

To whom it may concern and the members of the Planning and Zoning Commission:

I have been a resident of the town of Simsbury and active in the community for the past 40 years. My wife grew up in Town and all my children were born and attended school here. I am excited that my oldest has returned with her husband and children. I can't express how happy I am to have my current grandchildren so close by. I can only hope that my other children find a way back to their Town. Our community provides us with access to wonderful stores, restaurants, and community amenities. I take great pride in our community but have come to realize how difficult it is for people like our children, our senior citizens, our local employees, and schoolteachers to find high quality, dignified, safe and attainably priced housing.

It is such an important and fundamental foundation for our community's future that we have appropriate housing for the heart and soul of our Town and especially our young people who want to return home and our seniors who want to downsize into a home that is safe and manageable. Not having this basic accommodation has long reaching and negative affects across a broad spectrum for our Town's future.

It is our duty to address this as many successful and visionary Towns have by ensuring they have quality housing options at a price point that's comfortable given their communities needs and incomes. I see other Towns struggling economically and losing ground by not proactively addressing the need to support their Town's broad community housing needs.

I have met and spent considerable time with the Vessel folks and appreciate what they have curated, engineered and are executing. Their offering is a perfect 21<sup>st</sup> century solution to our current and future needs. I support their application at 446 Hopmeadow Street, so that we can begin bringing more sustainable, healthy, safe, and dignified housing to our community.

Sincerely,

Jim Larwood  
8 Roberts Road  
19<sup>th</sup> January 2023

## McGregor George

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**From:** McGregor George  
**Sent:** Sunday, January 22, 2023 7:43 PM  
**To:** 'rawarters@gmail.com'  
**Subject:** RE: [Simsbury CT] Thank you and Follow-Up (Sent by Richard (Rick) Warters, rawarters@gmail.com)

See response below.

I encourage you to attend the Inland Wetland Public hearing on Feb. 7. The application will proceed to the Zoning Commission for site plan review some time in early March, I suspect. Staff will likely introduce the project to the Zoning Commission in February. The Design Review Board will also review the Application in that time frame or earlier.

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**From:** Contact form at Simsbury CT <cmsmailer@civicplus.com>  
**Sent:** Friday, January 20, 2023 3:14 PM  
**To:** McGregor George <gmcgregor@simsbury-ct.gov>  
**Subject:** [Simsbury CT] Thank you and Follow-Up (Sent by Richard (Rick) Warters, rawarters@gmail.com)

Hello gmcgregor,

Richard (Rick) Warters ([rawarters@gmail.com](mailto:rawarters@gmail.com)) has sent you a message via your contact form (<https://www.simsbury-ct.gov/user/17836/contact>) at Simsbury CT.

If you don't want to receive such e-mails, you can change your settings at <https://www.simsbury-ct.gov/user/17836/edit>.

Message:

George,

Thank you and the CC/IWA for hearing our concerns at the hearing on Tuesday. I understand the need to avoid "scope creep", but appreciate the opportunity to address both the Commission and Town officials on the multi-use trail extension.

The follow-up pertains to Vessel Technologies' application. At what point do the bona fides of an applicant get tested and by whom? Vessel is a start-up founded in 2017 that went through its second seed round in 2022. (<https://pitchbook.com/profiles/company/449132-68#overview>). From what limited information I can find, it appears their "beta" installation of their patented system was just a year ago. (<https://newyorkyimby.com/2022/09/vessel-community-housing-project-debuts...>).

Those items are typically not relevant and should not be used under the law by either Commission during review.

They are proposing putting 80 residential units where our zoning regulations would support a maximum of four if it was not for 8-30(g). It seems several elements need to be questioned. Where can I go to better understand the steps, commissions, and boards such a development must go through for approval? I am anxious to understand where questions like the following will be raised/addressed:

- Will Vessel Technologies be a builder/owner/operator of the apartment complex?

That is my understanding.

- Will the land be sold by the Christensen's EAY Properties if the project is approved, or has the property been leased to the ultimate owner-operator, or has some other arrangement been made?

Typically yes, the sale is contingent on local approvals.

- Will the unconventional building technology be subject to additional, independent review before being allowed to be sited next to a stream that feeds directly into the Farmington River?

The building design and materials will have to meet all state and local building codes.

Thank you,

Rick Warters



January 24, 2023

Dear Members of the Planning and Zoning Commission:

I am a local businessperson and am writing to inform you of the challenges that my employees face in securing attainably priced housing and the impact that has on my business.

In today's economy, finding and retaining staff is tough enough, and when employees are forced to commute long distances, my job in filling open positions only becomes harder.

The need to pull employees from other communities also contributes to regular absences from work, clogs up our local roads with commuter traffic, and negatively impacts the reliability of the service I provide to my customers.

As a community, we need to recognize that the people that staff our stores, restaurants, and other service establishments, those that serve in local government or other municipal agencies, those that teach our children or care for our seniors, and those that protect us as members of our police force are an integral part of our community and should be not just welcomed but sought out.

This means ensuring that they have quality housing options at a price point that's comfortable given their incomes.

Vessel is offering a 21<sup>st</sup> century solution to an age-old problem. I hope that you will join me in supporting their application at 446 Hopmeadow Street, so that we can bring sustainable, healthy, safe, and dignified housing to our community.

Sincerely,

John Royce  
owner

**From:** [d\\_ryan@comcast.net](mailto:d_ryan@comcast.net)  
**To:** [McGregor George](#)  
**Cc:** ["Harald Bender"](#)  
**Subject:** FW: Planning and Zoning about "Vessel RE Holdings"  
**Date:** Friday, February 3, 2023 6:00:15 PM

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Hi George,

Since I won't be there Monday, please forward Mr. Bender's comment to the Commission.

Thanks,

Dave Ryan

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**From:** Harald Bender <hbender@snet.net>  
**Sent:** Friday, February 3, 2023 3:01 PM  
**To:** d\_ryan@comcast.net  
**Subject:** Planning and Zoning about "Vessel RE Holdings"

In the "Vessel RE Holdings" application for an 80 unit apartment building there is no mention of charging facilities for motor vehicles. If I missed it my apologies.

Over the next 10 to 20 years the number of electric car will mushroom. In a residential development this need needs to be addressed. Since the apartment building would have a life expectancy of at least 2 to 4 generations charging stations are a definite need.

This is a developing process and the infrastructure needs to be established to install charging units as the need grows.

Harald Bender  
6 Maureen Dr.

Keep safe. Let corona bypass you.

**Thanks  
Harald**

**Constant Time - Variable Learning - Is the current model in education.**

**Constant learning - Variable Time - Is what the student needs.**

## Hollis Joseph

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**From:** Formanek Kristen  
**Sent:** Friday, February 3, 2023 12:45 PM  
**To:** McGregor George  
**Subject:** FW: Development proposal at 446 Hopmeadow

I think this may have been meant for your department?

Kristen Formanek

**From:** Nicholas Criscitelli <n.criscitell@gmail.com>  
**Sent:** Thursday, February 2, 2023 8:19 PM  
**To:** Formanek Kristen <kformanek@simsbury-ct.gov>  
**Subject:** Re: Development proposal at 446 Hopmeadow

Appreciate you sharing the proposed development that includes affordable housing. Fully support it as a resident and my only concern would be about building something that large so close to the river (run off issues from parking lot, etc.) but would imagine all that would be evaluated before any steps forward are taken. Appreciate your work in getting more diverse options in town.

Best,

Nicholas Criscitelli

**From:** [Martha Hickey](#)  
**To:** [Hollis Joseph](#)  
**Subject:** Vessel Affordable Housing Apartment Proposal  
**Date:** Friday, February 3, 2023 2:10:42 PM

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Joe,

Thank you for your time today answering my questions.

I have lived in Hazelmeadow for almost 15 years and am so happy I made the decision to move here. I love this community and love Simsbury as well. My sister and I owned and ran Doggie in the Window for 15 years which afforded me the opportunity to really connect with many town residents and discover the joys of the Farmington Valley.

The Vessel proposal is, quite frankly, very disturbing for many reasons.

The construction of an 4 story, 80 unit apartment build with 94 parking spaces on less than 2 acres of land is preposterous.

Where will overflow parking end up? Mitchell's Auto Group or perhaps the commuter lot?

Also the added traffic trying to merge on Hopmeadow Street, which is already overly congested.

The impacts on 2nd Brook and the Farmington River is terrifying. Run off from leaking motor oil, winter salts from clearing the parking lot, garbage from overfilled dumpsters, will all impact the site due to lack of drainage with pavement versus natural land.

Safety issues are paramount! How will the fire department navigate their big rigs on such a small parcel of land?

Simsbury is big on light pollution! How will this impact the wildlife? I count my blessings every time I see an Eagle, bear, bobcat and the abundance of birds.

Also the homeowners at the end of Nutmeg Court and Mathers Crossing will take the brunt of this development with increased light pollution, noise and lack of privacy.

There is so much more I could add to this list, but I shall restrain for now.

Respectfully yours,

Martha Hickey  
860.217.1162  
7 Mathers Crossing  
Simsbury, CT 06070

## APARTMENT COMPLEX CONCERNS/ARGUMENTS

The homeowners on Nutmeg as well as at the end of Mathers crossing will never again see home sale prices matching those of the rest of the neighborhood of Hazelmeadow. It will be a hard sell for a home which has an unobstructed view of a 4 story apartment building monstrosity with "affordable" rentals. Our neighborhood is just now seeing sales prices on the rise since the last peak around 2008. If this building goes up as planned, our prices will once again be on the decline. Our neighborhood will no longer be a quiet place to live, there will inevitably be loud music, noise from automobiles or motorcycles, never ending flood lights and parking lot lights in the night which shine down on those Hazelmeadow residents closest to the apartment complex. Lighting and noise will also have an effect on our wetlands and existing wildlife. It can change the growing habits of vegetation needed to sustain our wetlands. The rain and snow runoffs from this will also impact or Second Brook and wetlands.

The parking lot will be extremely close to second brook which is a direct link to the Farmington River. Leaking oil from cars can leak into the river even though you may meet requirements for drainage, we all know in heavy rains and snow melt, run-off/drainage can overflow and the waste can leach into the nearby grounds and stream which is only 100 yards flow to the Farmington River. The Second Brook will be in jeopardy from chemical run off from winter snow and ice melt treatments. Second Brook has been so high at times that the homeowners on Nutmeg Ct are close to their basements flooding. With the runoff from the proposed building and parking lot (less natural ground for absorption) this will most likely happen at some point in the future. These homeowners will lose the fight as to the cause I am sure.

What about a dumpster for the trash which would endlessly attract bears and other wildlife to feast on the leftovers from the residents. We are already seeing an increase in numbers of black bears, and this would only increase their chances of frequenting our area. The rainwater runoff from the dumpster also poses a hazard to the nearby wetlands and River. Often times things are put in the dumpster that don't belong, such as motor oil and chemicals etc..... Apartment dwellers don't care what they put in there; only that they were able to get rid themselves of such items, they even dump things for friends and family members not living in the complex who have no other place to discard certain items and chemicals. No signage on the side of a dumpster makes any difference to anyone putting stuff in it!!

What if there is a fire at the building, how with the fire department access the rear of the building to extinguish the fire? Access from the bike path? And what about the water or chemicals from extinguishing the fire running into the wetlands or nearby Farmington River.

94 parking spaces would never be enough for the 80 apartments proposed. even though you may have an occupancy restriction you know it will be hard enforce! You will have girl friends, boyfriends, sons, daughters grandchildren etc..... moving in or coming to stay a bit, sleeping on the couch or share the only bedroom. Everyone now has a car of their own, so you can do the math; if 50% of the apartments had two occupants that would mean you'd need 120 parking spots. Where would these extra people park? Double park their own cars; making it difficult for emergency vehicles to perform their duties or difficult for other tenants to park or



will they park on the grass alongside the building? Or maybe down at the commuter lot and walk home to the building; if that were the case where are our commuters going to park? Maybe the Riverview catering hall would rent out spaces to make some extra \$\$, wouldn't that be classy.

How much is affordable rent???? With all the recent apartment complexes that have been erected in Simsbury over the past 15-20 years, how come the "affordable" housing shortage was never enforced at these apartment complexes? Surely this issue could have been dealt with prior to this proposed building which is so close to wet lands and the Farmington river, which may cause harm to its waterways and vegetation. Contrary to what the article in the Hartford Courant states about this proposed building, the only grocery store accessible via city bus is Fitzgerald's, which the last time I checked the prices there, no one on a fixed budget would be able to do their regular grocery shopping there. No offence intended to the owners of this store.

I'm sure the developer has already purchased the remaining lots or has pending contracts to do so, and will plan in the future to build a twin building right beside this proposed building, along with the additional parking spaces that would and should be needed for this amount of apartments, also with intent on accessibility to the existing traffic light. If not this year then within 5 years I'm sure. A lot of complex builders like this are sneaky in that regard and know all the ways around city hall and their rules. They repeatedly shop towns for property to develop where they find towns fall short on this issue of "affordable" housing. They know they can win according to the rules of "affordable" housing. They will in turn bring their out of state developers and contractors lining their pockets instead of our own Connecticut developers and contractors.

The plans seem to show tall trees planted at the rear of the building along the bike trail. The developer would never be able to screen the building alongside the bike path with tall trees because of the close proximity to the power lines. Eversource has already cleared all of tall trees under the lines and would never be party to more being planted near or under the lines.

It would add to the heavy traffic we are already experiencing along that stretch adjacent to Mitchell Auto and the Simsbury Inn. We are already experiencing and increase since the development of nearby Highcroft in the Powder Forest. I don't think adding another 80-100 cars to the mix is going to help any. Oh and in the future when another complex is built on the property it will add even more cars.

If you live in the cul-de-sac of Nutmeg court or Mathers Crossing in Hazelmeadow the building would seem like a 5-6 story building looming down on you, especially Nutmeg Ct which is a bit lower than the ground level across Second Brook.

I would hate to see the neighborhood which I have come to enjoy living in go downhill in value and aesthetics. A four story apartment would also impose damage to the nearby wetlands and Farmington River which we have all come to enjoy visually and literally with activities such as kayaking, tubing or fishing in.

I invite you the developer or anyone at town hall, to take a walk with us in the Hazelmeadow development down the bike path and enjoy the nature and beauty which the path and Second

Brook has to offer. Don't think of your pockets stuffed with money as a result of this project. It's not about affordable housing for you in the end, this is just another way and loop hole for developers to make money and the town to acquire more taxes, and meet affordable housing numbers. You have to see the beauty of our area and feel its peacefulness; it comes from your heart, not your wallet. City dwellers like the developers don't understand this, you only understand pavement, congestion and how to make your wallet fatter. If you lived in our community you would understand the impact a building such as this would have on us and the environment which surrounds us. Among our 53 homes (Hazelmeadow II) over 24 acres, this includes some wetlands with less than 100 residents, we do not impose the same impact as your impact of such a massive building with close to 100 residents. A building of this magnitude would have a huge detrimental impact on the environment and our property values.

I'm all for affordable housing, but not where it poses such an impact on our environment and property values. Goodness knows I could have benefited from affordable housing in my past as a single mom with two children. Why not develop the property into smaller plots or townhomes that are "affordably" priced for first time buyers or single parents who could really benefit from such a program. Wouldn't it be nice to be able to buy a home in Simsbury and have your children go to good schools and enjoy the town in which we have all come to enjoy and be a part of .

Where to put such a building? Why not up at Dorsett Crossing, or at the old Wagner lot? This would be close to a large grocery store and other nearby shops and restaurants. Maybe on the south side of town next to the apartment buildings already constructed or being constructed? With all the other apartment buildings that are under development at the moment or that have been developed in the past 20 years, why wasn't this affordable housing issue been addressed? Why now on such a small piece of property that would have such a horrible impact on its' surrounding environment. I know you town officials only see this as a way to add to the affordable housing quota which we lack, because of your multiple years of oversight! You probably look down on us in Hazelmeadow, and say "who cares, they are only Hazelmeadow with lower priced homes". I'm sorry we are not Westledge Rd or Metacom Dr, but we matter too. And our surrounding environment of Second Brook and wetlands matter too. We may not be some exclusive high priced neighborhood, but our community means a lot to us. Most of us have lived here 15 to more than 30 years, and enjoy its quiet beautiful location, but with a building such as this one proposed it will no longer be quiet and beautiful. It isn't being built in your backyard, so you don't "get it"; it won't affect you; you think: "it's only Hazelmeadow, those folks don't count in Simsbury".

It is not the right place for such a huge building, squeezed onto two acres of land It would cause such immeasurable impact on the nearby environment. It would crucify our small community and would mean a death sentence to our property values and quality of life. We may not have the most expensive homes in Simsbury but we matter too.

