartford.

12 MR. BRENNAN: Thanks. And also, what  
13 has been your upper end sale so far? I know you are  
14 wishing for 8,000,000. But where are you now?

15 MR. HEAPES: Price per unit, our upper  
16 end sales? I'm going to let my esteemed partner  
17 answer that, Bob Wiener.

18 MR. WIENNER: My name is Robert

19 Wiener, I'm one of Richard's partners in Blue Back  
20 Square.

21 We are talking to people now about a  
22 two-unit combination that would be in the neighborhood  
23 of \$1.7 million. It's not signed yet. But that would  
24 be the top end by some considerable margin.

25 MR. BRENNAN: Thank you.

0146

1 MR. HEAPES: Let me be clear. That is  
2 people wishing to combine units --

3 MR. BRENNAN: Fair enough.

4 MR. HEAPES: -- into superbig units.

5 MR. BRENNAN: Right. Fair enough.

6 MR. HEAPES: So if someone wants to  
7 combine all the units in Building B, it's theirs for  
8 about \$50,000,000.

9 MR. BRENNAN: Right. With the  
10 concierge service, right?

11 MR. HEAPES: Yes, private.

12 MR. BRENNAN: That would be neat.

13 I recall from last summer, I think it  
14 might have been one of your original slides in  
15 presenting this to us and sort of framing the  
16 discussion, and you can probably tell me the exact  
17 wording of the slide, but I think you were trying to  
18 discuss sort of, you know, who are we in West  
19 Hartford? Do I have the words right?

20 MR. HEAPES: Sure, yes.

21 MR. BRENNAN: So my question for you  
22 is, based in this context on the condos, do you think  
23 that that answer has changed any since last summer  
24 with these luxury condos becoming, I think relative to  
25 West Hartford, super luxury?

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1 MR. HEAPES: I'm not even sure how to  
2 answer that. Relative to the residential.

3 MR. BRENNAN: Right, residential.

4 MR. HEAPES: Relative to the  
5 residential, I don't know that we even could describe  
6 who are we to this product type. I'll tell you, we  
7 had long conversations with the Town about this when  
8 we were discussing the viability of the residential,  
9 will we do it or not do it. And I'll be very honest,

10 I think everybody in the room thought if you offered  
11 this alternative way to live in West Hartford, meaning  
12 a not house way to live and a flat condo, whatever  
13 format, that there would be an incredible market for  
14 that.

15 We also knew that it was almost  
16 impossible to prove to people who are mostly from  
17 Missouri and say, show me the other unit like that at  
18 that price, et cetera. That was the dynamic that was  
19 driving our angst with the Town, not that we, Bob and  
20 I, didn't think in our gut there were a lot of people  
21 to do that, but you couldn't prove it to a banker.

22 The market, interestingly enough, I  
23 think, and you will correct me, Bob, there is over 20  
24 houses for sale in this market currently at over a  
25 million-and-a-half dollars, just in the market. You

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1 go on the multi-list and say, you know, where are they  
2 going, what are they doing? That's in the general  
3 market. We don't have any units to sales, so that  
4 appears to be who we are relative to residential.

5 What I believe is driving this, and  
6 it's the reason we invested in West Hartford Center  
7 and Blue Back Square is, at the end of the day, unless  
8 I'm wrong, the Center is a limited commodity. It has  
9 actual boundaries, actual borders, and there is not  
10 going to be 1,000 units available in the Center of  
11 West Hartford ever like downtown Hartford, I hope,  
12 some day.

13 So I think what's driving some of the  
14 market is the scarcity of this amazing place, and  
15 people understanding, not necessarily Blue Back  
16 Center -- Blue Back Square, but if you want to live in  
17 the Center, it's a limited quantity. And I think  
18 that's driving it every bit as much as Blue Back  
19 Square. Not going to be another grocery store in the  
20 Center, not going to be a lot of residential, because  
21 I don't think you are planning to rip the rest of the  
22 Center down and rebuild it.

23 So I, frankly, think there is a little  
24 sense of preciousness that we believe in and that we  
25 are seeing in the other uses. And it's really

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1 building on your brain and the reason we're here.

2 MR. BRENNAN: Certainly. And I  
3 appreciate as well the, you know, with the incremental  
4 dollar comes each incremental tax dollar to the Town,  
5 and that's a fair point. My concern, which is the  
6 basis for my question, is that, you know, the Town, I  
7 think, is meant to be, to people here, more than just  
8 Blue Back Square.

9 MR. HEAPES: Absolutely.

10 MR. BRENNAN: So we talked, and a  
11 fellow Council member brought this up, we talked last  
12 time about what is there for affordable housing or  
13 working housing. And so this question really has to  
14 do with, you know, where is the counterbalance? I  
15 think you said to us last time, and you referred to it  
16 here tonight, that you would work with people in the  
17 community, and it appears you have, and that you would  
18 provide thoughts as to what we could do in the rest of  
19 the Town.

20 Can you give us a little more  
21 information on that?

22 MR. HEAPES: Sure. We've had extensive  
23 meetings, as I mentioned, with the number of people  
24 who are interested in this, and as you know, your own  
25 Council is moving toward some kind of strategy towards  
0150

1 this. Our feeling, I think, is twofold, and we came  
2 to this with conversations with those people that  
3 however you accomplish less than market rate housing  
4 is going to take some dollars from someplace and  
5 leverage those to buy down some units to make it  
6 affordable. Forget where the money comes from or how  
7 you do it. That's basically, the strategy is to buy  
8 down the market rate of that. It's a cost that's  
9 borne by somebody. Probably the least strategic place  
10 to do it is Blue Back Square.

11 As I said, you've got the highest land  
12 cost in West Hartford. You have the highest  
13 construction cost. You have the highest taxed  
14 residential unit in West Hartford because of the SSD  
15 tax. So it's tax plus on that unit. And then you  
16 have a condo association that wants pretty high end  
17 services in terms of a maintenance agreement. All of

18 this goes in to create cost to the owner of the unit  
19 that needs to be brought down. That cost, I believe,  
20 could be as much as two or more times the cost of  
21 another unit someplace in Town. So the conclusion we  
22 came to with the housing initiative, and whatever,  
23 is that is squandering, not leveraging, the money you  
24 would use to create that diversity.

25 As I said in the first hearing, we have

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1 no concerns or thought or not against it, but I would  
2 tell you personally to get a couple of token units in  
3 Blue Back Square and the money it would take would  
4 really not be leveraging the money.

5 MR. BRENNAN: In fact, let me stop you  
6 there. That's not my question. I meant beyond Blue  
7 Back Square. I was under the impression that you had  
8 thoughts -- and I realize that this is not your  
9 obligation, but that you were going to provide  
10 thoughts for the Town for places elsewhere beyond Blue  
11 Back Square.

12 MR. HEAPES: Where I've seen it work  
13 best is a Town-like strategy where money can get its  
14 most leverage, rather than a project by project, and I  
15 believe that's what the Council is working towards,  
16 which is a Town-wide strategy, where projects and new  
17 construction can participate and help give you a pool  
18 of money, however that is, rather than a  
19 building-by-building strategy.

20 In Montgomery County, which I'm most  
21 familiar with because of Bethesda, they pool the money  
22 and then they have a private corporation to build  
23 facilities. And it's really about leveraging and  
24 getting the most bang for that buck. Where it's been  
25 really unsuccessful, in cities like San Francisco,

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1 where they do it building by building, and then they  
2 say this building has got to have 3 percent units, and  
3 so what happens is you get some units on top of an  
4 office building that is just bizarre, you know.