Thank you for reading and listening.

Ann McDonald  
3 Tamarack Lane, Hazelmeadow II

## Hollis Joseph

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**From:** Teresa carr <tmac81661@gmail.com>  
**Sent:** Sunday, February 5, 2023 5:12 PM  
**To:** Hollis Joseph  
**Subject:** Fwd: Affordable Housing by Vessel on Hopmeadow Street

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

----- Forwarded message -----

From: **Teresa carr** <[tmac81661@gmail.com](mailto:tmac81661@gmail.com)>  
Date: Sun, Feb 5, 2023, 1:52 PM  
Subject: Affordable Housing by Vessel on Hopmeadow Street  
To: <JHOLLIS@simsbury-ct.gpv>

Good afternoon, Mr Hollis,

I am writing to you with some concerns about the project mentioned above. Let me say as a mother of an Autistic adult and a homeless Vet, I am all for Affordable Housing in Simsbury.

My concerns are as follows:

How are the homes of existing residents going to be affected by an 80 unit apartment building replacing 2 modest homes? I mean this in regard to existing infrastructure, the brooks and river, the change in the land ie. removing trees, moving earth, digging. How will or could this affect the flood plane? I live on Tamarack Lane in Hazelmeadow II, and just can't get my head around how that building and surrounding parking will fit on that footprint, sandwiched between 2 existing homes? Were those neighbors given written notice, because Hazelmeadow II homeowners were not.

Thank you very much for your time. I will be in attendance for the Zoning meeting and then again for the Wetlands meeting. Unfortunately, I have a prior commitment for the Architecture meeting, and honestly I don't see anything wrong with the look of the building, just don't think the current proposed location is appropriate. Perhaps take 5 acres from the 288 acres of protected land at Meadowood??

Teresa Carr  
845-591-0674

## Hollis Joseph

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**From:** Kevin Foster <golfer6364@gmail.com>  
**Sent:** Sunday, February 5, 2023 4:01 PM  
**To:** Hollis Joseph  
**Subject:** Vessel RE Holding LLC's Proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear sir

I am a home owner at 4 Meadow Court part of the Hazelmeadow2assoc.

I would like to express my opinion that this development NOT be built at the proposed site for the following reasons:

- 1 The traffic pattern on rt 10 and how this project will impact it negatively to include residents delivery vehicles fire and police vehicles entering and exiting the property.
- 2 The negative impact to the wetlands with water runoff and pollution in the water runoff along with the flooding and erosion of the embankments of Second Brook.
- 3 The light pollution due to the lighting of the parking lot and the 4 stories of staircases facing north into our development .

Please pass this along to all of the people on the design and review commission , the zoning board members and the parks and wetlands commission

Thanks!!!!

J. Kevin Foster

4 meadow Ct, Simsbury, CT 06070

John J & Diana L. Kalamarides  
Weatogue, CT 06089

February 6, 2023

Town of Simsbury  
Zoning Commission  
933 Hopmeadow Street,  
Simsbury CT 06070

**Regarding Application ZC #23-03**

Dear Chair Ryan and Commissioners:

We are writing regarding your February 6, 2023 meeting and application #ZC23-03. We are writing to encourage approval of the application and consideration of two additional points:

**Support Expanding Affordable Housing in Simsbury**

We want to express support for expanding affordable housing in Simsbury that is consistent with Simsbury's affordable housing plans and the POCD. Expanding affordable housing in Simsbury is both just and economically smart. This project appears to be in compliance with Simsbury's guidelines and if approved could bring 24 units of affordable housing for 40 years.

**Create a New CT Transit Bus Stop**

For those renters do not own a car, application ZC #23-03 is conveniently located on CT Transit bus lines 912 and 912S. We encourage Vessel RE Holdings and Simsbury to work with CT Transit to add another bus stop near the intersection of Hopmeadow St. and Powder Forest Dr to properly serve this high-density community and Powder Forest. The closest bus stop of Winslow Park & Ride is approximately a half mile away – a long distance to walk on a cold winter day. This request should not hinder the approval of ZC23-03.

**Build EV Charging in New High-Density Housing**

We noticed that Vessel Re Holdings application prominently displayed pictures including a well-known electric vehicle (EV) brand (see "View from Hopmeadow Street" and "View from Parking Lot"). Expanding EV usage is consistent with caring for the environment and capturing federal incentives. However, we did not see EV charging stations on the plan nor in the "site criteria checklist." We encourage Vessel Re to add EV charging stations to the design, consistent with their presentation. We encourage Simsbury to define "adequate charging stations" as a design criterion for future high-density development. These requests should not hinder the approval of ZC23-03.

Thank you to the staff and each of the commissioner for your service to Simsbury. Your professionalism, dedication and active leadership make Simsbury a great place to live, work and play.

Best regards,



Jamie & Diana Kalamarides

**From:** [Steven Mitchell](#)  
**To:** [McGregor George](#)  
**Cc:** [Mackstutis Wendy](#); [Goetz Heather](#)  
**Subject:** 446 Hopmeadow St.  
**Date:** Monday, February 6, 2023 5:29:09 PM

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To whom it may concern,

I understand that Vessel Corporation is seeking approval for 80 single bedroom units at the property know as 446 Hopmeadow St. Mark and I are in support of this project. Quite frankly, we need this type of residential development in Simsbury.

I believe this is being referenced as “workforce housing” and I believe the location is perfect for what Josh Levy (and partner) wants to build. The use of 446 plus the ~2 acres on the east side of the Greenway could make for a nice development.

If I were “The Town of Simsbury,” I would through in the “Scary House” next door (442).

As we employ approximately 150 people in our Simsbury businesses, we would welcome housing that would be appropriate for the workers that are earning \$15 - \$20/hr. Many of our younger employees, just starting out have to travel to Bristol, Hartford, New Britian, Torrington, etc.... As we all know gas, and transportation is expensive.

Mark and I are very well aware of the project, the types of building materials, and most of the aspects of this project.

Bottom Line - Let’s approve this project.

Sincerely,

Steven Mitchell V.P. JP

860-550-0350 cell

**From:** [Meghan Hope](#)  
**To:** [McGregor George](#)  
**Cc:** [Peter Alter](#)  
**Subject:** Fwd: Sustainability Committee Review of Application CC #22-29, 446 Hopmeadow St. of Vessel Holdings, LLC  
**Date:** Monday, February 6, 2023 3:03:49 PM

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George: See below.

Meg

**From:** Mark Scully <[mwscully29@gmail.com](mailto:mwscully29@gmail.com)>  
**Sent:** Monday, February 6, 2023 2:47:22 PM  
**To:** Josh Levy <[jlevy@myvessel.com](mailto:jlevy@myvessel.com)>  
**Cc:** Richard Correia <[richcorreia@gmail.com](mailto:richcorreia@gmail.com)>  
**Subject:** Sustainability Committee Review of Application CC #22-29, 446 Hopmeadow St. of Vessel Holdings, LLC

Josh,

I will not be able to attend the Zoning Meeting tonight, and am not sure whether other members of the Sustainability Committee will be in attendance. Nonetheless, I want to reiterate the support the Committee has for the Sustainability practices you are building into the 446 Hopmeadow Street project. To be clear, we cannot comment on other aspects of this project, including wetlands impact, traffic issues, wildlife implications, etc. However, we strongly support the attention The Vessel is paying to the sustainable energy and transportation impacts. These include:

- all-electric building systems, reducing our reliance on fossil fuels,
- high-performance building envelope, reducing overall energy needs,
- incorporation of renewable energy (i.e., solar PV),
- active energy management systems, providing tenants real-time feedback on energy usage,
- location near alternative transportation options (e.g., bike, pedestrian, bus)

We appreciate The Vessel's proactively reaching out to the Committee and wish you success with this project.

Sincerely,  
Mark Scully, Chair  
Simsbury Sustainability Committee

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Mark Scully  
29 Notch Road  
West Simsbury, CT 06092-2710  
Cell: +1 (917) 843-7214  
Email: [mwscully29@gmail.com](mailto:mwscully29@gmail.com)

Dear Mr. Hollis,

I did attend the Town meetings on Monday evening (2/6) and saw the presentation by Vessel. The Courant stated they were from NYC, but I see they are from NJ. I was quite appalled by most of the plans. I suppose we will have what looks like a prison on the south side and adjacent to our Hazelmeadow development.

I noticed how they chose to use summer photos in their presentation showing the maximum tree buffer against our property and on street side at Hopmeadow St. We know why they chose that season's photos over the winter shots. Five months of the year there are no leaves on the trees, and we can clearly see the property and blue house owned by the Christensen's. For us there will be an unobstructed view of the massive proposed building. Say what they will, they will be getting away with destroying what is there now.

When asked about the river front property and if they had plans for that, the question was sort of stumbled over; like they know they would have future plans but didn't want to let the cat out of the bag.

You have to figure that some kind of contract or agreement has been made on the home in disrepair right next door and to the south of 446 Hopmeadow St. They would need that property as well for all the massive equipment, cranes etc for the erection of such 4 story building. It's all hush, but you have to guess, which is super shady on their account. That's probably going to end up as parking spaces they will need in the end, because say what they will, 93 spaces won't do for 80 apartments. (only 3 handicap which is so not right) The commuter lot will be their overflow. When the presenter was asked about that house in disrepair, he did not give a clear answer when asked about the landscaping between the properties. On top of that I figure they have an agreement for # 438 Hopmeadow St as well too. They want that traffic light to figure into their final equation along with another future building.

They mentioned the Tannery Apartment complex in Glastonbury and how it had 100 parking spaces not in use, but the town regulations made them put them all in because of the amount of apartments there. Well the Tannery complex has 2 buildings designated to physically and mentally challenged residents. A lot of those residents don't have their own cars and rely on their aids or public services for transportation. In a sense, that comparison for the parking spaces needed was a poor comparison.

He tried to convince us about how it will be so appealing to renters with low electricity bills because of the solar panels on the roof. That's all well and good, but those solar panels won't heat and air condition any more than the equivalent of 3-4 apartments and I think I'm being generous on that figure. They all will have an electric bill in accordance with their 550 sq ft.

I see the dumpsters are to be placed right next to the bike path. I suppose that is convenient and easy pickings for the bears, raccoons, and opossums.

So they have this fancy subsurface drainage system planned. What happens 10 years down the line when the materials underneath are no longer viable to filtering out motor oil etc.... Or if and when it fills up (like during heavy rains) they plan for the overflow to run off into Second Brook. Maybe our frogs will grow and extra legs or arms in the future.

Their "outdoor" space seems to be minimal, and mostly meant to be water retention areas. I guess their dogs can always use the bike path, but they better wear their boots in the winter, because it's not cleared. And speaking of bike paths, the only bus accessible is # 932 to Hartford with a limited morning schedule and doesn't even head north until around 1pm, and doesn't pull back in the lots on the way back from Granby, but I suppose they can get off at the Simsbury Inn on the way back down south.



When we have a heavy snow, there are no extra parking spaces or anywhere else I could see adjacent to the parking area to put or plow the snow to. What is their plan? My best guess, they will plan to use a small piece of equipment like a Bobcat and scoop and lift the snow up and over the retention wall they have planned on the north side of the parking lot. The wall is to only be maximum of 30 inches or so. Perfect height to negotiate snow up and over with a Bobcat, in the end dumping salt and other chemicals needed in the parking lot in direct route to Second Brook. Enough of that is already happening up on Hopmeadow Street. Should we be adding more? It would be nice if there was a 6 ft fence against the retaining wall. That way they couldn't dump the snow with chemicals over the wall.

About the soil testing: when Vessel gets their answers back, are they set in stone? Did they get to choose their lab? I mean who's to say they can't submit some nice clean soil of their own and in the place of the soil at 446. Will there be test requested by the town of Simsbury with their own labs they work with?

As far as the intersection is concerned, they are crazy to think that isn't going to be a suicide area for their residents. Anyone making a left out of there, while at the same time a car or truck traveling north on Hopmeadow St at 40-50 miles an hour, the exiting driver will not stand a chance. That's a T-Bone waiting to happen and too bad for the dude traveling north, he wouldn't have seen it coming. This study they came up with that said like 10-20 cars will only be exiting in the morning was crap. In Hazelmeadow we have 30-40 leaving at that same rush hour traffic and we have a lot less residents than 80 apartments would have. But then again, like I mentioned above, their end goal is the traffic light access. But maybe town hall already knows more about this than I do. I'm only making a common sense judgment considering the properties for sale and pending signs.

The Vessel presenter totally evaded the question concerning the color of the building when asked by the design and zoning committee. And actually tried to steer you toward lighter colors like tan or gray, because anything darker would add price to his project. The more color pigment added to these panels to be installed on the outside will run up the price, and lower his profits. White is the cheapest!!

The only sensible thing about this prison looking building is no balconies, well not only is it easier and cheaper to construct without them, he's right they are storage areas for people with small apartments, especially with low rent apartments. Renters put the overflow out there and cover it with a tarp to keep the rain and snow off their stuff. They need to at least forgo one of the units for a bike room. I mean it's being built along the bike path and you plan to provide maybe one or two bike racks outside (free pickings for night time stealing) for bike storage. You see this was another bad feeling I got from this whole deal. They don't care about their residents. He said, "Maybe we can put a second rack out there or maybe a bench to sit on". It's all about the loophole they have found to make money.

I still don't see how they plan access the south-east side of the building with a fire truck, except via the bike path, oh but then again they'll have access after they have acquired the adjacent properties and after they have erected their other twin building and more parking spaces.

Whatever happened to the Simscroft property behind St Mary's. That space would be a perfect fit for this type of building. They would still be on the bike path and near a bus too. Since Simsbury town officials have dragged their feet on this issue of affordable housing for many, many years, we in the Hazelmeadow community will have to pay the price for this oversight, giving way to a no rules development. What a shame. These developers said all the right things to sell their product. but in the end they are there to make money and no other reason. They would never build this next door to their own home.

Thank you once again for reading my concerns.

Ann McDonald 3 Tamarack Lane Hazelmeadow community

**From:** [Elissa Papirno](#)  
**To:** [McGregor George](#)  
**Subject:** Some comments  
**Date:** Thursday, February 9, 2023 1:35:23 PM

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Mr McGregor,

Here are some comments, reactions to the planning update (not necessarily in the best order!) I might send a copy to others but wanted to get something to you quickly.

—Simsbury should be more than a “residential” place for “families”, as stated in the plans and consultant’s comments. What are “families”? What about single people, gay people, divorced people, immigrants (temporary, documented or undocumented), priests? the elderly? The federal housing census should contain a breakdown of some of those categories but I suspect the word “families” was being used in a stereotypical way and did not reflect current realities.

—I don’t recall any mention of the several respected private schools in town, namely Westminster, Ethel Walker, the Master’s School and St Mary’s. Their students, faculty and parents contribute to the town, spend money and should not be overlooked. I would consider them a major component sociologically and economically, institutions that make Simsbury attractive to others.

—Simsbury is too insular and parochial. People from outside of town could and should have been asked their views of what the town could and should be. The people already living here alone should not be proposing and constructing the future in a vacuum. Ordinarily, I would have suggested a need for more public transportation — to Hartford, surrounding towns, including Bloomfield, possibly Bradley airport and the Windsor train station. I realize many jobs have left downtown Hartford. However, Simsbury businesses need workers in perhaps a reverse commute. I remember an article about Plan B burger not being able to attract employees to Simsbury because the potential workers had no transportation. Better bus service would help.

—Bike paths. Need I mention Bike paths? There already are enough if not too many. I agree with the residents who said in comments that they want more sidewalks. Looks as if those are underway. I may write something separately later about bike paths.

—Services, facilities for the elderly. I agree with the commenters who said there need to be more and better physical facilities for older people. Years ago, a budget referendum passed to upgrade or replace the senior center in Eno Hall. Somehow, the money approved was diverted to something else.

—Businesses, Simsbury center. I know Simsbury center has been studied over and over. But there’s still a need for more small businesses. There are some new businesses various places but I would not describe the town as vibrant.

—Apartments, condos and affordable housing. I was very surprised at all the negative comments and criticisms of the newer apartments and condos. Are they not housing and the people who live in them residents and voters? Of course, more housing for people not already living in Simsbury, in big houses, so-called affordable housing is needed, preferably on one floor.

So, yes. Let’s change the character of the town and make it more welcoming and inclusive.