5 So our recommendation, for what it's  
6 worth, is to have a Town-wide strategy and a Town-wide  
7 implementation, either private corporation or a  
8 public-private corporation that is set up to really

9 nail that and do it that way, for what that's worth.  
10 The work force housing in Montgomery County is great  
11 because it's done county-wide. And I know you are  
12 working towards that. So we support where the Council  
13 is going on this relative to a really broad strategy.

14 MR. BRENNAN: Great. One more topic.

15 MR. HEAPES: Sure.

16 MR. BRENNAN: The changes which you  
17 described that are driven by tenants, such as Crate &  
18 Barrel, Bow Tie, and I think Barnes & Noble, two  
19 questions. One, do you expect other tenants to  
20 require changes such that you would be back here  
21 before us again? I realize I'm just saying, do you  
22 expect it?

23 MR. HEAPES: Actually, let me put it  
24 this way, let's all hope not. Let's start with that.

25 But let's talk about who these tenants are. These  
0153

1 tenants are the anchor tenants who are the larger  
2 tenants. They have -- if you want to read their  
3 leases, basically their leases are the history of  
4 every horror story they've had since they've been  
5 doing their store and that changes their lease. They  
6 had particular leverage on us because of the  
7 financing, which they know, of course, we couldn't --  
8 I promised you we weren't going to build unfilled  
9 buildings and then cry about it because the bank  
10 wouldn't give us the money. Those anchor tenants for  
11 the leasing, including the hospital and Healthtrax,  
12 that's done. All that's left are the small stores  
13 that come and fill in the street and create the  
14 environment.

15 So the tenants don't have the leverage,  
16 we are not going to give them the leverage, to have  
17 that kind of impact on us. So I would tell you that  
18 the goal is, if we are coming back to you for some  
19 reason, it's for something really great, is more how I  
20 would put it, rather than because we are under the gun  
21 and our bank financing is up the -- you know, maybe we  
22 will come back with something that's just really cool,  
23 and that would be a much more pleasant hearing.

24 MR. BRENNAN: Fair enough. The second  
25 question is, you know, I'm thinking, I guess, mostly

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1 of the Crate & Barrel chain because, you know, they  
2 are so, I guess, consistent, as you described them,  
3 across their various stores. And their planning, I  
4 think, is somewhat unique to them. And that's nice.  
5 It looks pretty up on the screen. But how does that  
6 tie into long-term planning? I don't think that we  
7 can assume that any one tenant will be around forever,  
8 for various reasons. So what happens in the future?  
9 How do you deal with that?

10 MR. HEAPES: Well, the good thing about  
11 Crate & Barrel, depends on who you are, good,  
12 whatever, they are getting a lot of money to build an  
13 institutional quality building. If you've seen any of  
14 their buildings, they are not paper machet retail  
15 buildings. They are as nice as a library or a Town  
16 Hall, in terms of their construction type, and like  
17 all good retail buildings, the inside of the store is  
18 open space with columns. I mean, other than the fact,  
19 because of the site, it's split level, meaning  
20 escalators between Isham and Main Street, it's a very  
21 flexible building, built with really, really, really  
22 high grade materials. So it's a good building to have  
23 built versus the kind of building you might see on a  
24 strip like Corbins Corner or whatever. It's an  
25 institutional grade building, and it's extremely

0155

1 flexible and has entrances right where you want them,  
2 on South Main and Isham.

3 So one of the reasons these tenants are  
4 so fundamental to the financing is that they are  
5 financially extremely healthy. It's the credit of the  
6 tenant, not the building, that the bank is looking at  
7 for that, and believe me, they are not financing it  
8 because Bob and I are giving Crate & Barrel a lot of  
9 money to build the building. It's because Crate has  
10 been consistently financially really healthy. And  
11 it's that lease that they are financing, to be quite  
12 honest, not the building.

13 MR. BRENNAN: I cited Crate as an  
14 example, but would you say that all of the other  
15 changes for the other tenants are as equally flexible?

16 MR. HEAPES: Yeah, absolutely. They

17 are good, they are good, flexible spaces and they have  
18 good retail spaces, except for the movie theater,  
19 which I know we talked about last time, and that's the  
20 nature of a sloped floor building. That's why I was  
21 so insistent on giving them the most flexibility on  
22 the number of screens and doing together everything we  
23 can to ensure their maximum success.

24 MR. BRENNAN: Right. Thank you,  
25 Mr. Mayor.

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1 MR. SLIFKA: Thank you, Mr. Brennan.  
2 Dr. Thornberry.

3 MS. THORNBERRY: Mr. Heapes, you might  
4 recall that at the last hearing, I was the one that  
5 brought up the issue, and I know my colleagues agreed  
6 with me, and many talked to me about the issue of the  
7 accessibility down Webster Square, and I have to tell  
8 you that after we made this a condition, and I kind of  
9 walked away wondering how you were going to do this,  
10 and I think you've really just done a remarkable job.  
11 I don't think even in my imagination -- I think I saw  
12 the elevator, but I don't know whether I saw the width  
13 increase the way that you have done it. And so I'm  
14 just very grateful, and I think there will be a lot of  
15 people who will be grateful to be able to transverse  
16 that much more easily.

17 I mean, I just -- I just saw, you know,  
18 groups of people having to take this kind of long  
19 circuitous route around to get to something that many  
20 people would just be able to just kind of like run up  
21 and down the stairs, and, you know, there are so many  
22 that can't do that for one reason or another, and  
23 especially in this community, too.

24 If we look back to the original slide  
25 that you put up, I just wanted to kind of review where

0157

1 the elevator is again and where it goes to.

2 MR. HEAPES: Give me a second here.  
3 We'll find it. Of course that's the plan as proposed.  
4 I'm going to go till I can find that. The proposed or  
5 the previous Webster Walk. This is a diagram that I  
6 think is the best, the best -- yeah, basically the way  
7 it works now, here is the elevator here. It can only

8 go there because I have to deliver you at grade to  
9 Webster Walk. If I was to put the elevator anyplace  
10 this way, you'd have to go through a tunnel, or I  
11 can't even imagine.

12 So the strategy was to bring the South  
13 Main Street grade along the side, which by the way,  
14 let us push the cinema entrance back. That's how it  
15 got wider, so you can literally be walking around  
16 anyplace here and walk along the edge of Fleming's  
17 Restaurant or into the cinema or along that veranda,  
18 you will go in, all the way down here at the end of  
19 the library, at the main street level. So you stayed  
20 up, and then you have this kind of edge coming along  
21 here, which I call the veranda, that has a planter in  
22 front of it, and the steps are kind of coming down a  
23 little bit at a time. What we are trying to do is  
24 have kind of rooms that you go to and hit about  
25 2-and-a-half feet of steps, it's not a mountain of  
0158

1 steps. So you'll come along; you'll go in the  
2 elevator; you'll push the button. It will go down a  
3 level, and you'll come out the other way. So, you  
4 know, the worst case is you might be a little  
5 embarrassed the first time you try it because the door  
6 will open behind you.

7 If you look at these little sketches,  
8 so here I am at Blue Back Square, Barnes & Noble here,  
9 Bow Ties up here, the new library entrance, which  
10 you'll recall is below the current level. I'll wander  
11 up these stairs, or I'll come in, and that's the  
12 elevator door there. I'll push that button, I'll go  
13 up a level to here, which I will then come out here  
14 and come along this veranda to the South Main Street  
15 level.