Yours truly,  
Elissa Papirno (Age 73!)  
142 Cooper Ave Apt 306  
Weatogue

Sent from my iPad

**From:** [David Pariseault](#)  
**To:** [Hollis Joseph](#)  
**Cc:** [Heather Pariseault](#)  
**Subject:** 446 Hopmeadow Street  
**Date:** Friday, February 10, 2023 1:37:26 PM

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Joe,

I was told you will distribute to the board members. Please forward this letter to all the zoning and wetland commission members and anyone you feel should read this letter. If you could please attach me to the emails you send out so I can see who has received this.

Thank you.

To:

Town of Simsbury, Zoning department, Planning and land use, and wetlands commission,

It has come to my attention that a developer from New Jersey, Vessel Technologies, is looking to purchase a residential house, [446 Hopmeadow Street](#), which is in a residential zoned area of town, raze the house to the ground, and then build a four-story apartment building with 80 rental units and 94 parking spaces all fitting on a little more than an acre of land. What I also understand is that this developer is going to use the State of CT statute 8-30G to strong arm the Town of Simsbury with lawsuits into approving this project. I learned that this is happening because the Town of Simsbury lost ground on addressing the low-income housing percentage and failed to keep up.

My questions:

- 1 - What decisions did the town of Simsbury make to be in this position?
- 2 - Why hasn't the town of Simsbury kept track of the percentage to ensure the regulations of 8-30G are followed, thus keeping Simsbury from being vulnerable to an action like this?

I went to the zoning meeting on Monday (2/6/23) and everything I learned from that application presentation proves that this project MUST be rejected, and it must be rejected for multiple reasons. Additionally, starting now, the Town of Simsbury must realign, and evaluate the low-income housing process and get back on track to meeting the 10% as stated in statute 8-30G and never let Simsbury be bullied into a project that does not fit within character of the town or the zoning laws.

As for the rejection of this application, the first thing I am highly concerned about, and the Town of Simsbury should be as well, is the company Vessel Technologies. Vessel Technologies has only been in business for less than 5 years, and to date there is only one supposed development completed, which is in New Jersey. There is no history with Vessel Technologies. How does the company manage and operate their properties? How do they maintain their buildings with upkeep and continued maintenance? How do they maintain the aesthetic appearance and maintenance of the landscaping? In short, who is this company that the Town of Simsbury is about to allow into the community and how are they as neighbor and business partner? I find it very unsettling and highly concerning that a company with a very short existence and no finished projects to speak of, wants to build an apartment building, in a residentially zoned area, with the only tool available to them – 8-30G. As you heard from Vessel Technologies attorney, 8-30G allows them to bypass zoning rules and regulations and they can do what they want. So now the company openly admits they are bullying their way into Simsbury. That right there is proof enough that Vessel Technologies is not a good developer or business partner or neighbor to allow into our community. This is something Simsbury needs control and is still capable of controlling.

Now the building materials, but first a little about me. I have worked in the construction industry for almost 25 years. During my career I have worked on teams to develop and manage the construction of – schools, Universities, office buildings, a liquid natural gas facility and aerospace/manufacturing. Every product and building material used was a proven item with years of R&D and extensive use. What I learned at the zoning application on Monday (2/6/23) is that Vessel Technologies will be using an unproven material, being constructed with an unproven method, designed with an unproven approach and cramped onto land zoned for residential use only and a little more than 1 acre. If the town of Simsbury wishes, I can elaborate further on the products, lighting pollution, noise pollution and traffic congestion this project will create, but I suspect we all know how bad this will be. The exterior of the building will look comparable to military barracks or even a prison. Again, I ask, is this what Simsbury wants in their community....NO! The underground detention system Vessel Technologies proposes will daylight into the brook to the North of the development. This brook already floods with heavy rains and now adding more water to the already compromised brook will result in heavy flooding, which will affect Hazel Meadow, disrupt the ecosystem and pour into the Farmington river. The water will release from the underground detention system at an increased rate and not slowly like Vessel claims. Also, the fabric Vessel proposes to install over the detention system in an effort to contain fuel and oil run off from the cars will only last a short period of time, and again what history does Vessel have for maintaining their properties or protecting the environment....NONE!! In a town that loves the environment, Simsbury cannot allow this project to go through and destroy the ecosystem.

With the information learned at the zoning application meeting and what I listed above, one can only wonder what will Vessel technologies do following the completion of the project and a full rental of the units? They will sell, make their money and abandon Simsbury and any commits made to the town and the community.

What kind of precedent does Simsbury want to set? Does Simsbury want to be known as vulnerable because of poor decisions? Allow anyone to come into the town and develop

whatever they want on any property they want? Is Simsbury really that easily threatened laws suits? All this and only 24 additional “restricted” units? The claim to using the 8-30G statute is to add restricted units and this project only adds 24. Hardly enough to help the cause, but the project will be very destructive to Simsbury and the ecosystem.

Simsbury MUST reject this application, develop the counter suit, put this unfortunate situation behind us, use this as a wakeup call and get back on track with what Simsbury does best and is known for. We are all about helping our neighbors and fellow person, but this is not the way.

Best regards,

David Pariseault

860-8173287

February 16, 2023

Town of Simsbury Planning and Land Use Department  
933 Hopmeadow Street  
Simsbury, CT 06070

Re: Proposed 80-unit apartment building, 446 Hopmeadow St., Simsbury

Dear Members of the Planning and Land Use Department:

At the request of a concerned Simsbury resident, the Office of State Archaeology (OSA) reviewed available project information related to the proposed modular apartment building at 446 Hopmeadow Street in Simsbury. The project includes demolition of an existing 20<sup>th</sup>-century house, garage, deck, sheds, driveway, and tree and topsoil removal on a lot measuring just under 2 acres, to make way for the new construction. The proposed development includes an 80-unit modular apartment building, construction of a parking lot for 94 vehicles, and several stormwater management areas.

The lot at 446 Hopmeadow Street is situated on a high terrace overlooking the confluence of Second Brook and the Farmington River, just south of the historic center of Simsbury. Review of historic maps, LiDAR imagery, and aerial photographs show that the project area was undeveloped until the current house was constructed in the mid-20<sup>th</sup> century. USDA soil maps indicate that the soils on this terrace are fertile, well-drained Hinckley loamy sands. Given the soil quality and proximity to Second Brook and Farmington River, the proposed development area is considered sensitive for pre-colonial period Indigenous archaeological resources.

Review of state archaeological site files and reports indicates that several archaeological sites have been found along the river within a mile of the proposed development site. The Farmington River Valley was an area of intensive Indigenous settlement stretching back more than 12,500 years. The Farmington River Archeological Project (FRAP), run out of Central Connecticut State University, identified more than 250 archaeological sites in the river valley and many other archaeological sites have been identified along the Farmington River by professional archaeologists and collectors. These sites span the deep history of human settlement in what is today Connecticut and reflect all aspects of Indigenous settlement patterns. They include villages, cemeteries, fishing and hunting camps, and stone quarries, among other site types. In 2019, the Brian D. Jones Paleoindian Site, which dates to more than 12,500 years ago and is the oldest known site in Connecticut, was identified on the banks of the Farmington River in the town of Avon; it is one of the most significant archaeological sites ever found in Southern New England.

OSA understands the need for new housing (especially affordable housing) and recognizes the importance of projects like this one. While OSA supports the project, I strongly recommend that the archaeological potential of the property be considered during the development planning process. If the development project proceeds, I recommend that the Town of Simsbury request a professional archaeological survey of the planned area of development. The goal of such a survey would be to identify significant buried archaeological resources in the development area so they can be avoided or mitigated prior to construction.

I have included a list of qualified local archaeological consultants with this letter. Please do not hesitate to contact me if you have any questions. I would be happy to provide additional information or participate in a site walk over, if that would be helpful. I can be reached by email at [Sarah.Sportman@uconn.edu](mailto:Sarah.Sportman@uconn.edu) or by cell phone at 860-617-6884.

Sincerely,



Sarah P. Sportman, Ph.D.  
State Archaeologist

Cc: Stefon Danczuk, Preservation CT; Joseph Hollis, Land Use Specialist, George McGregor, Director of Community Planning & Development, Maria Capriola, Simsbury Town Manager

**From:** [Kevin Foster](#)  
**To:** [Hollis Joseph](#)  
**Subject:** Re: Developer News  
**Date:** Monday, February 20, 2023 5:02:42 PM

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Joe please review and pass on to all of the decision makers

Thx

J. Kevin Foster

4 meadow Ct, Simsbury, CT 06070

On Mon, Feb 20, 2023 at 3:16 PM Diane Lajoie <[diane@tamllcct.com](mailto:diane@tamllcct.com)> wrote:

Hello,

One of your Hazelmeadow II neighbors wanted to share this information about the developer for your neighboring property.

**Vessel Owner/Developer Neil Rubler was once named one of New York's 10 worst landlords.** He had to pay a \$1,000,000 settlement to compensate abused tenants. THE DAY paper New London.

If you subscribe to the London Day, the link to the article is below:

[Bank Street developer once named one of New York's 'worst landlords' \(theday.com\)](#)

Sincerely,

Diane Lajoie

Office Manager, Total Account Management  
for Hazelmeadow II Homeowners Association



Marc L. Banks, Ph.D.  
11 Lincoln Lane  
Weatogue, CT 06089

Town of Simsbury Planning and Land Use Department  
933 Hopmeadow Street  
Simsbury, CT 06070

February 22, 2023

Dear Members of the Planning and Land Use Department,

I was recently informed about the proposed 80 unit apartment building at 446 Hopmeadow Street. While I'm not opposed to the project, I do have concerns about the potential for Native American archaeological resources within the property. I am a professional archaeologist and have been involved with archaeological projects within the Farmington Valley and elsewhere throughout Connecticut since the 1980s. I have been listed on the State Historic Preservation's (SHPO) list of qualified archaeological consultants since 1992 and formed a firm, Marc L. Banks, Ph.D., LLC specializing in cultural resource management in 2001. In 2002, I was hired by the Town of Simsbury to conduct an archaeological site sensitivity analysis to provide a general evaluation of the archaeological resources within the Town. This project was intended to assist the Town of Simsbury in the preservation of known historic and prehistoric sites and future development within the Town's boundaries. Copies of the report prepared with archaeologist Dr. Lucianne Lavin, *Archaeological Site Sensitivity Analysis of the Town of Simsbury*, were distributed to the members of the Planning and other town departments, the Simsbury Public and Free Libraries, The Farmington River Watershed Association, SHPO and the Connecticut Office of State Archaeology.

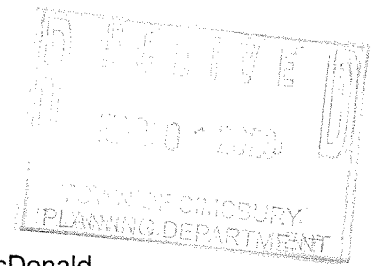
The proposed project area shares similar topography, loamy soil types, and proximity to water sources (Second Brook and the Farmington River), associated with recorded prehistoric archaeology sites nearby on either side of the Farmington River and elsewhere throughout southern New England. These characteristics greatly elevate the potential for below ground archaeological resources. Previous archaeological surveys within the Farmington Valley conducted by Dr. Kenneth Feder with the CCSU archaeological field school have located many different types of pre-contact Native American sites that span the past 12,000 years throughout Simsbury, Granby, Avon, Canto, New Hartford and Barkhamsted. The CCSU surveys and more recent investigations have provided a fuller picture of Native American life ways and changes to their settlement and subsistence during that time.

With the increasing residential and commercial development many archaeological sites and potentially archaeologically sensitive properties within the Town of Simsbury are being lost. This makes those that remain all the more significant. Given that prior to the 1950s the land at 446 Hopmeadow Street was agricultural; it seems likely that portions of

the property have the potential for intact archaeological resources. I strongly recommend that the Planning and Land Use Department require an archaeological survey as a prerequisite to initiating development of the property. Since the size of the project area is relatively small, it should not involve long delays for the developers. If significant archaeological resources are encountered informed decisions regarding avoidance or mitigation can be made prior to development of the property. I hope the Town officials will revisit the Archaeological Site Sensitivity Analysis done in 2002 and use it as a guide for other development projects like 446 Hopmeadow Street in the future.

Sincerely,

Marc L. Banks, Ph.D.



Deborah McDonald  
3 Riverview Circle  
Simsbury, CT. 06070  
February 25, 2023

William Tong  
Attorney General, State of Connecticut  
Office of the Attorney General  
165 Capitol Avenue  
Hartford, CT 06106

Thomas Hazel  
Code Compliance Officer and Inlands Wetlands Agent (DEEP)  
Conservation Commission Wetlands and Watercourses Commission  
933 Hopmeadow Street  
Simsbury, CT 06070

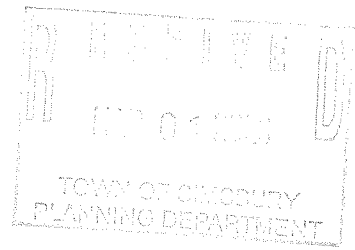
Garrett Eucalitto  
Commissioner  
Connecticut Department of Transportation  
2800 Berlin Turnpike  
P.O. Box 317546  
Newington, CT 06131-7546

George McGregor  
Director  
Town of Simsbury Community Planning and Development  
933 Hopmeadow Street  
Simsbury, CT 06070

Wendy Mackstutis  
First Selectman Town of Simsbury  
933 Hopmeadow Street  
Simsbury, CT 06070

Melissa Osborne  
State Representative District 016  
Legislative Office Building Room 4000  
Hartford, CT 06106-1591

Lisa Seminara  
State Senator District SO8  
Legislative Office Building Room 3400  
Hartford, CT 06106



The siting of this project has enormous consequences:

1. Forcing the Town to exceed its density regulations without any regard to the long lasting affect on the neighborhood, road usage, land/wetland use and conservation, noise, light and electromagnetic field pollution, vehicular pollution, and bike path interference is unacceptable.
2. Section 22a-19 of Connecticut General Statutes provide for any citizen to become an “intervenor” by filing a verified pleading that claims a proposal involves “conduct which has, or is reasonably likely to have, the affect of unreasonably polluting, Impairing or destroying the public trust in the air, water, or other natural resources of the State”. I and others in our Association may file as intervenors.
3. Second Brook is a body of water which runs under Rt 10 and exits through our land into the Farmington River. In the past, discovery of a protected species of fish as well as a water source for abundant wildlife has been noted. The proposed project would be placed on a LESS THAN two acre plot which rises up from this brook and the Farmington River. If this land becomes a paved asphalt parking lot for 94 vehicles, the runoff from this lot, which would include debris, salt, oils, chemicals and other pollutants will go directly into the brook and river. Land absorbs pollutants, Asphalt does not. A proposed retaining wall is mentioned as a solution. As we know, water is rarely ever “retained” and seeks the lowest level.
4. Route 10, known as Hopmeadow Street, is a State Road. In the past two years the volume of traffic has increased dramatically due to two developments on the former Hartford Insurance property, on the Town’s southern border. The impact on the Hazelmeadow HOA entrance and exit is great. Morning and evening commuting congestion at the intersection of RT 185 and RT 10 is considerable, taking usually 20 minutes or more to clear RT 10 and the intersection. The speed limit is regularly exceeded by over 60% of the drivers. Accidents have increased. Traffic to and from the Town Center is regularly congested. This is all before addition of another 80-90 proposed vehicles which enter RT 10 directly.
5. The economically important Bicycle Path will be impacted. The purpose of a bike path is to route cyclists and pedestrians away from traffic for safety in recreational activity. This project has a direct affect on the bike path.
6. The size, height and volume of the project will require substantial lighting, electrical, smart meters, probable solar panels. Light pollution alone will be severe, impacting many Hazelmeadow residences. The current land, along with three additional homes abutting the property, is in its natural state. Trees and natural brush form a natural barrier to both the Farmington River, RT 10 and the Hazelmeadow properties. The project would have 24/7 lighting, none of which will be naturally protected from our residences. It is the same issue for electromagnetic field generating equipment. The project will become a very concentrated source of wireless pollution. There will be no trees or natural barriers to absorb same.

# Developer: Four-story modular apartment building would help ease Simsbury's affordable housing shortage

By Don Stacom  
Hartford Courant

The New York developer that wants to build modular apartment buildings in Rocky Hill, Glastonbury and New London is seeking to put up 80 units in Simsbury.

Vessel Technologies would erect a four-story building on the Hopmeadow Street site where one single-family home stands now.

The Zoning Commission recently planned to conduct a public hearing on the proposal, but that the session was postponed. It has not set a new date.

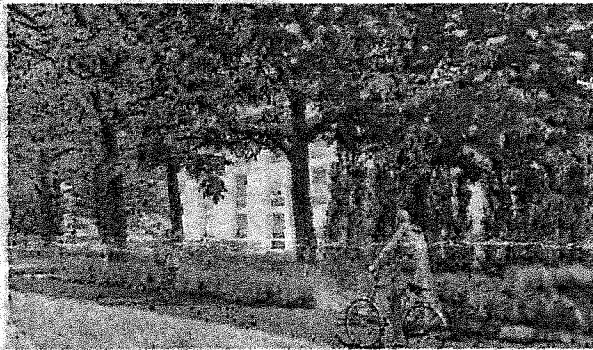
Unlike most apartment developers in the state, Vessel bases its business on "attainable" but modern housing. Units are less costly but also much smaller than the average; a two-bedroom, two-bath Vessel unit measures about 700 square feet.

In Simsbury, the company is eyeing 446 Hopmeadow St., a property of just under 2 acres. Town records list the owner as EAY Properties LLC.

Vessel wants to build 77 one-bedroom apartments and three two-bedroom units there, along with 94 parking spaces in front of the building.

The company proposes to restrict the rents on 24 of those apartments to a level that meets Connecticut's standard for "affordable housing." Tentatively, Vessel said it would cap rents in the range of \$1,054 and \$1,265 for one-bedroom apartments, and between \$1,302 and \$1,563 for a two-bedroom unit.

The company's application states that it is applying under the state's 8-30g statute, which limits municipal



Vessel Technologies' image of what its four-story apartment building would look like from the Farmington Canal Heritage trail. PHOTOS COURTESY OF TOWN OF SIMSBURY

control over proposals that provide 30 percent or more of new apartments as long-term rent-restricted affordable housing.

Vessel's attorney, Alter & Pearson of Glastonbury, sent a memo to town officials last month about Simsbury's shortage of affordable housing.

"Current market rate rents for apartments in Simsbury are far above the projected rental rates for dwelling units developed as affordable housing," according to the memo.

Under its current zoning rules, Simsbury has no practical way to bring in new affordable apartments, it said.

"The cost of land and costs of development render it impossible to develop housing units that will meet the affordable standards without the commission's approving additional density greater than that permitted by the existing regulations and/or by the creation of government programs that support the development, such as significant tax incentives," it continued.

"If Simsbury is to continue its effort to provide housing opportunities for a wide range of diverse citizens,

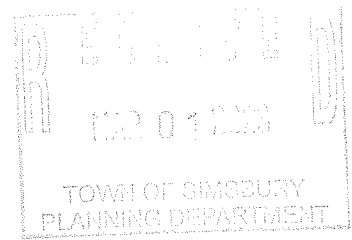
then it must take reasonable steps to meet the needs of people who wish to move to Simsbury, or who wish to remain here," Alter & Pearson wrote.

Vessel's first building was completed last year in Trenton, N.J., and envisions more of its largely identical, modernistic buildings of three to five floors around Connecticut. It plans to build one near the former Ames corporate headquarters in Rocky Hill, and others in Glastonbury and New London.

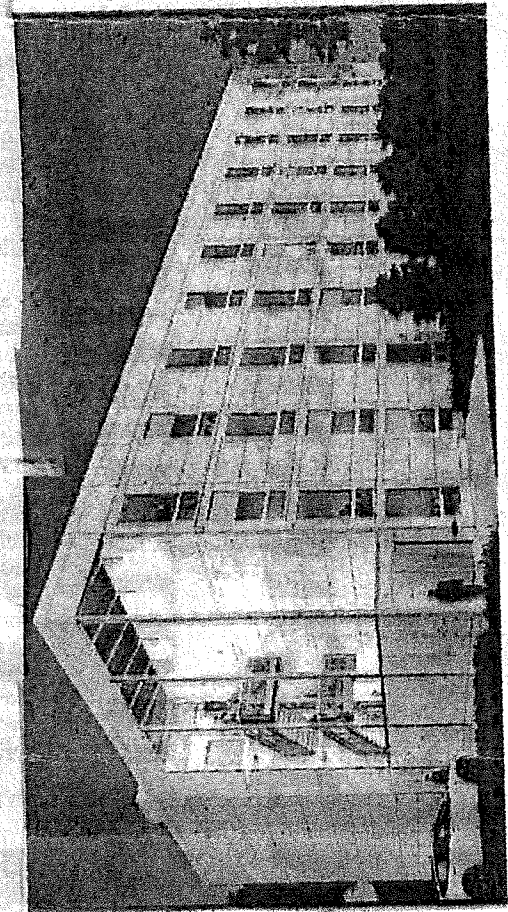
"The modular building technique allows the building to be built in parts off-site and assembled in-place permitting the building to be constructed within a matter of months. The design integrates modern technology and sustainable design with the goal of passing savings to the residents," Vessel said in its Simsbury application.

"Each Vessel property is operated by a caretaker, who will be a local resident trained by Vessel and empowered to have a career within his/her community," it said.

Vessel contends the solar panel array on the roof would make the building energy-neutral.



ant Community | Thursday, February 16, 2023



Vessel Technologies' rendition of what its four-story apartment building would look like along Hopmeadow Road in Simsbury.

**From:** [Ray Gagne](mailto:Ray.Gagne@comcast.net)  
**To:** [jlevy@simsbury-ct.gov](mailto:jlevy@simsbury-ct.gov); [mwinters@simsbury-ct.gov](mailto:mwinters@simsbury-ct.gov); [kkowalski@simsbury-ct.gov](mailto:kkowalski@simsbury-ct.gov); [ptourville@simsbury-ct.gov](mailto:ptourville@simsbury-ct.gov); [Miga Henry](mailto:Miga.Henry@comcast.net); [Mackstutis Wendy](mailto:Mackstutis.Wendy@comcast.net); [Munroe Trish](mailto:Munroe.Trish@comcast.net); [Hollis Joseph](mailto:Hollis.Joseph@comcast.net); [Campasano Christine](mailto:Campasano.Christine@comcast.net); [thazel@simsbury-ct.gov](mailto:thazel@simsbury-ct.gov); [simsbury@comcast.net](mailto:simsbury@comcast.net)  
**Subject:** 446 Hopmeadow St Apartment complex  
**Date:** Wednesday, March 1, 2023 9:34:47 PM

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## To Whom It May Concern:

I am writing to express my opposition to the proposed development of 446 Hopmeadow Street, Weatogue, CT, where Vessel Technologies would like to build a four-story 80 unit apartment complex.

My name is Dylan Gagne, and I live at 434 Hopmeadow Street. My property abuts the proposed apartment complex. On Vessel Technologies' blueprint, my house is referred to as Joe Kane's House, LLC. I am opposed to the construction of this housing project for multiple reasons.

First, I moved from Meriden to Simsbury to live in a safe and rural community. When I bought my house, the neighbor in front of my house shared his high level of comfort and security with living in a remote area with little foot traffic. With 80 apartments overlooking my property, this sense of security would be greatly impacted. Issues such as car theft, home invasions, noise complaints, and domestic disturbances are common with such complexes and are not conducive to creating the type of environment that my neighbors and I wanted when purchasing property within the town of Simsbury. My vision of raising a family in a town with great schools, green space, and community is at risk with this development.

Second, the proposed apartments would be 16 feet and 8 inches from my beautiful, wooded property. They would be about 44-55 feet high, violating the R-15 zoning code in which the maximum allowed building height is 35 feet. The proposed building would have glass halls with lights on 24 hours a day. This structure would not fit within the natural beauty of our neighborhood and would create immense

light pollution.

There are other spaces in Simsbury that would be better suited for such a large building rather than packing it into this small 1.97 acre property next to wetlands. I would ask Vessel and the town to consider the area north of Big Y or the old Wagner Ford location as more appropriate locations. Just north of Big Y, there is a property for sale that would provide more space for the proposed complex. Using the old Wagner Ford lot would be a chance to beautify an existing eye sore in the town.

Furthermore, according to the newspaper "The Day" January 26, 2022, Neil Rubler, CEO of Vessel Technologies, has a reputation as one of New York City's worst landlords.

The construction of this apartment complex would directly, negatively impact my neighbors' and my property values and qualities of life. I respectfully ask that you do not approve Vessel Technologies' application to build this apartment complex.

Sincerely,

Dylan Gagne

434 Hopmeadow St.

Weatogue, CT 06089

[dylangagne@att.net](mailto:dylangagne@att.net)

860-978-9005

**Deborah Robb & Ann Dyndiuk (Homeowners)**  
15 Nutmeg Court, Simsbury, CT 06070 · deborahrobb@hotmail.com

March 1, 2023

**RE: CC 22-29 446 Hopmeadow Street Vessel Holdings, LLC**

To whom it may concern:

Thank you for taking the time to review the concerns from those of us who reside in the Hazelmeadow community regarding the above referenced application.

The property belonging to myself and my mother at 15 Nutmeg Court, is not only located just to the north of 446 Hopmeadow, but we also share a property line. While we fully support adding affordable housing to our community, we are very concerned with this building being approved to be placed on this particular parcel of land. Simply put, this parcel of land is not big enough to safely sustain the building they are proposing.

Our first concern is the impact to the environment. As you may be aware, Second Brook which feeds into the Farmington River, is what divides 446 Hopmeadow from the Hazelmeadow community. The Second Brook area is a thoroughfare and food source for our local wildlife that includes eagles, hawks, herons, pheasants, turkeys, deer, bear coyotes, bobcats, numerous birds and some rare plant life such as the pink lady slipper orchid that blooms later in the spring and into early summer. Adding a paved parking lot of the size they are looking to build will greatly increase the toxicity of the runoff into Second Brook which will seriously impact our local plants and wildlife. The blacktop alone will add increased toxins as will the cars being parked in the lot (potentially up to 93 vehicles). These toxins include, but are not limited to trash, suspended solids, hydrocarbons, oil, grease and heavy metals.

In addition to the toxicity of the runoff is the actual increase of the runoff itself. Hazelmeadow sits well below 446 Hopmeadow and an increase to the runoff means increased destruction to the already steep and eroding bank that separates 446 Hopmeadow and Hazelmeadow. Another substantial concern is Vessel's plan to collect the runoff from their asphalt parking lot and discharge it into Second Brook increasing the potential for flooding to Second Brook, as well as our development's yards and basements. This is concerning to all Hazelmeadow residents, but is of particular concern to the properties located at 11, 12, 13, 14, and 15 Nutmeg Court which all sit just north and significantly below the 446 Hompmeadow parcel.

In light of this most recent snowstorm, another concern is Vessel's plan for snow removal. There is no space available in their current plan where they can dispose of snow or even pile snow that will not impact their already limited parking. Vessel has not even left enough open spaces for anyone to move their car so the entire parking lot can be cleared. Again, there is also concern regarding the increased runoff from melting snow banks should they not fully remove the snow from their parking lot after each snowstorm. There will also be increased toxicity from this runoff due to ice and snow related treatments to their asphalt parking lot.



We would also like to draw your attention to the location of the entrance and exit to and from Hopmeadow Street. 446 Hopmeadow sits just north of the Powder Forest Drive intersection, but is not close enough to be able to utilize the intersection and allow access to the intersection's traffic light. Vessel pointed out that their evaluation of the traffic patterns indicated that the increased traffic from their 80-unit apartment complex will not significantly impact traffic in any way, except during peak rush hours. They also indicated that cars traveling south on Hopmeadow would be able to avoid traffic delays by using the right turn only lane onto Powder Forest Drive to bypass any backed-up traffic. This plan makes absolutely no sense. There is no way to go around an already heavy line of traffic that is going straight. This intersection is already highly congested due to the close proximity of traffic lights located at Powder Forest Drive, Stratton Brook Road and Route 185. The number of potential cars entering and exiting this location will make an already difficult intersection even more dangerous.

While statute 8-30g precludes Vessel from having to strictly adhere to a number of zoning laws, Vessel also highlighted that this complex which could potentially have two (2) residents per unit, will handle the lack of parking by restricting the number of cars allowed per unit. Restricting the number of cars per unit will in turn restrict the number of residents and potentially make this unaffordable housing by limiting the number of people who can live in each unit to only one person. Based on what Vessel plans to charge for "affordable" rent, most units will need to be occupied by two (2) working adults to make these apartments truly affordable to potential residents of their targeted income levels. Vessel also indicated that this location is ideal because residents will be within walking distance to the CT Transit bus line via the Farmington Heritage Trail. While this is possible during spring, summer and fall, the trail is not plowed during the winter months and cannot safely be counted on as a walkway to utilize the CT Transit buses. There is also no public transportation in Simsbury that will allow residents without cars easy and affordable access to grocery, pharmacy or other essential businesses.

Vessel indicated that they plan on placing dumpsters on the back side of the building for resident trash collection. Not only is this an eye sore for anyone walking on the Farmington Heritage Trail, as well as the potential 446 Hopmeadow residents with windows overlooking the dumpsters, but the odor from the trash would potentially attract bears to an area where we already have an elevated bear population in which we are all very careful not to help increase with dumpsters full of food scraps.

While Vessel promises no impact to light and noise pollution, this is a highly unattainable goal. They are proposing a 4-story building that they say will be electrically self-sustaining with the use of solar panels. We have spoken to several solar companies over the last year and we are very well aware of the number of panels it takes to sustain a 1,300 square foot home. It does not seem at all likely that they can support a 4-story, 80-unit apartment complex with rooftop solar panels. This building already exceeds the height restriction and will loom above everything around it, but Vessel also claims that there will be no impact to light pollution. While we understand that they will try to limit the impact of light pollution, it is not possible to put up a 4-story complex and parking lot without significant increased light and noise pollution from both the building and the parking area. The increase in light and noise will seriously impact the residents and wildlife that surround this building.

In addition to the environmental impact are the aesthetics of the building itself. Unfortunately the building looks like a military barracks or a prison. The design of the building does not remotely reflect our community and the Developer has not offered any solutions on how to make the design more appealing. The Developer's response to the question of aesthetics was to point out that the Guggenheim

Museum was an unwelcome change to New York City architecture, but was eventually accepted. Simsbury is not New York City. Currently, Vessel has only completed the construction of one building in New Jersey. The building they are currently constructing on Bank Street in New London is already being publicized by David Collins, reporter at the New London Day, as a mistake based on the placement of this very modern looking 5-story building into a community that is reflective of the whaling era architecture. David Collins also pointed out that one of Vessel's managing partners, Neil Rubler, has been voted one of the 10 worst landlords in New York City. While this story is from several years ago, it is something that should be explored and explained before allowing Vessel into our community.

Most of us living in Hazelmeadow are fully supportive of more affordable housing in Simsbury. In fact, most of us in Hazelmeadow would probably qualify to live in an affordable housing development. Unfortunately, this proposed building will not strengthen our community. The size and location of this building will only make Hopmeadow more dangerous and cause irreparable harm to the wetlands and homes surrounding it. It is the equivalent of trying to use ten pounds of flour in a recipe that calls for two cups. We all agree that we need more affordable housing in our town, but we should work together to identify locations where affordable housing developments make sense.

Thank you again for taking the time to listen to our concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Deborah Robb", with a long, sweeping underline.

Deborah Robb

A handwritten signature in blue ink, appearing to read "Ann Dyndiuk", with a long, sweeping underline.

Ann Dyndiuk

**From:** [Ann McDonald](#)  
**To:** [Hollis Joseph](#)  
**Subject:** 446 Hopmeadow St  
**Date:** Friday, March 3, 2023 5:47:54 PM  
**Attachments:** [Ct Dept of Transportation.docx](#)

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Dear Mr Hollis,

Just for the record I would like to submit this letter in regards to the proposed Vessel Project at 446 Hopmeadow St.

I originally sent this letter to the CT DOT, but then was told to direct it to my Local Traffic Authority, that being Chief of Police Nicholas Boulter. He did reply to the letter, but I still feel, not in the full concern of the risky driveway location.

I am not including my own traffic study or other documents I sent to the chief, but I am sure he can share them with you, if need be.

Whoever is signing off on the driveway entrance and exit for 446 Hopmeadow St, should consider all the dangers that go along with its' perilous location, affecting drivers entering and exiting as well as drivers traveling north and south along Hopmeadow St in front of that driveway.

Thank you,  
Ann McDonald  
3 Tamarack Ln  
Hazelmeadow Community Resident

February 15,2023

Then again February 20

To whom it may concern at CT of DOT:

I live in the Hazelmeadow community off Route 10 in Simsbury. Adjacent to our property to the south, at 446 Hopmeadow street is a proposed 4 story, 80 unit apartment complex (77 one bedroom and 3 two bedroom) with 93 parking spaces on just under 2 acres of land. This property does not have access to the traffic light located nearby (my estimate within 100 yards to the south) at the intersection of Powder Forest Dr. The construction vehicles then eventually the tenants will be entering and exiting at this 446 Hopmeadow St address's driveway. With the amount of cars exiting and entering this complex at high traffic hours it poses a risk for them as well as drivers traveling north and south along Route 10 in this area. I will be mailing you the site plans with this letter again tomorrow.