16 The good news about it is it's got the  
17 lobby to the movies next to it. You are not going  
18 down a tunnel. You are in the open. You can be seen.  
19 You are kind of looking over this veranda end of the  
20 space. It's actually kind of a cool place to be, and  
21 you are really only enclosed when you are in the  
22 elevator versus some other kind of convoluted thing.  
23 I think it would be very natural. I think a lot of  
24 people will use it to come up. Going down it's pretty

25 nice kind of meandering down to these different rooms.

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1 You can't be the stairs here, but there will be chairs  
2 in here, and they will meander down a few more steps.  
3 It's not like going down a mountain of stairs. But at  
4 the end of the day, you can see the number of stairs  
5 it takes to come up. And I'm likely to use it. So I  
6 figured if I am, other people will be as well.

7 MS. THORNBERRY: You are likely to use  
8 the elevator?

9 MR. HEAPES: To go up, sure.

10 MS. THORNBERRY: Hey, I just had back  
11 surgery, I'll probably use it all the time.

12 I think it's really remarkable. I  
13 remember a discussion about this, and the elevator now  
14 is a real elevator that is outside, that can be used  
15 by the public. You don't have to walk through a  
16 store.

17 MR. HEAPES: No.

18 MS. THORNBERRY: And again, it wasn't  
19 one of those elevators that sometimes we see that are  
20 built by stairs that you had informed us when we  
21 started this discussion that were troublesome as well.

22 MR. HEAPES: Right.

23 MS. THORNBERRY: So it's a real  
24 elevator, and it takes you out to an exposed area that  
25 you walk to, and then you have a straight shot at

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1 South Main Street if you come from Webster Walk --

2 MR. HEAPES: Right.

3 MS. THORNBERRY: -- and vice versa to  
4 come from there. So thank you, thank you very much  
5 for doing that. I appreciate it. Thank you.

6 MR. SLIFKA: Thank you, Dr. Thornberry.  
7 Mrs. Cantor.

8 MS. CANTOR: You can't see me. I'll  
9 stand on my booster. I do have a couple of quick  
10 questions.

11 Building B, the additional condos on  
12 Building B, I was a little concerned, and I'm sure  
13 you've given thought to this, you had mentioned that  
14 they were going to be over the truck docks. We'll  
15 have ventilation on that; is that a concern at all?

16 MR. HEAPES: It's always a concern  
17 relative to having anybody even live in the district.  
18 Obviously there is things you are going to do within  
19 the building to kind of take care of that. Above the  
20 truck docks is where we have some of our community  
21 rooms, meeting, you know, where you have meeting space  
22 for the building, so that it is not entirely all  
23 condos on top of that, and consistent with our  
24 conversation with TP&Z is we will be managing the  
25 loading dock times. As you will remember in the last  
0161

1 approval process, we put restrictions, I believe it  
2 was 9:00 to 9:00, or something like that. A lot of  
3 management to do on those truck docks. And I,  
4 frankly, think the condo owners are the canary and the  
5 mine shaft. They are not going to put up with a lot  
6 of nonsense relative to noise, et cetera. So it's a  
7 good thing relative to making sure that the  
8 neighborhood is well-mannered from that aspect.

9 MS. CANTOR: I kind of have another  
10 question that's going to piggyback down a little bit  
11 to that, is the North Garage lighting with having the  
12 bedrooms of the condos in Building B facing those  
13 North Garage, you know, the lights that would  
14 probably -- some would remain on all night, I'm  
15 assuming.

16 Has there been -- can that really be  
17 shielded or how --

18 MR. HEAPES: There is an interesting  
19 fine line between safety, security and lighting and  
20 shielding. We looked at that relative to the South  
21 Garage as well. Part of it can be done through the  
22 lights which we are doing. But you want the garages  
23 bright, because you want them safe. And so in  
24 operational concepts with the Town, the lights on the  
25 top may go off relatively early, 11:00 or 12:00 at  
0162

1 night. And one of the reasons we wanted the bedrooms  
2 on that side is we can control the windows, and they  
3 can be high, and there is architectural things to do  
4 with the garage and the residential, to make that make  
5 sense. We are really aware of that garage.

6 But first and foremost, I want that

7 garage safe at night. So if there is any rub, it's  
8 got to come on the condo side, not on the security of  
9 the garage side.

10 MS. CANTOR: The other question I had  
11 is the American Legion medallion I thought was a  
12 beautiful touch to that garage. Is that something  
13 that you would pick up, or is that the American  
14 Legion's responsibility, or is that a suggestion you  
15 have for them? How would that --

16 MR. HEAPES: At the end of the day,  
17 it's essentially our responsibility.

18 MS. CANTOR: Okay. And just to mention  
19 on the tourism center, I know that you are in  
20 discussions with the Chamber about that, or is that  
21 something -- is that anything to discuss?

22 MR. HEAPES: That came from the  
23 Historic District Commission, and I don't really know  
24 anything about it, other than it was a desired use for  
25 the garages, that the garages are the Town's, so if

0163

1 you wanted to accommodate it, I would speak with the  
2 garage owners down yonder.

3 MS. CANTOR: Okay. Will do. Thank you  
4 very much. Thank you, Mayor.

5 MR. SLIFKA: Thank you, Mrs. Cantor.  
6 Mr. Doolittle.

7 MR. DOOLITTLE: Thank you, Mr. Mayor.

8 I appreciate the unveiling of the dog  
9 fountain. I live here in the Center, and there  
10 sometimes are residents that do like to ride around on  
11 horses, and I was wondering if you had a horse  
12 fountain in mind. You don't have to answer that.  
13 That's just a joke. But I do want to know with regard  
14 to the water, is there going to be a plan for a water  
15 fountain for people?

16 MR. HEAPES: Currently I don't have  
17 that, but would be happy to consider it. Actually,  
18 I'm sorry, the dog fountain -- you don't have to get  
19 on all fours and drink, but actually I believe it's  
20 both. It comes out of the top, and it comes out of  
21 the bottom for the dogs.

22 MR. DOOLITTLE: Another question I had  
23 that I wished we'd gone into more at the first

24 hearing, and so I want to take the opportunity now to  
25 raise it, is what plans do you have to accommodate  
0164

1 bicycles?

2 MR. HEAPES: We are proposing bicycle  
3 parking racks in both garages, and they are on the  
4 plans. They are in the garages though. Where? Hang  
5 on a second.

6 This is not going to be a good answer.  
7 We are and do have and are purchasing and installing  
8 bicycle racks. I know that we have them in the  
9 corridor elements of the two garages, which is the  
10 best place, and I believe we have them on the street.

11 In the package are located these  
12 amenities and where they are, and I just can't  
13 remember exactly where the racks are.

14 MR. DOOLITTLE: But it is an issue that  
15 you've given some thought to and it is in the plan?

16 MR. HEAPES: Absolutely. We would  
17 expect this to be, particularly as Trout Brook  
18 develops regionally, to be a key stop on that and have  
19 provided facilities for them. I'm sorry, I can't  
20 remember exactly where they are. But they are  
21 sporadically throughout the district.

22 MR. DOOLITTLE: Now, this next  
23 question, I would like to direct to you as well as  
24 Mr. Van Winkle. In the materials, there was a letter  
25 dated August 2, 2005 from Sharon Dempson of the  
0165

1 Advisory Commission For Persons With Disabilities, and  
2 I haven't had the opportunity, since I read the  
3 letter, to go through the materials in detail to find  
4 out if any of the concerns raised in that August 2  
5 letter have been addressed, but I'd like you, if you  
6 know, to react to that letter. I know you do have it,  
7 because it was -- although the letter is addressed to  
8 Mr. Van Winkle, it was submitted in your materials for  
9 this evening.

10 MR. HEAPES: Correct. We have met at  
11 least two or three times to go through every one of  
12 those issues, excellent meetings. To the best of my  
13 knowledge, all of those issues have been addressed and  
14 discussed with the commission because there is

15 different ways to solve those issues and a strategy  
16 for each one of those, be it additional spaces, the  
17 need to not rely on the elevators in the garage, but  
18 put in all the spaces on the grade, et cetera. We  
19 went through every one of those issues, and I believe  
20 are the satisfaction of that committee. I certainly  
21 left feeling that way, but I don't want to speak for  
22 them. And Mr. Van Winkle can add to that.

23 MR. SLIFKA: Mr. Van Winkel?

24 MR. VAN WINKLE: Ron Van Winkle,  
25 director of community services for the Town. I spoke  
0166

1 to Sharon Dempson this afternoon. She has a fever and  
2 was going to be here and talk to you, but she is sick  
3 home, so maybe she is watching us on TV.

4 She thanked us for all that we had  
5 done, so that was a good sign. We did add -- we  
6 addressed, I believe, everything that was raised in  
7 that issue. They asked us to move some parking that  
8 was far from the Town Hall entrance, that was farther  
9 down on the road, to bring it in front of the Town  
10 Hall entrance. We did that. We added additional  
11 parking in the garage to accommodate the potential for  
12 additional handicapped persons that would be visiting  
13 the Hartford Hospital building, so we added those into  
14 the garage. We have more spaces there. We added  
15 additional handicapped spaces in front of the library.  
16 In the previous plan, there were two. Now there are  
17 four. And you've got spaces in the front of the  
18 library.

19 She has asked for additional  
20 handicapped spaces at the police station. One of the  
21 things that I did say to her is that for the public  
22 spaces, our spaces that are owned by the Town, we've  
23 changed our parking lot and added spaces to our own  
24 parking lot as the demand was there. So should there  
25 need to be another six spaces for the Town Hall lot,  
0167

1 we would certainly do that. We are the public agency.  
2 We would do that automatically. We are well beyond  
3 what the code would require in these spaces, what the  
4 plans are saying, and would be willing to add more  
5 spaces if we found that these spaces were not -- were

6 being fully utilized and we needed more, and which is  
7 what we found in Town Hall already.

8 MR. DOOLITTLE: So you are flexible  
9 going forward, you are going to keep a watchful eye on  
10 that?

11 MR. VAN WINKLE: Yes. Absolutely.  
12 That's been our practice in the past. And we have  
13 made adjustments, and I believe we've met all of the  
14 issues she's raised. I don't have that memo in front  
15 of me. But I believe we've met everything.

16 MR. DOOLITTLE: I appreciate the answer  
17 from both of you, and I would like to say a special  
18 thank you to the members of the Advisory Commission  
19 For Persons With Disabilities. They've done a service  
20 to the community.

21 There is one final question I would  
22 like to touch on, Mr. Heapes, and there has been a lot  
23 of questioning about changes in height. The one that  
24 hasn't been gone into in-depth is I think the most  
25 dramatic change in height, which is the reduction of  
0168

1 the building that is going to be south of the Board of  
2 Education, I guess that's the Crate & Barrel. If you  
3 could just go over that again and give me the numbers  
4 on the reduction of that. I think it's a dramatic  
5 reduction because it is on Main Street, which even  
6 with the building of Blue Back Square is still going  
7 to be the main interface of your project in the  
8 community. So I think when we are assessing changes  
9 in the height and the density issues that that raises,  
10 that's something we need to look at very carefully.

11 MR. HEAPES: That is in the Building A.  
12 It's complicated calling these buildings because they  
13 are blocks of buildings. Let's just call it the Crate  
14 & Barrel. I agree with you that in essence a change  
15 in height that has the most dramatic effect is that on  
16 Goodman Green and South Main Street. I'm going to  
17 have to give that item number 3 in my homework. But  
18 it is a reduction, I believe, of 30 some percent of  
19 the height of that building. I didn't know when we  
20 did the original planning if they were going to have  
21 two stories there or not, and it is almost cut in  
22 half, which I think DRAC also appreciated as really

23 having that building kind of step back in its  
24 prominence. And so I will get all of the height  
25 numbers for all of you for those comparisons.

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1 MR. DOOLITTLE: And it seems like it  
2 increases the prominence of the Board of Ed in the  
3 final product.

4 MR. HEAPES: Absolutely. That was  
5 DRAC's position, which it really sets up nicely the  
6 Board of Ed to be the star, as it should be. That and  
7 pushing the cinema back on both sides have now, with  
8 the Board of Ed, have its prominence that makes the  
9 plan much better. I will get a full chart of all the  
10 heights, the changes, and then we can talk  
11 qualitatively about that change by change, which I  
12 know you all have concerns.

13 MR. DOOLITTLE: Thank you, Mr. Heapes,  
14 Mr. Van Winkle and Mr. Mayor.

15 MR. SLIFKA: Thank you, Mr. Doolittle.  
16 I have a couple. The first few are for you,  
17 Mr. Heapes, and the rest are for Town staff. They are  
18 all on completely different topic areas.

19 The signal at Isham and Raymond Road,  
20 what kind of signal is that again? And what, again,  
21 prompted the need for that?

22 MR. HEAPES: I think it was two things.  
23 Number 1, in the approved plan, there is not a signal  
24 there. There is a stop. Currently that's a three-way  
25 stop, but now it's a four-way stop because Whole Foods

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1 entrance aligns there. So it's not a new condition.  
2 That was in the original plan.

3 What prompted it was operationally the  
4 North Garage is kind of interesting. Because of the  
5 slope of the site, you have an entrance on New Street,  
6 which is the south of the garage, but because of the  
7 way the site is sloping, you also have an entrance on  
8 Isham, but they are not at the same level, and it's  
9 just -- it's this change in slope.

10 In evaluating with the Town the  
11 operational issues of cars crossing each other, going  
12 in and out, and all of the payment booths, et cetera,  
13 it's complicated in that area. It became clear to us

14 that really the best thing is to have you be able to  
15 enter on New Street and enter on Isham and put all the  
16 exiting collected in one place that would take you out  
17 on Isham, which meant that more people are going to  
18 tend to go out on Isham, and then engage Raymond Road  
19 at that intersection.

20 So it was Whole Foods alignment and a  
21 shift in how the numbers going out of the garage are  
22 likely to occur that pushed us into a threshold that  
23 had us at a light. The signal is the same as the  
24 other signals being proposed in the system, and the  
25 traffic works essentially the same because of that

0171

1 signal, but it's a new signal to the system that  
2 wasn't there either costwise or --

3 MR. SLIFKA: But that's a signal that's  
4 a red caution and green -- it's not like a flashing  
5 yellow.

6 MR. HEAPES: No, no. It's a regular  
7 traffic signal with pedestrian times and all of that.

8 MR. SLIFKA: My other question was, you  
9 mentioned during one of the discussions earlier  
10 tonight about the condominiums, something along the  
11 lines of, we won't build these if the market is not  
12 there, if I got that correct.

13 MR. HEAPES: No. I think I said that  
14 if we don't get the 50 additional units, we are  
15 probably not going to build Building B because --

16 MR. SLIFKA: The building at all?

17 MR. HEAPES: Pardon me. At all, yeah.  
18 It's highly unlikely.

19 MR. SLIFKA: Okay. So my understanding  
20 was incorrect then. It's not as if we are going to  
21 approve -- if we were to approve the additional units,  
22 that you would build less than that.