The developer, Vessel Technologies located out of New Jersey, presented a proposal to the Design Review committee as well as the zoning commission of Simsbury on February 6, 2023. They plan to bypass a ton of zoning regulations because they are using the State Statute 8-30g which allows building affordable housing while ignoring many local zoning rules. The town actually has a 3 story limit on buildings but they will be able to build a 4 story building using this affordable housing statute; more floors also means more traffic entering and exiting at that property. Not only is our community highly concerned about the impact this high density parking area and its' tenants will have on our wetlands which abut the proposal, we are also concerned about the impact and safety this will have on our nearby roadway. It cannot be safe for the tenants to be entering and exiting so close to a traffic light and along a road which has two nearby curves and hills and add to that, though the speed limit may be around 35mph there, not many people honor that. At our entrance of Route 10 we do not have curves and hills to hinder our judgment or views.

This morning I sat in my car in a neighbors parking area to count our homeowners coming in and going out of our development and also to count the cars passing our main entrance at Hazelmeadow Place and Hopmeadow Street. I will mail you copies of my results as well. I know I am not a licensed traffic study employee, but I was curious as to the number of cars entering and exiting our main entrance. I wanted to compare our traffic numbers to the numbers the developer for 446 Hopmeadow Street has come up with. Our community consists of Hazelmeadow 1 HOA (22 100 year old homes) and Hazelmeadow 2 HOA (53 homes built in the 1970's). Only about 10 of the Hazelmeadow 1 homes use our main entrance so added to our 53 this means that we have about 63 residents that use that entrance and exit on a daily basis. More than half of our residents are retired, and over half of our homes are single occupancy or single moms with kids that do not drive. I observed 51 of our possible 63 homes using the intersection of Hazelmeadow Place and Hopmeadow St this morning. This would mean that an 80 unit apartment building would have even a larger impact on the traffic in the area.

I was actually shocked at my observations this morning. I never really realized how many cars and trucks travel past our community on a daily basis. I counted 1,667 passing by between 7-9am; includes both north and south bound, with an additional 69 large trucks/tractor trailers. If this proposed building at 446 Hopmeadow Street is allowed to be built without a real traffic study I will be highly disappointed with our DOT. The Vessel Technologies development company claimed they used some traffic manual to come up with their numbers of only a possible 30 cars at AM peak hours and 32 at the PM peak hours. Clearly they don't know how many cars and trucks use Route 10 on a daily basis. These numbers seem so erroneous as to comings and goings as compared to my neighborhood. Our community has much less drivers going in and out and we still showed 51 going in and out on an average Wednesday between 7-9am. The developer also recommends that the DOT should strip away pavement markings

that break the double yellow line at the site of the driveway. They feel that their development will not have significant impact to the traffic operations of that area. I beg to differ along with the rest of the residents in my community. I would love to know if you have been notified of such development at this location and if you have been asked to perform a traffic study in that area? With hills and curves to the north and south, the proximity to the traffic light and the immense amount of morning and afternoon peak time traffic, our community feels that this is a public safety issue for our drivers as well as all the drivers traveling through this area.

Any feedback would be greatly appreciated,

Sincerely,

Ann McDonald  
3 Tamarack Lane  
Simsbury, CT 06070  
860-597-5659  
ann.mcdonald.5939@gmail.com

**From:** [Bea Fritz](#)  
**To:** [Hollis Joseph](#)  
**Subject:** 446 project  
**Date:** Friday, March 3, 2023 12:08:58 PM

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Good morning Mr Hollis;

Thank you for taking the time to speak with me earlier this week.

I am writing with some questions and concerns about the proposed development of 446 Hopmeadow St in Simsbury.

1) This project abuts wetlands and Second Brook. I am concerned about the conservation and wildlife in the area. The increased runoff due to the impervious pavement necessary for parking would affect the brook. Has there been any discussion and research into the environmental impact of the proposed site?

2)The plan shows the proposed building to be 100 feet in a regulated area.

3) This parcel is less than 2 acres and the proposed building would house 80 units. What are the Town's residential land use requirements for an 80 unit residence?

4) The rendering of the building is not in keeping with the residential area. It appears to be more like an office building, 4 stories high, which seems in conflict with the surrounding neighborhood. What are the Town's zoning and aesthetic requirements for a 4 story building?

5)Since the rear of the property abuts the Rails to Trails path, what requirements does the State mandate for easement? Aesthetics? as it relates to new construction?

And more importantly, since the path is an attraction for the community, how would the establishment of such a building on the border of the path be received?

6) Has a traffic study been commissioned by (or at least requested of) the State of Connecticut to determine the impact of new construction in that location? and what impact would it have to the neighboring areas (Powder Forest, Stratton Brook Rd, Hazelmeadow etc.). The increased traffic that this size development would generate would be of concern with the only access being from a two lane road.

7) Finally, has the town begun an analysis of the effects on our schools, police department, and fire department with the addition of an 80 unit residence, and what estimates have been done for the number of adults and children expected to reside there?

I look forward to your responses.

Respectfully submitted for your attention.

Beatrice Fritz

Joe Hollis  
Simsbury Panning Commission  
933 Hopmeadow St.  
Simsbury, CT 06070

Dear Sir,

As a Simsbury resident living in the Hazelmeadow II subdivision adjacent to Second Brook, I have concerns regarding the environmental impact of building the proposed 80 unit apartment complex at 446 Hopmeadow Street. These issues are:

- Wildlife access to river
- Water, Air, Light, and Noise pollution
- Additional runoff due to reduction in available soil absorption

Hazelmeadow II is on the North side of Second Brook and 446 Hopmeadow is on the South side. The wetlands also include the 3 houses south of 446 Hopmeadow bordered on the south by an unnamed drainage basin, on the east by the Farmington River, and extends to the west into Powder Forest via Second Brook. This overall wetland is foraging and breeding grounds to an abundance of wildlife including deer, fox, bears, bobcats, coyotes, heron, bald eagles and many others. The animals freely roam this watershed crossing Hopmeadow Street from Powder Forest Dr. to Simsmore Square. Crossing of the trail to get to the river is limited to openings at the rear of Simsmore Square, Mathers Crossing or climbing the hill up from Second Brook to 446 Hopmeadow and crossing at the rear of the property. The proposed apartment building and parking lot would severely limit or eliminate this trail crossing point.

Conversion of the property from a single family residential to a multi-family residential with associated parking lot will generate additional pollution from vehicles and winter treatment such as salt, oils, tire rubber, and other leaking fluids. I understand a sophisticated catch basin can be used. However, is there a plan for where the snow removal will be placed? Has space been defined where the polluted snow is going to be piled to melt into the catch basin or will it reduce the number of parking spaces. Noise and exhaust emissions will also increase based on the number of cars leaving in the morning, the percentage that have remote start, and how long they will need to wait to get onto Hopmeadow. This area is currently very quiet at night from around 9PM - 6AM with the occasional excessively noisy truck or car on Hopmeadow. Having AC units running for 80 units all night during the summer is a concern for the potential audible volume and inaudible frequencies that can impact domestic and wild animals. My home faces the property where the proposed parking lot will be located. The current home lights are fine however when they drive in or out after dark, due to the difference in elevation, their headlights light up the valley between the homes. Adding the parking lot lighting being on dusk to dawn to the additional cars entering/leaving there will be a constant illumination and an impact on the nocturnal life.

Second Brook already floods in heavy rains and severely floods when the Farmington River floods and back flows into the stream. Flooding has occurred more and more often in the 8 years I have lived here. Additional runoff from reduction in ground absorption will make this worse.

There are also issues with the proposal's assumptions about parking and traffic. The site is a rural setting requiring a vehicle for work, shopping, groceries or entertainment. Public transportation at the Park & Ride at the corner goes to Grandby or Harford.

- Number of cars per apartment
- Traffic on Hopmeadow
- Trucks

I have lived in an apartment complex with 750 sqft units in a close to urban location with 1 parking space per unit. The average number of cars per unit was closer to 1.5 so all guests and renters with 2 cars had to find street parking. There is no street parking available near this property. This is a rural setting with no planned amenities at the apartments and no shopping in reasonable walking distance so every unit will need at least one car. (closest grocery store is 1.25 miles using the trail and the trail is not fully plowed in the winter). The proposed affordable rent appears to be based on household income vs individual income in order to be less than 30%. Based on individual income it would be greater than 50% of gross income. This would indicate that more than one parking space per unit will be necessary to accommodate two people working.

The traffic on Hopmeadow Street starts around 6 AM or a little earlier and does peak between 7 and 8 AM. It continues all day slowing down after 7 PM and quiet by 10 PM. The problem is turning left (south toward Avon and Hartford) onto Hopmeadow. From experience at Hazel Meadow PL (1/4 mile north of the proposed site), you may not be able to turn left during the peak time and will have to turn right. We have also experienced multiple minute waits to turn left at other times of the day like at 2:30 PM and during the evening peak hours.

Apartments of this size with no amenities will have few long-term residents which means an increase in truck traffic for the people moving in and out each month.

I am an advocate of affordable housing and feel that Simsbury needs to work with developers to make more affordable housing available. I believe there are several locations that would have better ingress/egress, parking space and expansion room for a complex of this size without the potential environmental harm to the watershed. I am also not against reasonable development of the property at 446 Hopmeadow. My concerns for this proposal are the environmental consequences to the local watershed and negative impact on the long-term neighboring residents.

Doug Bennett  
13 Nutmeg Ct  
Simsbury, CT



**From:** Kathryn Godiksen  
**To:** [Hollis Joseph](#)  
**Subject:** DESIGN/REVIEW OF VESSEL DEVELOPMENT  
**Date:** Monday, March 6, 2023 1:06:15 PM

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Dear Design and Review Committee Members:

My husband and I are long-time residents of Simsbury. I am writing to you because you are charged with evaluating the architectural design and/or aesthetics of projects proposed to the Zoning Commission. In this case, my concerns involve the proposed Vessel apartment building. I will begin and end my letter with a question.

Does Simsbury aspire to look like Trenton, New Jersey?

People are charmed by the visual appeal of Simsbury. It's a very beautiful town with graceful, often historic buildings. Even the more modern buildings balance nicely with the old. Clearly the attraction is not inspired by architecture that is based on a 4 story prefab building of white cubes made with synthetic material that looks like a dormitory. Currently, Vessel is constructing a building in downtown New London in a narrow lot between two buildings. Susan Tamulevich, the executive director of the Custom House Maritime Museum, two buildings away from the construction said, "I don't find anything commendable in this design." I agree.

Vessel Technologies, Inc. offers a rigid formulaic architectural design impervious to modification. If you want to do business with Vessel, you have to accept and bend to their design paradigm. No one knows if it will age well. They've only completed construction of one building to date, which is in the intensely urban setting of Trenton, New Jersey. Consequently, they have no track record for placing a building (the largest in their inventory) in a vastly different location. In Simsbury, they've chosen a pastoral setting next to a wetland. Hopefully, Simsbury isn't being used as a Vessel experiment.

What is Vessel's motivation for putting up the largest building they make? One assumes it's to maximize their profit, not because it makes sense in this location (at any size). Their presentations have been facile and appeared neat and comprehensive only by ignoring the true complexities of its impact. Oddly, it only provides 24 out of 80 apartments that qualify as affordable. It's the bare minimum at 30%. Most of the apartments (77) are tiny at 575 sq.ft. with one window and one bedroom, so it's hard to find the "family" in their designation as a "multi-family" development.

Is this the best Simsbury can do for affordable housing?

Sincerely,

Kathryn Godiksen

kabasgo@gmail.com <<mailto:kabasgo@gmail.com>>

Sent from my iPhone

<[https://linkprotect.cudasvc.com/url?a=https%3a%2f%2flh3.googleusercontent.com%2fa%2fAGNmyxY1b-eF0o3sF-x9W9NKby-OqPAyBDVpi5M7fEln%3ds80-pmo&c=E,1,1Sq5yCQcAM1QU6YHvFyPINSXK9Gt1d2OcBq5\\_Hg428aFaQPNw6mfXoMjopslh8ggKdH3qc6ELoYIG-fXVFTNzSNhB4gd66cUkaEakyCbCHE,&typo=1](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2flh3.googleusercontent.com%2fa%2fAGNmyxY1b-eF0o3sF-x9W9NKby-OqPAyBDVpi5M7fEln%3ds80-pmo&c=E,1,1Sq5yCQcAM1QU6YHvFyPINSXK9Gt1d2OcBq5_Hg428aFaQPNw6mfXoMjopslh8ggKdH3qc6ELoYIG-fXVFTNzSNhB4gd66cUkaEakyCbCHE,&typo=1)> ReplyForward

**From:** Kathryn Godiksen  
**To:** [Hollis Joseph](#)  
**Subject:** VESSEL IMPACT ON SECOND BROOK  
**Date:** Monday, March 6, 2023 11:48:53 AM

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Dear Conservation Commissioners:

My husband and I are long-time residents of Simsbury. I am writing to you because you are members of the agency responsible for preserving the natural resources of Simsbury. I believe that Second Brook is worth protecting as an important wetland and as a tributary to the Farmington River. If the Vessel project is allowed to go forward, the brook will be permanently damaged. I hope you will find my letter informative.

Second Brook is an important tributary that flows into the Farmington River. It provides a vital resource to a large congregation of wildlife, whether they're on four legs or on the wing. You may not be aware that when the Farmington River reaches a certain level, Second Brook cannot enter the river at different times of the year. When this happens, one of its attributes as a wetland is its ability to expand into two large ponds on the west and east side of the bike trail as it heads to the river. Though it is less than 100' to the property line ordinarily, the Brook's boundary expands up its bank making the proximity to the property line even closer. This wetland is not a static system. It can go from a reliable and gentle waterway to a rushing brook to an even more impressive wetland when it expands.

Allowing Vessel Technologies, Inc. to build its largest prefab high density building would have a permanent, negative impact on this wetland. Their plan for a four story, 80-unit apartment building includes a large parking lot that paves over most of the land and its natural setting on less than 2 acres. It also happens to be right next to and above Second Brook because it will be located at the top of its bank. State statute 8-30g has provided this developer with a generous loophole through which to push their largest building. Without the normal zoning regulations, they are allowed to overwhelm the property to its full extent, which places the 400' parking lot right along the top of the bank of the wetland. The field and trees that provide oxygen and a watershed will be replaced with a hardscape and pollution that traffic and a parking lot will inevitably produce. They will have to clearcut the property to install the building and the parking lot. Sadly, that will include a towering, old growth hemlock. The site maps show that the topsoil will be removed. Huge amounts of soil will need to be moved to level the property. Incidentally, they have no track record for placing one of their buildings in such a sensitive location. Their only completed building is in Trenton, New Jersey, an intensely urban setting.

The presentation by Vessel Technologies, Inc. to the Simsbury Design/Review Committee and the Zoning Board on 2/6/23 was a tour de force of wishful thinking on their part, that 446 Hopmeadow Street is an appropriate site for their development. One assumes that they have chosen their largest building to maximize profit, not because it makes sense in this location (at any size). It was a facile presentation that appeared neat and comprehensive only by ignoring the true complexities involving the negative impact of this development. Oddly, they only provide 24 apartments out of 80 that manage to qualify as affordable. It's the bare minimum

at 30%.

The architectural renderings that they presented at the meeting were an overt misrepresentation of reality. They conjured up a lush landscape that will not exist unless the trees can grow to 50' overnight. The Vessel presentation applied the same virtual landscape at the rear of the building and to the north of the parcel that is not theirs, nor does it have flat terrain, nor is it covered with trees as pictured. By their own admission, they wanted to obscure their stark building with the placement of (pretend) trees that will (pretend to) block the view from the street. Because the

development property runs along the top of the bank, the adjacent property sweeps downward to the brook. Unfortunately, for the nearby neighbors on the north side of the brook, only air space exists between them and the proposed parking lot. Their homes are at a lower elevation and below eye level to the development, making it all the easier to breathe the polluted air generated by exhaust and to be exposed to high levels of light trespass and noise.

## TRAFFIC/PARKING LOT/APARTMENT BUILDING IMPACT ON WATER, AIR, LIGHT, AND SOIL

### • TRAFFIC

Estimates by Vessel are vastly undercounted. At the very least, 80 apartments yield 80 cars. If they have double occupancy, e.g., a couple sharing an apartment, that could mean upwards of 150+ cars (underserved with 93 spots). To that, add visitors and delivery trucks for groceries, take out, and all other orders via FEDEX, UPS, USPS and AMAZON in this age of e-commerce.

### • VEHICULAR EXHAUST

This is comprised of the following toxins: Carbon monoxide, nitrogen oxide, hydrocarbons, benzene and formaldehyde. The open field and mature trees that currently create oxygen will be replaced by these toxins with very little to block them from the brook or the nearby homeowners. These toxins are airborne and not captured by storm drains, unless it rains. In that case, some of the pollution will head to ground water through the soil under the parking lot via Storm Tech Chambers.

## STORM TECH CHAMBERS

As it has been explained by the town Engineering Dept., most of the parking lot runoff should be directed to containers called Storm Tech Chambers that are located under the pavement. There are grates that capture solids, but not all pollutants. Let's just say you wouldn't want to drink that water, and neither should the wildlife. As they fill up, they are meant to slowly leach into to the soil below them as they head to ground water. If the chambers reach capacity, they must rely on emergency overflow which dumps the water into Second Brook.

Using the term "100-year flood" to mitigate concerns about them reaching full capacity is not considered to be a reliable metric. According to FEMA, "the vast majority of floods that occur in most of the U.S., are not 100-year floods." In many locations, "There is little difference between the 10-year flood elevation and the 100-year flood elevation." In the 45 years that nearby homeowners have observed Second Brook, flooding has occurred a several times without ever being designated as a 100-year event.

### • TIRE DECOMPOSITION

Exhaust is not the only pollution a parking lot creates. Tires continually shed as a normal process of wear and their composition is far from benign. According to the EPA, the following toxins can be found in tires: benzene, mercury, styrene butadiene, and arsenic among other chemicals, heavy metals and carcinogens. As tires break down, these toxic substances can leach out to contaminate soil, plants, brooks, rivers and lakes. These tire particles (tire crumb) will be picked up by air currents and blown to the adjacent neighborhood and float into the Brook. Crumb rubber can also emit gases that can be inhaled.

- HEAT ISLANDS

Parking lots are famous for creating heat islands, especially without mature trees to shade the pavement. Closed vehicles become intensely hot, adding to the immense heat that blacktop generates, creating an unhealthy environment for native flora and fauna.

- PARKING LOT CONSTRUCTION WITH BITUMINOUS CONCRETE

ENVIRONMENTAL IMPACT: Mobility and Bioaccumulation

Technical review (<https://globalroadtechnology.com/just-how-safe-is-bitumen> <[https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fglobalroadtechnology.com%2fjust-how-safe-is-bitumen&c=E.1.j8kc-Qx\\_jv\\_iki2qV0iNpio6qdiRccaOC9VBG2zNyifoV7I09Hv9h\\_iBi1HDzv4uoQ6b8QxwMVs-Am4Zp5oVo2Mut0RgGVPO5m0YSIRSDrNyaqE.&typo=1](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fglobalroadtechnology.com%2fjust-how-safe-is-bitumen&c=E.1.j8kc-Qx_jv_iki2qV0iNpio6qdiRccaOC9VBG2zNyifoV7I09Hv9h_iBi1HDzv4uoQ6b8QxwMVs-Am4Zp5oVo2Mut0RgGVPO5m0YSIRSDrNyaqE.&typo=1)> )

The unfavorable effects of bitumen on living organisms form the basis of its toxicology. Bitumen contains a wide range of hydrocarbons with different aqueous solubilities. The solubility of bitumen chemical constituents in water is a mode of exposure to aquatic flora and fauna. Accumulation of polyaromatic cyclic hydrocarbons in fish and aquatic species lipid membranes leads to distortion of membrane structure and function. Toxicity in early stage development of fish has been linked to the concentration of 3-5 ringed alkyl polycyclic aromatic hydrocarbons, metals and naphthenic acids in bitumen. Acute toxicity over time in water can affect fish adversely.

- SNOW REMOVAL

It's hard to imagine where they intend to put the snow from a large parking lot. Even if they make a change from the original site map, there doesn't appear to be an appropriate location for that much snow. Will the tenants be required to move their cars to clear the lot? Hopefully, the developer doesn't intend to push it over the bank and into Second Brook.

## LIGHT POLLUTION

The proposed development will generate an alarming amount of light trespass. Use of artificial light affects human health and wildlife behavior. It can disturb natural body rhythms in both humans and animals. The latest "Landlines" publication from The Simsbury Land Trust advises: "TURN OUT THE LIGHTS! Outdoor lighting has negative effects on many creatures, including amphibians, mammals, invertebrates and plants." Birds and pollinators are negatively affected as well. For trees, it induces a physiological response seriously affecting their growth, bloom time and resource allocation.

- PARKING LOT ILLUMINATION

Vessel will install several parking lot lights that are identified as "cut off" that attempt to make them down lights.

Regardless of the style of lights, the surface of the entire parking lot will be lit up all night and impossible to ignore by wildlife and nearby neighbors, alike. During the day, parked cars will constantly reflect sunlight and headlights will add to the light pollution at any time of night.

#### • 40' STAIRCASE ILLUMINATION

The north end of the apartment building houses a wide, four-story high staircase encased in a glass-like material and is totally transparent. It will be lit up all night. When asked about the light pollution so close to nearby neighbors and their landscape, the Vessel owner/salesman replied that the tree canopy would block the light with foliage and that it would only be a “glow” of light. In New England, our trees are without foliage for at least six months of the year. A huge lit staircase will cause intense light pollution for wildlife and the surrounding neighbors as it beams outward. There will also be a narrower 4-story lit panel on the other end of the building and a skylight along the top of the building emitting light. In any event, the trees on neighboring property will be stressed by the light when they are leafed out.

#### NOISE POLLUTION

To date, no detailed building specifications have been submitted. The developer mentioned solar panels on the roof which give a patina of energy efficiency without verifying their capacity to heat and cool 80 apartments. Would the panels also provide energy for hot water and all the electricity required to run refrigerators, dishwashers, washing machines, small appliances, computers, televisions, audio equipment, etc.? That’s a tall order for a few rooftop panels in a climate that isn’t reliably sunny and must share rooftop space with a long skylight. Presumably, an additional power source will be necessary. The owner/salesman claimed that any power source would be barely audible. Or will it produce a loud hum that runs 24/7, 365 days of the year from their rooftop? Aside from the building, replacing one original neighbor with 80+ neighbors will add an exponential level of noise to the location.

#### CHALLENGES TO WILDLIFE

Aside from exposing their vital drinking water to pollutants, the development will make life much more difficult for all the wildlife that is already marginalized. The overall landscape will be forever changed, and not in a good or healthy way. The animals will be challenged on many levels to navigate around a huge building, a busy hardscape with traffic in the lot during the day, which is lit all night as they attempt to reach the wetland. Allowing a new location for traffic to enter Rt. 10 will only make it more dangerous for the animals as they attempt to cross that busy road to get to the much needed resource. We’re getting close to a tipping point when fewer and fewer of our wildlife can thrive. Drivers will also be in a dangerous location as they try to enter Rt. 10, without the benefit of the traffic light that is close by. To date, there have been no attempts at conducting a formal traffic study at the actual location.

#### WETLANDS REGULATIONS

Hopefully this (long) letter has exposed most of the issues that will negatively impact the health of Second Brook and the wildlife who rely on it if the Vessel proposal is approved. As commissioners, you are a trusted group whose ability to protect Simsbury’s natural resources through the application of the wetland regulations is appreciated.

Hopefully you can agree that there are many legitimate reasons to withhold approval for the Vessel development.

These are the following regulations which stood out and can hopefully be applied:

- Any activity which substantially diminishes the natural capacity of an inland wetland or watercourse to: support desirable fisheries, wildlife, or other biological life, such as benthic communities, and/or to function effectively as a part of the total wetlands habitat;
- Any activity which has caused or is likely to cause or has the potential to cause pollution of a wetland or watercourse, or aquifer.
- Any condition that may adversely affect the health, welfare and safety of any individual or the community
- Uses and operations occurring in upland review areas around a wetland or watercourse may have an adverse effect on a wetland or watercourse. Therefore, it is the policy of the Commission to strictly control the following activities, which shall be regulated as regulated activities if occurring or proposed within any one-hundred foot uniform upland review area, as defined in these regulations:

(12 out of 13 activities apply to the Vessel project.)

Adjacent homeowners are very concerned that these activities will destabilize their property, the bank of Second Brook.

- |  |  |
|--|--|
| a. clearing                              | g. filling   |
| b. grading                               | h. construction  |
| c. paving                                | i. clear-cutting timber  |
| d. excavating                            | j. grubbing land   |
| e. depositing or<br>removing of material | k. stormwater drainage discharge                                   |
| f. earth moving                          | l. septic system leachate  |
|  | m. the use or storage of hazardous material or<br>other pollutants |

Respectfully,

Kathryn Godiksen

kabasgo@gmail.com <<mailto:kabasgo@gmail.com>>

**From:** [McGregor George](#)  
**To:** [Hollis Joseph](#)  
**Subject:** FW: Zoning Commission Application ZC #23-03  
**Date:** Monday, March 6, 2023 2:45:18 PM  
**Attachments:** [image001.png](#)

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George K. McGregor, AICP  
Planning & Community Development Director  
Town of Simsbury  
933 Hopmeadow Street  
Simsbury, CT 06070  
P(860) 658 3252  
[gmcgregor@simsbury-ct.gov](mailto:gmcgregor@simsbury-ct.gov)



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**From:** Home <mackadr@comcast.net>  
**Sent:** Monday, March 6, 2023 2:44 PM  
**To:** McGregor George <gmcgregor@simsbury-ct.gov>  
**Cc:** Julie Grey <jgreymackay@comcast.net>  
**Subject:** Zoning Commission Application ZC #23-03

Duncan & Julie MacKay  
327 Hopmeadow Street  
Weatogue, CT 06089  
(860) 651-9228

Dear George,

Julie and I are writing in connection with the Zoning Commission hearing tonight (March 6, 2023) to express our collective concern with the Vessel RE Holdings 80 unit high density multifamily development project proposed for the approximately two acre parcel of land located at 446 Hopmeadow Street in Weatogue. Our comments are based on our review of the proposal, supporting and opposing comments and responses to them, and our general familiarity with Weatogue Village, Hopmeadow Street traffic, and attempts to develop the Weatogue Village area, having lived and raised our family here for the past 33 years.

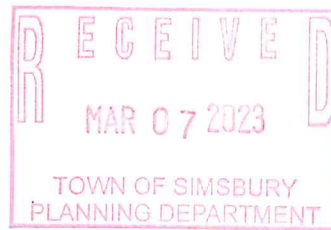
There are pockets of high density multi-family housing throughout the town, primarily concentrated in particular areas (e.g., at the north end of



Hopmeadow and south end of Hopmeadow), where there are adequate land resources to support the development. The proposed development in question, however, is highly concentrated, comprising a four story, 80 unit apartment building with 94 parking spaces (which doesn't allow for many guests, particularly if there are multi-car residents) all on less than two acres of land situated adjacent to and upland of wetlands, a brook, and the Farmington River. The potential impact to the adjacent environmentally sensitive areas through storm runoff from the impervious surfaces of the building and parking area, nearly 100 motor vehicles with fluid leaks, winter salt and snow clearing, etc., coupled with the impact to traffic in Weatogue, which is already burdensome (particularly during the morning and evening commutes), near a three-way intersection with traffic signals on Hopmeadow Street, argues for siting this type of high-density, multi-family residential project in an area already supporting such development. While the parcel in question is R-15 zoned and is located adjacent to the Hazelmeadow community, the residents of that mature neighborhood would likely and reasonably take issue with the characterization of their neighborhood as high-density multi-family.

Thank you for including our comments in the record for this application.

*Duncan & Julie MacKay*



REC  
GUM

3.7.23

Dear Conservation and Wetlands Board Members:

I realize that the owner of 446 Hopmeadow St (that is made up of 2 parcels of land totaling around 4 acres) would love to sell the parcels. And that is great under any normal circumstances, but I don't consider selling the parcels to a developer so they can erect a 4 story building with 80 apartments is the right circumstance. This proposed monstrosity with a large parking lot of 93 spaces will have huge adverse effects on the adjacent wetlands and Second Brook which abut the property on the north side.

It was brought to my attention that the Hazelmeadow Community in which I live was probably built on partial wetlands in the 1970's. Be that as it may I was a teenager then, growing up in a totally different state and had no say in its development. But here we are now in 2023 and we have a better understanding of our environment and how we should be better stewards of our lands and natural resources. Regulations were different then and things that we now know about conserving natural habitats and natural resources has changed a lot since the 1970's. Regulations even continue to change as we learn new things everyday about what's destroying our planet.

We should strive at protecting the natural areas we have especially in areas such as our wetlands and Second Brook, and more importantly in wetland areas and streams that lead to larger natural waterway such as the Farmington River. Any pollution incurred in our wetlands and Second Brook will flow directly to the Farmington River.

All three of these, Our Wetlands, Second Brook, and the Farmington River are complex and diverse habitats, providing homes for many fish, insects, amphibians, birds, diverse plants and animals. Some animals to name a few that use this area are deer, raccoons, opossums, black bears, and many bird species. My list could go on, but we haven't the time.

When one or more of these plants or species in the wetlands habitat are put in danger by pollutants, it can have a domino effect on all the other species in the area, be that it plant or animal. Pollutants can be in the form of light, car exhaust, noise, and even loose trash that ends up in the wetland and brook area. The parking lot rain runoff that washes the oils and other fluids leaking from cars, and the rain runoff from the roof of the building will also affect our wetlands and brook as it seeps through the soil or runs off as overflow during heavy rains. And in the end it all flows to the Farmington River which is about 100 yards away, and in turn effects everything in that ecosystem.

I see on the plans that the dumpsters are repositioned, now they abut the wetlands along the Hazelmeadow Place Community border. You have a windy night or any night really and the dumpsters are emptied, inevitably the trash does not all end up in the Paine's rubbish trucks. When we recycle, we usually put it into a separate receptacle and we just put it in our large recycle bin or in the apartment buildings case, the recycle dumpster. When it is windy, loose paper, empty plastic containers and bottles blow.. and they will end up in the nearby wetlands. The very short retaining wall proposed will not keep trash in, that is floating in the air or blows over such a short wall. All empty plastic bottles and containers will eventually flow right to the Farmington River. Even worse the paper will break down and settle in the Brook and wetland area, introducing foreign chemicals into the environment.

When the bear gets in the main dumpster where tenants will put their regular kitchen trash and garbage he will drag the bags to a nearby area to have a meal, the nearby area will be our wetlands and Second Brook. If the Dumpsters are in a fenced area it makes no difference to the bears; if a human can open the fence or gated area, the bear can and will as well. Just up the bike path the bear frequently visits those dumpsters and drags out the bags and across the bike path and into the wetlands to chow down. I personally have taken black plastic bags to the area and cleaned up the debris left behind by the bears. Bears do not have manners and don't consider returning their waste back to the dumpsters.

I am a mail carrier, and on my route I deliver to a 'rent controlled' building. I realize that 'rent controlled' and 'affordable' are two different categories. But you often have a friend or relative who has no other place to crash, and will move in, either long term or short term. But my point is you will not always have one tenant in the one bedroom apartments, and having multiple tenants will add to the trash bins and strain on the resources on a very small parcel of land for so many people. During the Feb 6 meeting, Vessel said they can keep the rental or lease agreement to just one occupant; well good luck with that, and once the extra person moves in it is very hard to get them to leave. You have to have multiple other tenants to complain about it and go the legal route to get them evicted, which can take months.

I recommend and request that an 8ft fence be erected on the north side of the retaining wall they show in the plan which borders the Hazelmeadow Place property: *IF THE PROJECT GOES AHEAD AS PLANNED*

-To minimize the trash blowing from the dumpsters when emptied and any trash on the property in general from blowing over such a short wall an into the natural wetland habitat and Second Brook. This won't keep all the trash out of the area, as it will blow at the area where there is access to the bike path and can end up in the wetlands area east of the bike path. But at least it will help minimize trash in the one area.

-To minimize the exhaust from flowing over the retaining wall and down into the wetlands and Second Brook. A lot of people seem to think you need to warm your car for 20 minutes or more in the winter, which would contribute to the exhaust pollution settling in the wetland area.

-The fence will help reduce the light and noise pollution that is directed toward the north and into the wetlands and nearby residents homes.

- It will also inhibit the possibility of tenants or snow removal contractors from dumping snow over the wall which contain chemicals that can harm the wetland habitat and eventually the Farmington River. A tenant cleaning the area around their car parked along the retaining wall on the north side of the property, will just shovel the snow over the wall; they will not take the time or the effort to move it to an designated area across the parking lot. A bobcat driver removing the snow would do the same, I don't care what rule you have in place. If the cars are gone from spaces and he or she is clearing the area they can easily scoop and lift the snow over the retaining wall, which is to be a very short wall.