23 MR. HEAPES: No.

24 MR. SLIFKA: Okay.

25 MR. HEAPES: Our intention is -- the

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1 number of units came up with what we found out in  
2 Building D, and we need a threshold of about 50, 60  
3 units total to make it even remotely worth  
4 considering. Building B, unfortunately, is more

5 expensive than Building D because of where it's  
6 located. So it's not meant as a threat or anything.  
7 It's just kind of how we got to that.

8 MR. SLIFKA: I just wanted to make sure  
9 I understood. Thank you. Everything else I had is  
10 for Town staff. I think maybe Mr. Francis is probably  
11 the right person. Maybe I should have warned you,  
12 Jim.

13 Thank you, Mr. Francis. My first  
14 question is with respect to the figures that  
15 Mr. Heapes spoke about in additional tax revenue to  
16 the Town with the various changes, and particularly  
17 really if the condominium units are approved. Could  
18 you verify those figures, whether that's accurate or  
19 not, and then maybe put it into perspective with the  
20 numbers that came out of the plan that was already  
21 approved, to maybe give us, if this were to be  
22 approved now, what is the new set of financial  
23 projections?

24 MR. FRANCIS: Yes, I will. Jim  
25 Francis, director of finance for the Town. I haven't  
0173

1 seen his calculation on those tax numbers, but in  
2 looking at the changes that were proposed, you are  
3 adding residential, about 50,000 square feet of  
4 residential space, which is the most expensive space  
5 that they will be building. So that will certainly  
6 add to the tax base. You've got a small reduction in  
7 the commercial space, so you have a take-away there,  
8 but it's a very small reduction. So that your net  
9 will be an increase in the tax base.

10 Now, what that number is really depends  
11 on when you want to measure it, because of the mill  
12 rate. If you do that, if you compare it to the last  
13 time we were here, we were talking about  
14 two-and-a-half million dollars. Since that time,  
15 because the mill rate has changed, the original  
16 proposal would bring you about 3-and-a-half million  
17 dollars. I would estimate with this change you will  
18 be at about 3.8 to 3 -- to 4 million dollars.

19 MR. SLIFKA: On an annual basis?

20 MR. FRANCIS: On an annual basis. Now,  
21 the only thing I would clarify with that is I do know

22 in a year or so we will potentially be doing a reval,  
23 and so your mill rate will change, but all your  
24 numbers will change equally with that, so that number  
25 may not be the same by the time it's built.

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1 MR. SLIFKA: Thank you. My last  
2 question is with respect to the -- as part of the  
3 financial piece of this, I don't know if we say within  
4 the Master Agreement, wherever it's properly placed,  
5 we had some assumptions about the operating costs for  
6 the garages, and then the associated costs to  
7 maintaining the infrastructure that comes along.  
8 There is things like, we had a discussion about adding  
9 a beat officer, for instance, to this area. The  
10 changes that are proposed in this application, what  
11 stresses, if any, do they place on those projections  
12 for our operating -- for the Town's piece of the  
13 operational budget?

14 MR. FRANCIS: The changes that are  
15 being proposed here from an operational standpoint  
16 really we don't think will have any impact on those  
17 demands on the Town. We made plans, as you know, the  
18 last time, to have a beat officer and pay for that  
19 through the parking revenue. We don't see that  
20 changing. The parking revenue should remain the way  
21 it is. There won't be an impact on that by these  
22 changes. The Special Services District tax will not  
23 change because of this.

24 In fact, if we could change it, because  
25 you've got the additional residential, you could try

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1 and increase it, but according to the agreement, we  
2 have a limit on the amount we would have there. But  
3 there won't be any financial change because of these  
4 changes.

5 MR. SLIFKA: Thank you very much.  
6 Anyone else? Okay. That appears to be all the  
7 questions from the Council. I guess we, at this time,  
8 would go right into the public comment.

9 Mrs. Cronin, do we have a sign-up  
10 sheet?

11 Our first speaker is Sandy Fry.

12 MS. FRY: Mayor Slifka and Council

13 Town Planning and Zoning Chair Mr. Roach and Planning  
14 and Zoning Members, thank you for this opportunity to  
15 speak to you this evening.

16 I am Sandy Fry, I'm the president of  
17 the League of Women Voters of Greater Hartford, and  
18 I'm speaking on behalf of that organization. I live  
19 at 74 Westland Avenue in West Hartford.

20 The League of Women Voters of Greater  
21 Hartford strongly believes that Blue Back Square is  
22 right for West Hartford. It preserves the suburban  
23 nature of the Town while allowing for optimal use of  
24 currently underutilized land. Blue Back Square, with  
25 its shops, restaurants, offices, cinema, condominiums

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1 and park, provides the best features of what many call  
2 smart growth. And this development will provide  
3 needed revenue to the Town. We continue to support  
4 Blue Back Square. The proposed changes do not alter  
5 our support for the project. In fact, we are  
6 particularly pleased to see the improvements relative  
7 to handicapped access with parking availability and  
8 elevator access to Webster Walk.

9 I would, however, like to mention  
10 affordable housing relative to this project and other  
11 housing projects in Town. When this project was first  
12 proposed, many of us were incredulous that there was a  
13 market for very high-end condos in Town. Now I think  
14 we can take some pride in the fact that people who are  
15 willing to pay upwards of a million dollars for a unit  
16 want to locate in our Town. And the sale of the Blue  
17 Back condos is symptomatic of the hot housing market  
18 that we have now in West Hartford. You've seen a  
19 number of projects proposed in the last few years and  
20 move forward. But this raises a concern. Will West  
21 Hartford continue to be a place where those who work  
22 in Town can also live in Town? Rising prices and the  
23 construction of high-cost housing means that we cannot  
24 certainly answer this in the affirmative. The Council  
25 can, however, take action to ensure continuing supply

0177

1 of affordable housing in Town. A strategy used by  
2 other municipalities in this state, including Stamford  
3 and Orange, is to require developers of new housing to

4 set aside a certain percentage of their units as  
5 affordable units, or in lieu of setting aside units,  
6 to pay into an affordable housing trust fund. This  
7 type of policy is needed in West Hartford. Until such  
8 a policy is put into place, every housing development  
9 represents a missed opportunity.

10 Thank you. And I did make copies, so I  
11 don't know if I should give these to Mrs. Cronin.

12 MR. SLIFKA: Yes, please give them to  
13 Ms. Cronin. The next speaker is Hal Kraus.

14 MR. KRAUS: Mayor Slifka and all you  
15 great people who spend so much time working for our  
16 Town and doing such a great job, I come to you tonight  
17 as a member of the First Congregational Church here in  
18 West Hartford. We are in business for 300 years, and  
19 we decided to share 14 feet of our southern part of  
20 the island, as you know, with that easement. It  
21 wasn't easy for us to do. We did take that in the  
22 Revolutionary War, so we've given up some valuable  
23 land. And if you haven't seen what we've given up,  
24 there are some pink stakes out there on the south end,  
25 and you will see that we are sharing some with the

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1 Town, but thank you for the great job you do.

2 I came tonight because I wanted to tell  
3 you, your decision was a sound one. I've had the  
4 privilege of getting to know Mr. Heapes. And I have  
5 his cell phone. I've talked to him on his horses;  
6 I've talked to him feeding his horses; I've talked to  
7 him any time I wanted to talk to him. And the reason  
8 I would talk to him is because I chaired the  
9 Construction Committee for the new addition that we  
10 are going to put on the church. And I'm pleased to  
11 report, as a neighbor of Blue Back Square, that these  
12 folks have been good people to do business with.