-To reduce and minimize visibility of the building for the residents across the Brook on Nutmeg Court, so they might retain at least some of their property value.

When making your decisions concerning this development, I ask the Conservation Commission and Inland Wetlands Agency to please keep our wetlands, Second Brook and the Farmington River in mind, and consider all the horrible consequences that a large building and parking lot will have on these habitats. We all know from past experiences and poor stewardship, that it is hard to reverse wrong doings when it comes to nature.

*Ann McDonald  
Hazelmeadow Community Resident*

**From:** [Kevin Foster](#)  
**To:** [Hollis Joseph](#)  
**Subject:** The vessel project  
**Date:** Tuesday, March 7, 2023 9:08:19 PM

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Joe

My final concerns about this project

- 1 An out of state developer with at best a checkered past
- 2 That we no nothing about the financial strength of Vessel
- 3 The long term environmental concerns about the land next to the property to be developed

I would strongly suggest that The Town of Simsbury have the developer bond not only the performance and construction of the project but to also bond and monitor the environmental impact of the land just north of the property for 12-18 months

Please add my comments to the public input regarding the Vessel project

Thank you

Kevin Foster

4 meadow Ct, Simsbury, CT 06070

**From:** [debz](#)  
**To:** [Hollis Joseph](#)  
**Subject:** FW: Conservation Commission Meeting Tuesday March 7, 2023 Re:446 Hopmeadow Street Simsbury, CT  
**Date:** Tuesday, March 7, 2023 8:49:45 AM

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Sent from [Mail](#) for Windows

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**From:** [debz](#)  
**Sent:** Monday, March 6, 2023 10:21 PM  
**To:** [www.jhollis@simsbury-ct.gov](mailto:www.jhollis@simsbury-ct.gov)  
**Subject:** Conservation Commission Meeting Tuesday March 7, 2023 Re:446 Hopmeadow Street Simsbury, CT

Thank you for allowing me to express my objection to the proposal to be heard at the Public Hearing on March 7, 2023 regarding 446 Hopmeadow Street, Simsbury, CT.

Allowing any structure on this property (or combination with adjacent properties that have recently been sold to this developer) of this magnitude should not be considered by the Town of Simsbury to become a reality.

This (these) residential property is located in the middle of two closely aligned brooks that lead directly into the Farmington River. To expect that there would not be any runoff from parking lots etc. from this building into the adjacent Farmington River is not a reality, and therefore should not be approved.

Senator Blumenthal recently announced that the Federal EPA awarded CT 18 million dollars to fight dangerous chemicals in our waters, and Farmington River was one of the locations to be found with water contaminants (PFAS). These PFAS are found in household products that leak into our rivers and are labeled contaminants known as “forever chemicals” that also have been found in our drinking water. Therefore, even the Federal government is aware that the Farmington River needs to be cleaned up rather than be burdened with additional PFAS contaminants.

If low income housing is in need in Simsbury for compliance, I would suggest that across the street from this (these) residential property Powder Forest is still building and low income areas could be incorporated as well. This would not impact the Farmington River nor the Route 10 traffic congestion that is already overburdened.

Also, I would suggest that this development will be objected to regardless of size, and therefore alternate sites should be considered before this plan is contested and cost the Town of Simsbury additional funds for lawyers and solutions for clean water.

Again, thank you for consideration of my objections.

Sincerely,

Thomas and Deborah Spillane  
9 Mathers Crossing  
Simsbury, CT 06070

Sent from [Mail](#) for Windows

**From:** [Ann McDonald](#)  
**To:** [Hollis Joseph](#)  
**Subject:** 446 Hopmeadow St  
**Date:** Wednesday, March 8, 2023 1:30:35 PM  
**Attachments:** [Dear Chairperson Winters and others on the Conservation.docx](#)

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Hello Mr Hollis

Following last night's Conservation /Wetlands hearing, concerning 446 Hopmeadow St, I still have a lot more questions and concerns about the impact this development will have on our nearby Wetland, Second Brook and the Farmington River, as well as the impact to the residents who will be directly impacted by this development.

Many of my questions and concerns went unanswered by their committee and scientists that they have hired. They seemed to have all the answers in their favor, and can't look past the full impact that this development may have for our community and for anyone that may enjoy nearby areas along the bike path.

I have attached a letter so that you may easily forward it onto the Conservation Commission as well as post it in the comments concerning this development by Vessel LLC.

Thank you for your time

Sincerely,

Ann McDonald

[ann.mcdonald.5939@gmail.com](mailto:ann.mcdonald.5939@gmail.com)

Dear Chairperson Winters and others on the Conservation/wetlands committee:

I am still appalled by the whole proposal at 446 Hopmeadow St and as such I still have many questions that should be answered or addressed with the developers and or yourselves.

As per the lighting planning in the parking lot, they are ignorant to think that no light will escape their parcel of land and development. Actually I think they were intentionally ignoring the issue and tried to get around your questions you asked of the light going beyond their property line.

When there are 95+ cars in the parking lot (I say 95+ because you are going to have others parking where ever they can because 95 spaces are not enough) there will be over head lighting at 16 feet shining down on these 95 cars on their shiny surfaces with the light being reflected off and out of the area in which they are parked. When it rains it will create a reflective surface on the blacktop and sidewalk areas as well and off the wet cars, and again shining light up and beyond the developed area and into the wetlands. The light stairways will project outside all night long. This will ultimately be confusion to many species of plants and animals in the wetland and brook area. It will be like an all-night mini mall parking lot, with the store front (stairway lights) constantly on.

That is a very short retaining wall planned with seasonal plantings along the edge, and inevitably headlights will be shining into the wetlands, especially a taller vehicle such as a truck or SUV. And Headlights don't just shine in for 2 minutes as the people come and go. People will be remote starting their cars from inside the building during the winter mornings and be warming them for 20+ minutes and the headlights will be shining the entire time. Not many people manually turn of their headlights, they go off automatically after minute or so or go off when you push the car lock on your key fob. An when it snows and frosts the cars will be running for excessive amounts of time adding to the pollution to exhaust that will roam and settle in the wetland areas. So I veered with another issue, but have covered that a little in my last letter on March 7.

So to try and get a better prospective on how many parking spaces 95 really is, I went down to the commuter lot behind the Weatogue post office and counted 74 spaces. So let's add 21 more, plus the medians that contain some plantings and lighting and all the sidewalks for the tenants to traverse the parking area safely, and that's a pretty significant sized lot.

So with the size of lot in mind let's talk snow. There is no way in any shape or form will that lot store and accommodate a significant snow fall. Keep in mind the fellow said he would traffic cone off the south east corner (at the curved portion) of the parking lot for additional snow storage. And by the way where will these cars be parked when asked to be moved prior to the impending snow storm. The cul-de-sac in which I live is not a huge cul-de-sac, and when we have even 3 inches it seems like a huge amount when most of it ends up in my yard as well as the neighbors yards. So I can't imagine the amount of snow that gets moved around a 95 cars parking lot. The plow will be killing a lot of trees and plantings in the process of storing the snow. So he had the answer of carting of the snow if it's too much, where is he going to cart it too? Dows Simsbury have a snow dump lot I am not aware of? These chemicals and parking lot trash (because some will be there) will end up somewhere, but where? That's a pretty hefty expense, and will they be raising the rent's on the not affordable units to cover their unexpected costs they end up having? Because I don't see how they would be willing to cut into their profits.

And keeping with the snow, I reiterate from my last letter I left with George at the March 7 meeting, that anytime anyone will be cleaning snow from on and around their cars on the north edge of that property, they will be tossing it over that very short retaining wall, and in the end dumping any snow and ice pretreatment chemicals into an area that will eventually melt and go down the embankment and right into Second Brook.



Let's jump to summer and it's a Sunday and 90-100 degrees, most people are home (80+ cars in the lot) or doing short term errands. The heat from this, what typically was a cooler area, will now be melting anything in or around it. 90-100 degrees means much hotter when it comes to surface temperatures on cars and pavement. I'm no scientist of course, but have common sense and know that surfaces get much hotter than the air temperature. Have you ever tried to walk barefoot on a black top in the middle of summer!! I have been walking down this bike path for 16 years since moving here and so many people in the neighborhood do so on a daily basis. They all can tell you that as you pass over second brook it is all of a sudden much cooler area. These plants and animals that inhabit this are accustomed to the cooler temperatures and its cooler ecosystems.

Looking at their revised submission to the Conservation Commission on March 7 on page 2 they show the parking lot well into the 100 Upland review area. Just because they had their scientist do some surveys last October and didn't find any native species or plants that would be harmed or displaced on their property, it wouldn't mean that in the end, the construction wouldn't have an impact on the nearby wetlands and waterway which reside within the Hazelmeadow Community property lines. Also October would find many species beginning to find their winter homes burrowing down somewhere warmer and no longer in the area hanging out for some sun and a meal.

So let's jump to that drainage system that is under the parking lot. How many gallons of storm water does this system hold? If it rained, let's say like 3" in 24 hours, how much does it hold? They keep saying this 100 year flood mumbo jumbo. If you come to Hazelmeadow Place community and go to the end of Riverview Cr, I have seen the river up past the two large trees that are 3/4 way up the hillside. I have seen the river over flowed and up to my neighbors house across the street at his back deck. I have seen the water this close or near as close at least 5 times in the almost 16 years since I've lived here. If the tanks and lines are full, does the water just overflow into the parking lot then over the edges of the property onto all adjacent properties and wetlands? Does it just start discharging at a rapid pace without being filtered into the northern wetland area? If there is a regular discharge at the discharge area it will inevitably erode the bank that leads down to the wetlands and compromise our southern most bank. This will probably, long term affect the stability of their parking lot as well.

What happens if this system is tested for sediment every 6 months in the beginning and then once a year after that and at some point it is found that it no longer filters as it should? What is the life span of this type of system? What long term effects do these underground building materials have on our environment and the surrounding areas? And if I heard correctly that it will only filter 50% of the oils from vehicles using the lot, that is so scary to hear. What happens after it appears to be undeserving its purpose? Do all the residents have to park their 95 cars elsewhere while the lot is dug up and reengineered over a 2-3 months time? Like I stated in the meeting I don't think to the best of my knowledge that salt (snow/ice treatment) can be extracted from the water that ends up in those tanks. If salt can be extracted from water please sign me up I want that filter, because the residents of Simsbury are drinking a lot of salt in their water; like at national limits!

I ask is this system working anywhere else in Connecticut that we can see it in person and see how it discharges the stored water and I'd like a 4 season test of this particular discharge to see what is leeching through during each of the seasons? How often are these systems built and used? Anyone can have a leaky car of oil, antifreeze, gasoline, washer fluids, power steering fluid etc.... Typically a person that can only budget a particular amount for rent isn't going to be driving a newer car. The chances of these tenants having older cars that leak is highly likely. They also might be the type of people to change their own oil in the parking lot or do some other type of self car maintenance. Like even take a bucket of water with soap outside and do a one bucket car wash. Being so close to wetland and a major tributary to the Farmington River, I am having trouble accepting all the developers answers to all of our

concerns and questions. When questions were asked by the panel toward Vessel, Vessel's answers were not always given in confidence and honesty.

Why does it have to be this particular lot, such a small parcel of land impacting many nearby residents , wetlands, Second Brook, and Farmington River? I know why it has to be 4 Story's and knew that in its inception, because they need at least 2 extra floors to make any type of profit, which tells me in the end it's not about affordable housing; it's all about profit! If this project went up on a different parcel of land more suitable to its appearance and needs, the underground convoluted system of drainage may not even be needed. I know you will consider the impact this development will have on all the surrounding areas. And also again I invite anyone to our neighborhood to see what we will be dealing with if this development goes forward and to take a walk down the path with me or another resident to view the wetlands and Second brook natural habitat.

Sincerely,

Ann McDonald  
3 Tamarack Lane

ann.mcdonald.5939@gmail.com  
860-597-5657

**From:** [Pamela Simmons](#)  
**To:** [Hollis Joseph](#)  
**Subject:** Proposed Affordable Housing Build out on Hopmeadow street  
**Date:** Wednesday, March 8, 2023 5:27:26 PM

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As a resident of the Hazelmeadow II complex, I was pleased to see homes being listed in our neighborhood and offers being made that raise our property values back up to where they were when I bought in 20 years ago.

However, I was made aware today, that one of the properties listed had 15 offers and all but 1 pulled out when they learned of this proposed building. That 1 offer is contingent upon whether this new monstrosity is built, potentially once again lowering the property values for us all.

The parcel in question butts up directly against one street in our neighborhood and will be causing noise and light pollution to quite a few streets in our neighborhood.

As it sits up a hill, if any salt is spread in the parking lot, and snow must be cleared it will run down the hill polluting the Second Brook stream which flows directly into the Farmington River.

We have a very large amount of bear traffic in this neighborhood, and the level of garbage that will accumulate for 80 units will only attract more bears to our area. As it is, we have to be extremely cautious when walking our dogs or even walking in this neighborhood. We can not afford to attract any more bears to this area and maintain a safe place to live.

I am certainly in favor of affordable housing in Simsbury. It should have been addressed years ago, but putting in a unit like this, that will cause damages to so many people for only 24 affordable units does not make sense. It will be detrimental to WAY more than 24 individuals/families.

I have to believe that there are other locations in Simsbury that would have more land and would provide a better fit for this type of complex. Many that would provide a better traffic flow for the tenants.

Finally I have to say, not only it is not esthetically pleasing, the apartments look like jail cells inside, and it certainly does not even come close to the charm Simsbury is known for.

I am shocked the town is even considering this proposal in this location of less than 2 acres.

Thank you.

A concerned Hazelmeadow II long time resident

**From:** [Contact form at Simsbury CT](#)  
**To:** [Hollis Joseph](#)  
**Subject:** [Simsbury CT] Proposed development at 446 Hopmeadow (Sent by Kelly Rothfuss, kellym928@gmail.com)  
**Date:** Friday, March 10, 2023 11:55:33 AM

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Hello jhollis,

Kelly Rothfuss ([kellym928@gmail.com](mailto:kellym928@gmail.com)) has sent you a message via your contact form (<https://www.simsbury-ct.gov/user/17201/contact>) at Simsbury CT.

If you don't want to receive such e-mails, you can change your settings at <https://www.simsbury-ct.gov/user/17201/edit>.

Message:

Good afternoon,

I live at 14 Nutmeg ct, a property directly across from the proposed development and just north of second brook. My concerns are wide and varied ranging from light pollution, noise, trash, declining property values, traffic and the general eyesore of the entire project. But, my main concern is the physical destruction of my home. My basement has flooded 3 times over the past 17 years. The first time it flooded was in 2007, right after hundreds of trees were cleared in the Powder Forest. The loss of trees put stress upon second brook in handling runoff leading to flooding. The other 2 floods have occurred in the past five years. Since the apartments have been built in the Powder Forest there is even less open space to absorb rainwater. This leads to even more stress upon second brook. At this point a typical rainfall of 1-2 inches results in second brook being backed up. Any heavy rain 5-6 inches or a hurricane would lead to flooding.

This proposed new construction will reduce even more water absorbing trees and open space. More stress will be out on second brook which will then flood my basement.

I understand their proposed plan for water runoff and discharge but I will not put my home and health of my family in the hands of developers.

My home will literally be destroyed by this development. I will have to deal with mold and constant water in my basement. I will never be able to sell this house to find other safe housing for me and my family.

Thank you.

Kelly Rothfuss

**From:** [cmsmailer@civicplus.com](mailto:cmsmailer@civicplus.com) on behalf of [Contact form at Simsbury CT](#)  
**To:** [Hollis Joseph](#)  
**Subject:** [Simsbury CT] Copy of my letter re: 446 Hopmeadow project (Sent by Deborah McDonald, deblynct@aol.com)  
**Date:** Sunday, March 12, 2023 11:38:16 PM  
**Attachments:** [informal letter 2.pdf](#)

---

Hello jhollis,

Deborah McDonald (deblynct@aol.com) has sent you a message via your contact form (<https://www.simsbury-ct.gov/user/17201/contact>) at Simsbury CT.

If you don't want to receive such e-mails, you can change your settings at <https://www.simsbury-ct.gov/user/17201/edit>.

Message:

Mr. Hollis,

You may have seen my letter, however, I am attaching a copy for your interest.

I believe members of our Homeowners association could become ' intervenors' per CT state statute due to the impact of this project on the land, water, light pollution and emissions.