13 For some reason, Mr. Heapes, I find, is  
14 a very creative person and when he was drawing all  
15 these great things for you, somehow our old stone wall  
16 disappeared on Isham Road in the bend. That's a  
17 rather long stone wall, and I brought it to the  
18 attention of Mr. Heapes and Mr. Wiener that this  
19 stone wall, even though you approved the plan, had  
20 disappeared. Now, if they were tough guys, they could

21 have said, hey, the Town approved the plan, that's it.  
22 But they recognized that it was -- and it is an  
23 innocent mistake, that the stone wall had disappeared,  
24 and the contours have changed, and that wasn't fair to  
25 the church. That is a pretty stone wall.

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1           So they have agreed to take the stone  
2 wall down, as it shows on the plan, and rebuild it for  
3 us in that space that was shown tonight between the  
4 church and the library, and it will be a nice addition  
5 for the whole environment there in between the church  
6 and the library, which leads me to that second part of  
7 why I feel that they are good people to do business  
8 with, is the original plan that was drawn for the  
9 entrance into the library for servicing the library  
10 was kind of an ugly, unattractive, asphalt  
11 environment. And our church congregation, which is  
12 probably more democratic than any democracy in the  
13 United States Congregational church people. Everybody  
14 has an equal voice and everybody can say what they  
15 want and then we vote. And sometimes some voices are  
16 louder than others, but when we voted on that or had  
17 to give you an easement, both for the south end of the  
18 island and between the church and the Town, I was  
19 pleased to say that both the Town and Mr. Heapes and  
20 crew here, Blue Back Square, really worked hard to  
21 make that an attractive environment on the second  
22 pass.

23           So I come to you tonight saying you  
24 made a right decision and as a neighbor to the Blue  
25 Back Square and as the construction coordinator, as a

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1 volunteer between our church and Blue Back Square, I  
2 look forward to working with them because it would be  
3 difficult to integrate both projects at the same time,  
4 and I expect it will be done well. Thank you.

5           MR. SLIFKA: Mr. Kraus, before you walk  
6 away, most of us are fortunate enough to know you, but  
7 for the record, we need you to state your name and  
8 address, please.

9           MR. KRAUS: I'm sorry, yes. Hal Kraus,  
10 I live at 209 Tunxis Road, and I have about an acre  
11 worth of pachysandra. I don't know what the inside

12 joke is about pachysandra, but I'll teach you how to  
13 grow it.

14 MR. SLIFKA: Thank you, Mr. Kraus.

15 That perhaps surprisingly concludes the  
16 sign-up sheet. But as I said, I would open it up. If  
17 there is anybody who wanted to speak who is here  
18 tonight and certainly waited most of the night, you  
19 want to speak, this is your opportunity.

20 MR. SADLER: I have a question. Will  
21 public speaking be open tomorrow night as well?

22 MR. SLIFKA: No. This is the public  
23 hearing process. It goes as long as necessary, so  
24 this would be the opportunity to do it.

25 MR. SADLER: So the folks that I know

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1 that were planning to come tomorrow night will not get  
2 a chance to speak?

3 MR. SLIFKA: I don't agree with the  
4 characterization, but the public, if we do not --

5 MR. SADLER: I think it's a fact;  
6 right? If they come -- they were planning to come  
7 tomorrow night and they didn't come tonight, they  
8 won't get to speak?

9 MR. SLIFKA: They can still provide  
10 public comment in writing. We accept that all the way  
11 up to the end of the vote, which is at least three  
12 weeks away.

13 MR. SADLER: Okay. I just wanted to be  
14 clear. I do want to speak then.

15 MR. SLIFKA: Please come up.

16 MR. SADLER: It seems like it's a  
17 little ridiculous, though, you waited this long.

18 MR. SLIFKA: Please come up to the mic,  
19 state your name and address for the record, and then  
20 you can say what you want.

21 MR. SADLER: Jason Sadler, 29 Burr  
22 Street. I hope everybody is doing all right. I  
23 notice the crowd has thinned out quite a bit, and I'm  
24 sure everybody is getting a bit tired, but I did have  
25 a few things that I wanted to talk about, and I do

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1 think that they are fairly important, and in fact,  
2 some of them I don't think have even been touched on

3 tonight, so to the extent you can take this seriously,  
4 I would really appreciate it.

5 Well, I guess it's no surprise that I'm  
6 up here to speak. I've had several opportunities and  
7 taken those over the last year-and-a-half to two  
8 years, and I've expressed a lot of opinions. And  
9 those opinions have ranged from everything in my  
10 opinion about this development to actions the Town  
11 Council has taken, and I've even given my opinion as a  
12 financial professional and the costs associated with  
13 the risk of waiting to issue the bonds.

14 I think, unfortunately, two things have  
15 become painfully clear over these last two years. The  
16 first one is that, no surprise to you guys, I'm not a  
17 big fan of the actions or due diligence this Council  
18 has taken. The second thing that's pretty clear is,  
19 you guys really don't care about my opinions. So I'm  
20 going to be very brief and not waste anybody's time  
21 with my opinions tonight. I'm going to just talk  
22 about some facts. And my facts are going to talk  
23 about, are going to deal with independent analysis,  
24 some of the numbers regarding the traffic study, and  
25 financial obligations of the Town.

0183

1 I'm also going to offer some questions  
2 up, and some of them are going to be for the Council  
3 and I urge you to ask these questions. But I think  
4 more importantly to the public and to the folks out  
5 there, hopefully still watching, even though it's  
6 getting a bit late, to e-mail these guys and ask them  
7 these questions, because unfortunately the last time  
8 around these questions didn't get asked, and so I'd  
9 like for them to get asked this time.

10 Let's start with the condos. We are  
11 asking or the developer is asking to put an additional  
12 54 condo units in a six-story building. Not to talk  
13 about whether high density is good, bad or anything,  
14 but let's not make a mistake. This is a high density  
15 development. And something that helped me put this  
16 into perspective is that this is somewhere -- this is  
17 adding somewhere in the neighborhood of 10 blocks of  
18 single family homes.

19 Now, that means a lot of things. You

20 know, the first thing it means, that comes to mind for  
21 me is more cars. More cars traveling the roads, more  
22 cars parking on the streets. And I don't think this  
23 is a surprise. I'm not coming to you with anything  
24 new and the developer has admitted it, he has talked  
25 about it. The Council knows about it. What concerns  
0184

1 me is what we don't know, and that's what the impact  
2 is going to be. And the reason we don't know this is  
3 because there is no independent analysis. It wasn't  
4 done the first time, and to date, it hasn't been done  
5 yet. Really all we do have are the developer's  
6 numbers, and you know, with all due respect to the  
7 developer, I think we need to err on the side of  
8 assuming they are overly optimistic. I think that's  
9 only natural to assume.

10 But be that as it may, and I'll be the  
11 first one to admit, I'm not a traffic engineer, but  
12 just pulling a few of the numbers, some of the simple  
13 ones from the study, just to give you a flavor of why  
14 we might need an independent analysis. The 54 units  
15 brings the total parking to 1,255 spaces. Now, there  
16 is 126 provided on-site, another 104 on-street parking  
17 spaces. That brings the total available to 1,130.  
18 Now, you do some quick subtraction, 1,130, taking away  
19 1,255, we are about 125 short.

20 Now, is that a big number, is that a  
21 small number? Again, I'm not a traffic engineer. I'm  
22 not going to surmise about that. I would like to see  
23 an independent study done to see if it is. But what  
24 is more important, as we go further into it, that's  
25 assuming every single space is available at all times,  
0185

1 and I've been told that anywhere from 5 to 10 percent  
2 will not be available because of weather conditions,  
3 somebody double parked, there is spaces too close.

4 So the question right now is: Where  
5 are these people going to go? But before we go  
6 further into that, let's talk about, you know, some  
7 more of the assumptions in here. Some of these spaces  
8 have been double and triple counted. And let me  
9 explain that. They are assuming that the Blue Back  
10 Square shoppers and visitors will be able to park in

11 some of these private residential spaces when they are  
12 not open.

13 Now, just stand back and think about  
14 that for a minute. These folks are paying 900 grand  
15 up to 1.7 million for a condo and also full-time  
16 concierge service. We are asking them to pay a  
17 Special Services District tax. They come in, their  
18 spot is filled. How do you think that's going to go  
19 over? Obviously it's not.

20 But let's flip it around and talk about  
21 the shopper, the Crate & Barrel customer driving  
22 around. Do we really think that they are going to go  
23 through and get into, you know, as they drive through,  
24 go into the residential area of parking? Probably  
25 not. What are they going to do? They are going to  
0186

1 park on the street, for a couple of reasons. It's  
2 easier, it will seem like the natural thing to do, and  
3 it's going to be free. We are not charging to park in  
4 the street in front of the homes right now. Now, all  
5 I'm saying, my point with this is, we need to get an  
6 independent analysis to see what this impact is going  
7 to be for us.

8 I think the second point that I really  
9 wanted to touch on is increased public financial  
10 obligations. This is, you know, this is something  
11 that we really need to -- we need to think about. 54  
12 units of residential housing on any other location in  
13 this Town would be a major undertaking with  
14 significant physical and financial consequences. It's  
15 going to require additional public financially  
16 supported maintenance, repair, an increased public  
17 financial obligation to provide sewers, water,  
18 electricity, sanitation, police, emergency services,  
19 protection in schools. We need to do an analysis to  
20 see what that impact really is.

21 Now, the point of this wasn't to scare  
22 anybody. It was to urge the Council to request and to  
23 demand independent analysis. That's how we protect  
24 ourselves in this situation. You know, and I guess  
25 looking at what we have right now, and the developer  
0187

1 already, Mr. Heapes already alluded to it, and no

2 offense to him, the developer has his own interest in  
3 mind. He will probably get up during his time to  
4 rebut and say, well, you know, no offense to  
5 Mr. Sadler, but you know, he is not exactly -- hasn't  
6 been looking over these numbers every day, et cetera,  
7 he is not a traffic engineer. And, you know, I  
8 submitted a study, and, you know, it basically says  
9 what most developer studies say, which is, you know,  
10 this is -- you know, don't worry, additional 54 more  
11 units, 50 or more cars, hundreds of more vehicles a  
12 day, obvious lack of adequate parking, shoppers, you  
13 know, visitors to the health complex. It's going to  
14 have no consequences. Everything is going to remain  
15 fine and maybe even magically improvement. With  
16 respect to roadway safety, public services, police  
17 services, tax, don't worry about it, just trust us.

18 Well, I'm saying let's just go out and  
19 get a study. Let's just go do it. I mean, to not do  
20 it -- money is obviously not a problem. We've thrown  
21 \$48,000,000 in bonds in this thing. We are going to  
22 be on the hook if these things go over. To not get a  
23 study is like going out and buying a house for  
24 \$400,000 and saying, I'm not going to pay for the \$200  
25 home inspection because I want to save some money. I  
0188

1 mean, it just doesn't make sense. It just doesn't  
2 make sense. And that's the point I'm really trying to  
3 drive home here.

4 Now, you know, the thing I finally want  
5 to discuss, and this is what I alluded to before, I  
6 feel like it hasn't even really been brought up, and  
7 that's the Town Hall expansion. On the surface, it  
8 seems not all that controversial. They were going to  
9 do an expansion; they are not now, apparently on the  
10 request of the Town. But what I want to do is back up  
11 and talk about the original numbers that we were  
12 looking at the first time around. Just real high  
13 level, because, you know, it tends to get complicated  
14 once you get down into it. But we can break it down  
15 really easy. The Town was giving basically two  
16 things, land, Board of Ed building, \$48,000,000 in  
17 bonds. So the land and money -- land, property and  
18 bonds.

19           What were we getting? Well, we were  
20 told we were getting public traffic improvements, but  
21 that doesn't really count because the developer is  
22 always required to do those anyway if his development  
23 is impacting the traffic, but we will put those up  
24 there. The second thing we were getting was two  
25 parking garages. Again, the developer had to have  
0189

1 those to have parking, but we are going to get some  
2 revenue off that, so let's talk, you know, we will  
3 throw that in there. But then we are also getting a  
4 library expansion and a Town Hall expansion. And the  
5 Town Hall expansion was supposed to be around  
6 \$7,000,000 in value.

7           Now, a couple of questions come to  
8 mind. The original reason we needed that was because  
9 we gave them the Board of Ed, and we needed a place to  
10 put the Board of Ed numbers. So it made sense, we  
11 needed to put the Town Hall expansion.

12           Well, at this point now, we kind of  
13 reconsidered, and said, oh, I guess we don't need the  
14 extra space for the Board of Ed people, we are going  
15 to fit them in somewhere else. And that's fine, but  
16 had we known that at the time, we wouldn't have  
17 planned the expansion. And by the way, I view it, we  
18 would have issued \$41,000,000 in bonds instead of  
19 \$48,000,000. It's that simple to me. So I see it as  
20 two ways, either we require them to build the Town  
21 Hall expansion, as they've signed on to, or we should  
22 have -- we should get to reduce our bonding by  
23 \$7,000,000.

24           It's that clear-cut, and I'm just  
25 shocked that nobody has brought that up. And again,  
0190

1 I'm sure Mr. Francis or somebody will come up and tell  
2 me that I'm looking at this too simplistically, et  
3 cetera. But the numbers were very clear in the  
4 original book, and I urge all of you to go back and  
5 look at those, ask the question and say, where did  
6 that 7,000,000 go? What are we spending it on now?  
7 Or what is the developer giving us? I know he is  
8 adding 7 trees in front of the parking garage, but  
9 it's nice trees, but a million a tree, you know, those

10 are very nice trees, and I would, I guess, ask us to  
11 maybe scale down the quality of the tree if that's how  
12 much they cost.

13 So in conclusion, what I really want to  
14 do here is just urge the folks out there, urge them,  
15 call these Town Councilors, e-mail them. All their  
16 e-mails are on the website, Town website. E-mail  
17 them, urge them to get that independent study. That's  
18 all I'm saying. Get that independent study. Put up  
19 some protection for us and get that \$7,000,000 back or  
20 at least ask where the heck did it go, explain it to  
21 me like I'm a 6-year-old, to use a term that was  
22 thrown out earlier. Thank you.

23 MR. SLIFKA: Thank you, Mr. Sadler.

24 Is there anyone else who wishes to  
25 speak?

0191

1 MR. JONES: Yes.

2 MR. SLIFKA: Front Row.

3 MR. JONES: My name is David Jones at  
4 1795 Boulevard.

5 First, as the gentleman mentioned  
6 earlier, and I will say this again, I sincerely thank  
7 each and every one of you for your service. I know  
8 you are volunteers, and I think you do a great job,  
9 and I think most of the people in this Town do  
10 appreciate what you do, and I certainly do.

11 Mr. Spada, you were talking about -- is  
12 he already gone? Art, come out of the bathroom.  
13 Where are you?

14 MR. SLIFKA: He will be right back.

15 MR. JONES: You guys can tell him what  
16 I said. Art, I'm trying to talk to you, get in here.

17 Mr. Spada, you had mentioned earlier  
18 about 120 additional people living in Blue Back  
19 Square. And quite frankly, I can't think of a better  
20 place to place 120 additional people in this Town than  
21 smack dab in the center of our Central Business  
22 District. 120 people paying taxes, 120 people walking  
23 to the stores in the Center, and the expanded Center  
24 also to include Blue Back Square. 120 people walking  
25 across the street to Whole Foods. I can't think of a

0192

1 better place to put them, I really can't.

2 I don't speak on behalf of West

3 Hartford Center Merchants Association, but I know that

4 they will be sending you guys something. I know they

5 certainly support this. As a board member of the West

6 Hartford Chamber of Commerce, you will be getting

7 something from them, too. But I will tell you that

8 our board did vote 19 to nothing in support of this

9 project, and I'm certainly here as an individual to

10 support this project.

11 It's funny, I had actually seen a

12 presentation made to the Chamber of Commerce, and I

13 thought I knew pretty much everything there was to

14 know, and I learned a lot tonight that I didn't know.

15 And frankly, it was all good stuff, and it just made

16 me more excited about the project.

17 It's something that I know for a fact

18 and I know most of you do too, that the Town

19 administration always wanted a larger housing

20 component in this project. That's an absolute fact.

21 And now they are being offered that opportunity.

22 Certainly you have a few hundred thousand dollars of

23 additional tax revenue. At the end of the day, I know

24 most of you, and I know you are smart, thoughtful

25 people, and you may ultimately agree with me; you may

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1 ultimately disagree with me. But I actually just -- I

2 just have a great deal of confidence in you that

3 whatever you decide is the right thing for this Town,

4 and that's all you have to do is decide, is it good

5 for this Town? You will make that decision and once

6 again, I thank you all for your service. Thanks.

7 MR. SLIFKA: Thank you, Mr. Jones.

8 Anyone else wish to speak?

9 Mr. Donatelli. Did you make sure that

10 your camera is on you?

11 MR. DONATELLI: I'm focused.

12 MR. SLIFKA: Perhaps one of us should

13 go.

14 MR. DONATELLI: Unlike Jason Sadler,

15 I will offer my opinions on this. One question,

16 first, with the theater. I was surprised to hear beer

17 and wine. A question I think you might want to find

18 out is, do you have to buy a ticket to be served beer  
19 and wine? Is that behind the entrance, or is that  
20 going to be a cafe area where you can just come in off  
21 the street and have beer and wine? Because you are  
22 introducing another bar and cafe, whatever, into the  
23 center of Town that may not have been planned for.

24 I'm looking back a year and a half and  
25 where we are today, and I think this developer,

0194

1 whether he learned it on his own or through some of  
2 the lobbyists that he hired, is that you can promise  
3 somebody anything to get what you want and then go  
4 back and change it, and I think we are seeing that  
5 tonight.

6 There were objections because the  
7 project was too dense. Well, we made it less dense.  
8 Now we are making it more dense. Less dense was  
9 better a year and a half ago. More dense is even  
10 better tonight.

11 People were concerned about getting  
12 from the parking garage to the library, handicapped  
13 people, people with children. Well, it's going to be  
14 under cover. You'll have a covered walkway. They  
15 didn't know at the time that the walkway had to be  
16 high enough where that wouldn't be feasible, so we are  
17 going to do away with the covered walkway.

18 Nobody knew about the library closing  
19 at the time. We had a theater that people objected to  
20 having too many screens, so it's only five screens.  
21 We have a sixth screen theater now. They can call it  
22 a community room; it's a clever name. I also believe  
23 that the reason you can't have a second entrance, just  
24 from looking at that, is because the second entrance  
25 cuts right through your sixth screen.

0195

1 And if you wanted to have two  
2 entrances, you can. I've been at the dreaded mall  
3 cinemas, and they have multiple entrances with one  
4 ticket sales area. They manage to control it pretty  
5 well. I'm sure a cinema of this stature could figure  
6 it out.

7 We were going to have renovations to  
8 the police station. It looks like that might be

9 withering on the vine. Affordable housing was even  
10 mentioned back then. But they didn't know then that  
11 they couldn't do it, we know tonight. It was going to  
12 be fully integrated with the Center. I'm hearing talk  
13 now that we may need to have a trolley to bring people  
14 from Blue Back Square to other parts of this Center.  
15 As a business owner on Park Road, I hope that that  
16 trolley either comes down Park Road, or that it's not  
17 paid for with Town money, either West Hartford Center  
18 merchant's money or from the developer. I want to  
19 preempt that because these things come out of nowhere.

20 Another thing that I think we need to  
21 be concerned about is why there are not more people  
22 here. And I think more people would come out if they  
23 thought that it was going to make a difference and  
24 that the outcome wasn't preordained. Again, we have  
25 somebody that came here a year and a half ago, sold a  
0196

1 bill of goods on a lot of different things knowing  
2 that he could come back and get them changed. I hope  
3 that you can prove me wrong. I hope that some of this  
4 is not accepted.

5 Beer and wine in the theater may work,  
6 may not. Again, people when they voted for this thing  
7 and approved this were not told of that. I'm  
8 surprised how much -- how little the developer knew a  
9 year and a half ago that he is telling you tonight,  
10 that these things didn't come out back then. I thank  
11 you for your time, it's late enough. And again, just  
12 I would ask a few more questions before you approve  
13 this.

14 MR. SLIFKA: Mr. Donatelli, before you  
15 go, could you just -- we know you, but could you state  
16 your name and address.

17 MR. DONATELLI: John Donatelli,  
18 D-o-n-a-t-e-l-l-i, 30 Griswold Drive.

19 MR. SLIFKA: Anyone else who wishes to  
20 speak at this time?

21 Seeing none, we are going to take a  
22 very brief recess here.

23 (Recess taken from 10:39 p.m. to 10:56 p.m. )

24 MR. SLIFKA: We are reopening the  
25 hearing for the purposes of announcing that we will be

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1 coming back tomorrow night. We will begin with public  
2 comment. The evening will begin again just like  
3 tonight at 6:00 right here in the Town Hall  
4 auditorium. Since public comment will be at the  
5 beginning, we would ask anybody at home or anybody who  
6 is here who is going to carry that message back to  
7 anybody to please be here to sign up at the beginning,  
8 because once we conclude the public comment, that will  
9 then be concluded, we will likely be removing into the  
10 remainder of Council questions, rebuttal from the  
11 applicant and anything else that may arise.

12 And good news for Mr. Roach is he gets  
13 to take over tomorrow night.

14 So with that, we will continue the  
15 public hearing to tomorrow at 6:00 p.m. right here in  
16 the Town Hall auditorium. Have a good night.

17 (Public Hearing adjourned at 10:57 p.m.)

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1 CERTIFICATE

2 I hereby certify that the foregoing 197 pages are  
3 a complete and accurate computer-aided transcription  
4 of my original stenotype notes taken of the Joint  
5 Hearing between West Hartford Town Council and West  
6 Hartford Town Plan and Zoning Commission, which was  
7 held at West Hartford Town Hall Auditorium, 50 South  
8 Main Street, West Hartford, Connecticut, on  
9 February 15, 2006.

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Sandra V. Semevolos RMR, CRR  
LSR # 00074  
Certified Court Reporter

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