We have already seen one property in Hazelmeadow II which is for sale and had many offers on it, had the offers withdrawn upon learning of this project.

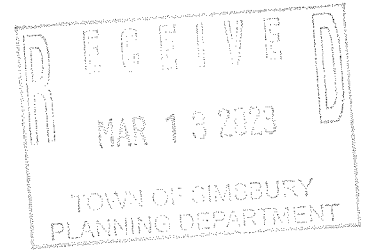
The one offer remaining, has a contingency purchase clause related to the project. This is no surprise, and does not bode well for our homeowners.

Sincere regards,

Deborah McDonald

March 10, 2023

David Rogers Ryan  
Chairman of the Simsbury Zoning Commission  
Town Hall  
933 Hopmeadow Street  
Simsbury, CT 06070



Dear Mr. Ryan

As a resident of Simsbury I have watched this town grow over the past fifty+ years. I used to be impressed by the care given to the look of new developments in the town.

Buildings had the proper scale and quality of the original fine structures and blended with or enhanced the look of the town.

More recently the densely developed and tasteless condominiums on the southern portion of Hopmeadow Street called Aspen Green were built without care or consideration for the site chosen or the tone of the town, spreading like a malignant cancer in front of Simsbury's symbolic mountain and its tower.

Now, a four-story-high white box may be built on Hopmeadow Street. Will it blend with the buildings around it in scale and appearance? Will it enhance the main thoroughfare in the town? No, it will not.

There is no other building like it. It's too tall, it's too big, it's too white. Its too demanding on the town's water and sewage services.

And it will not meet the needs of Simsbury residents.

That the majority of the apartment's will be one bedroom precludes couples with children.

That only one parking place is allotted to each apartment precludes working couples with two cars.

I don't want this atrocity built in Simsbury.

I'm all for affordable housing, but that doesn't mean I'm for cheaply built structures that will stuff in as many people possible to maximize profits for the owners, without care for the esthetics of the building or the quality of life of the residents.

I hope your send the builders back to the drawing board to create an apartment house compatible with the look of Simsbury and the needs of its residents.

Sincerely,

*Janice J. Madrak*

**From:** [Capriola Maria E.](#)  
**To:** [McGregor George](#); [Hollis Joseph](#)  
**Subject:** 22/29 Wetlands Application for Construction at 446 Hopmeadow/Due Process Clarification  
**Date:** Monday, March 13, 2023 5:44:11 PM

---

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Amy Allen <aallen121700@yahoo.com>  
**Date:** March 13, 2023 at 2:57:13 PM EDT  
**To:** Board of Selectmen <BOS@simsbury-ct.gov>, Mackstutis Wendy <wmackstutis@simsbury-ct.gov>  
**Cc:** Amy Allen <aallen121700@yahoo.com>  
**Subject:** **22/29 Wetlands Application for Construction at 446 Hopmeadow/Due Process Clarification**

Greetings:

My name is Amy Allen. I was born and raised in Simsbury, CT along with 5 siblings and two loving parents. We were brought up in this rural, cozy town; always with appreciation and support towards Land Preservation and Wetlands protection in order to maintain the amazing wildlife and 'quality' of life we have been blessed to have here in Simsbury.

I have lived in the Hazelmeadow community for over 10 years with my son and family; first on Nutmeg Ct. and now at 6 Tamarack Lane.

There are two main points I need to raise to this audience; hoping for some clarification or at least identification of gaps in our processes with timelines to be addressed. This is NOT an exhaustive list of concerns.

**QUESTION 1:** As a Town standard, is there a defined procedure set in place to reference how Simsbury collectively defines Meetings v. Hearings as a part of language included across Boards/Committees? I am struggling to find language anywhere that clearly describes the process in which the town residents can point to and feel confident to then interact appropriately? *(Would assume there is a formal engagement model/RACI for how we all interact)*

**Concerns:** *As instructed by our Planning and Development Director, the public hearing is essentially the only appropriate setting/platform for residents to have any input/questions/concerns. (see below for more impacts on regulation language)*

**Impacts:** *I have grave concerns regarding violations of 'Wetlands Regulations' as they relate to the proposed housing project located at 446 Hopmeadow Street. I was personally directed to attend the "Hearing" set on 3/7 to voice my concerns. After preparing for the "Hearing" held 3/7 at Simsbury Library, I was deflated and upset that I had to leave after hours of vendor presentations and uncomfortable settings. I was not even able to speak for the brief minutes that were granted to residents. I also watched back and saw that one neighbor was actually "hurried" after waiting HOURS, to speak only minutes. Also please note, I have disabilities covered under ADA, and despite no ADA accommodations, I attempted to attend to be heard and feel I/we weren't given that opportunity.*

**Summary:** *I am most perplexed and disappointed that there is no formal Engagement Model. Regular due process should be available within our town organization. This leads to zero consistency, leaving residents confused. There should be a way to align and measure across the silos within our Town Organization. It is confusing and disruptive when there are "pockets" of different processes and expectations. I personally feel "lost" in how to engage with my town in order to optimize time and also effectively communicate true concerns/feedback negatively impacting my daily living, as well as future generation concerns.*

**Without clarification, it is not possible to effectively and rightfully interact.**

*(Legend: I have directly cited the Regulation document with added "Bold" print representing language for immediate attention within this email. This is followed by my direct questions in highlighted with italics.)*

*NOTE: This does not omit considerations or concerns for other items not directly noted.*

**QUESTION 2:** Who is the point person (Project Manager or Champion) representing the town residents with regards to all public matters presented before the town? (in other words, how do the residents effectively collaborate and understand all legalese and process/procedure in order to effectively communicate in response to such projects like the one at hand) which EXPLICITLY is defined as a "Regulated Area" as defined in the "Inland Wetlands and Watercourses Regulation



Document" (eff. 6/1/13) There are many sections to note, with some examples below:

## SECTION 1 - TITLE AND AUTHORITY

The preservation and protection of the wetlands and watercourses from unnecessary, undesirable and unregulated uses, disturbance or destruction is in the public interest and is essential to the health, welfare and safety of the citizens of the state. It is, therefore, **the purpose of these regulations to protect the citizens of the state by making provisions for the protection, preservation, maintenance and use of the inland wetlands and watercourses by:** • minimizing their disturbance and pollution; maintaining and improving water quality in accordance with the highest standards set by federal, state or local authority; • preventing damage from erosion, turbidity or siltation; preventing loss of fish and other beneficial aquatic organisms, wildlife and vegetation and the destruction of the natural habitats thereof; • deterring, inhibiting, and minimizing the effects of flood and pollution; • protecting the quality of wetlands and watercourses for their conservation, economic, aesthetic, recreational and other public and private uses and values; and • protecting the state's potable fresh water supplies from the dangers of drought, overdraft, pollution, misuse and mismanagement. **by providing an orderly process to balance the need for the economic growth of the state and the use of its land with the need to protect its environment and ecology in order to forever guarantee to the people of the state, the safety of such natural resources for their benefit and enjoyment and for the benefit and enjoyment of generations yet unborn.**

*(Is the Commission meant to serve as our "Champion" to ensure this is upheld to the regulations recorded? If so, I believe there is tremendous opportunity to improve our engagement models within the town in order to refine and create an "orderly process" allowing for more public input.)*

## SECTION 2 - DEFINITIONS

**"Significant impact activity"** means any activity, including, but not limited to the following activities which may have a major effect or significant impact.

- 1. Any activity involving deposition or removal of material which will or may have a substantial effect on the wetland or watercourse or on wetlands or watercourses outside the area for which the activity is proposed.**
- 2. Any activity which may substantially change the natural channel or may inhibit the natural dynamics of a watercourse system;** cause a reduction of an inland wetland or watercourse's natural flood storage capacity; result in increasing the volume or velocity of water leading to upstream or downstream flooding; cause an erosion, sedimentation, or an impairment of the natural flushing of stream sediment during normal flooding.
- 3. Any activity which substantially diminishes the natural capacity of an inland wetland or watercourse to: support desirable fisheries, wildlife, or other biological life, such as benthic communities, and/or to function effectively as a part of the total wetlands habitat; prevent flooding; supply water; assimilate waste; facilitate drainage; provide recreation or open space; or perform other beneficial functions.**
4. Any activity which is likely to cause or has the potential to cause substantial turbidity, siltation or sedimentation in a wetland or watercourse, or the degradation of water quality of surface or groundwater.
5. Any activity which causes a substantial diminution of flow of a natural watercourse or groundwater levels of the regulated area.
- 6. Any activity which has caused or is likely to cause, or has the potential to cause pollution of a wetland or watercourse, or aquifer.**
- 7 Any activity which damages or destroys unique wetland or watercourse areas or unique wetland habitats having demonstrable scientific or educational value**
8. Any activity that has the potential to increase the mobility of soil contaminants.
- 9. Any condition that may adversely affect the health, welfare and safety of any individual or the community.**

*(As noted in last IWWA "hearing", property values have already diminished displaying inability to transfer real property with the knowledge that this infringement is proposed. "From 15 offers in one day, all of which were rescinded" upon hearing of this proposal of such a large obtrusive build on our backyard land, infringing on Wetlands protections in place. This directly impacts overall safety and health/well-being.)*

## **SECTION 4 - PERMITTED USES AS OF RIGHT & NONREGULATED USES**

4.1 The following operations, activities and uses shall be permitted in inland wetlands and watercourses, as of right:

d. uses incidental to the enjoyment or maintenance of residential property, such property defined as equal to or smaller than the largest minimum residential lot site permitted anywhere in the municipality (i.e., residential lot sizes of four (4) acres or less) and containing a residence. Such incidental uses shall include maintenance of existing structures and landscaping by hand, **but shall not include removal or deposition of significant amounts of material from or into a wetland or watercourse, or diversion or alteration of a watercourse;**

## **SECTION 7 - APPLICATION REQUIREMENTS**

7.11 For any permit application involving property subject to a conservation restriction or preservation restriction, the following shall apply:

a. for purposes of this section, "conservation restriction" means a limitation, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land described there, including, but not limited to, the state or any political subdivision of the state, or in any order of taking such land whose purpose is to retain land or water areas predominantly in their natural, scenic or open condition or in agricultural, farming, forest or open space use.

## **SECTION 8 - APPLICATION PROCEDURES**

8.3 The Commission shall, in accordance with Section 22a-42b of the Connecticut General Statutes, notify the clerk of any adjoining municipality of the pendency of any application to *conduct a regulated activity when:*

a. any portion of the property on which the regulated activity is proposed is located within five hundred (500) feet of the boundary of any adjoining municipality.

**b. a significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;**

c. a significant portion of the sewer or water drainage from the project site will flow through and significantly impact the sewage or drainage system within the adjoining municipality....

*(Upon notification of the clerk, what studies have been*

*completed related to traffic and what are acceptable thresholds? Traffic is already a daily problem affecting basic welfare on school/work, etc. Also, how has the snow removal concerns been irradiated: It has been brought up across the town with no sufficient response?)*

## **SECTION 9 - PUBLIC HEARINGS**

*(Please define a "public hearing": The last one I attended was quite disorganized and quasi embarrassing; driven by Vessel primarily, leaving VERY limited time for any concerns to be voiced by residents after sitting through hours of the 3rd party presentation. My expectation is that a Public Hearing would gear towards allowing the town to raise concerns as this is the defined forum supposedly, and we are the ones directly impacted. There are also major compliance impacts related to said hearings.)*

## **SECTION 10 - CONSIDERATION FOR DECISION**

10.1 The Commission may consider the following in making its decision on an application:

- a. The application and its supporting documentation
- b. Public comments, evidence and testimony
- c. Reports from other agencies, staff, and commissions including, but not limited to the Town of Simsbury. 1. Planning Commission 2. Zoning Commission 3. Building Official 4. Health Official (FVHD) 5. Town Engineer

*(Given this language, it is even MORE upsetting and unjust, given the pre-established fact that there truly is not a process/engagement model, nor forum for the public to react to such an intrusive proposal)*

10.2 Criteria for Decision. In carrying out the purposes and policies of sections 22a-36 to 22a-45, inclusive, of the Connecticut General Statutes, including matters relating to regulating, licensing and enforcing of the provisions thereof, the Commission shall take into consideration all relevant facts and circumstances, including but not limited to:

- a. **the environmental impact of the proposed regulated activity on wetlands or watercourses which may include:**
  1. **the amount and nature of material to be removed or deposited and the projected effect on the water table, drainage patterns; flood control, water supply and quality, and aquatic or benthic organisms;**

2. potential for erosion and/or siltation;
3. likelihood of siltation and leaching, and any resulting adverse effects on water quality and aquatic life;
4. projected changes in velocity, volume, course of water flow or in the water table, and their effects;
5. changes to the physical, chemical, or biological properties of the water or soil, and their impact;
6. change in the suitability of the area for recreational or aesthetic enjoyment;
7. importance of the area to the region with respect to water supply, water purification, flood control, natural habitat, recreation, open space, and size;
8. consistency with the Connecticut Department of Environmental Protection water quality classifications and goals;
9. the effects on the inland wetland's or watercourse's natural capacity to support desirable biological life, prevent flooding, supply water, control sediment, facilitate drainage, and promote public health and safety;
10. topography, including but not limited to slopes in excess of 20%; and
11. negative impacts or degradation of habitats.

*(I am confident, if provided the appropriate forum and organization, the SME's amongst our residents/townsmen are very capable to speak to the above criteria for consideration)*

10.6 In reaching its decision on any application after a public hearing, **the Commission shall base its decision on the record of that hearing. Documentary evidence or other material not in the hearing record shall not be considered by the Commission in its decision. A conclusion that a feasible and prudent alternative does not exist does not create a presumption that a permit should be issued.** The applicant has the burden of demonstrating that the application is consistent with the purposes and policies of these regulations and Sections 22a-36 to 22a-45, inclusive, of the Connecticut General Statutes.

10.7 In the case of an application where the applicant has provided written notice pursuant to subsection 7.11c of these regulations, **the holder of the restriction may provide proof to the inland wetlands agency that granting of the permit application will violate the terms of the restriction. Upon a finding that the requested land use violates the terms of**

**such restriction, the inland wetlands agency shall not grant the permit approval.**

*(This underscores my concerns around the process and definition of "hearings". Our current infrastructure does NOT integrate the public in an appropriate fair manner. It remains a challenge for residents to be heard across Committees directly impacting residents welfare.)*

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**Due to the fact that there are now two upcoming 'Hearings', with Zoning first and then Wetlands, please provide response/clarification in order to allow the public to properly engage and be heard.**

My wish would be that we follow ancestral roots with reference to basic Constitutional guidelines. This would require an engagement model and RACI for all to follow. One clear immediate necessity is a forum and role clarification for all interested/impacted parties to collaborate in making informed decisions.

Thank you for taking the time to read through my concerns. Please note this is not an exhaustive list of all the negative impacts this proposal at 446 Hopmeadow would have on our community/town. This example has really highlighted the gaps in our infrastructure as a Town.

My expected outcome upon communicating these collective concerns would be that the proper Roles are identified to "take charge/own" the creation or clarification with regards to Roles and Workflow/Engagement to achieve optimal benefits related to decision making across our sacred community.

If there are questions regarding my concerns, please contact me directly with your response. Also, please ensure this note is communicated across all appropriate channels including Planning Director, Zoning Chairs, etc.

Regards,

Amy Allen  
6 Tamarack Lane  
Simsbury, CT 06070

860-324-3522

**From:** [Contact form at Simsbury CT](#)  
**To:** [Hollis Joseph](#)  
**Subject:** [Simsbury CT] Vessel news article (Sent by Deborah McDonald, deblynct@aol.com)  
**Date:** Monday, March 13, 2023 12:08:36 AM

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Hello jhollis,

Deborah McDonald ([deblynct@aol.com](mailto:deblynct@aol.com)) has sent you a message via your contact form (<https://www.simsbury-ct.gov/user/17201/contact>) at Simsbury CT.

If you don't want to receive such e-mails, you can change your settings at <https://www.simsbury-ct.gov/user/17201/edit>.

Message:

This may serve as a warning to all of us.

Regards,

Deb McDonald

<https://www.theday.com/local-columns/20220124/shame-on-new-londons-plann...>

Shame on New London's Planning and Zoning commissioners

A New York-based housing developer won approval on Thursday, Jan. 20, 2022, for the construction of a 20-unit, multifamily building at 174 Bank St., New London, a site that some have called “the missing tooth” of Bank Street. (Conceptual rendering courtesy of Vessel Technologies)

January 24, 2022 11:00 pm • Last Updated: January 26, 2022 9:21 pm

By David Collins

Day Staff Columnist

[d.collins@theday.com](mailto:d.collins@theday.com)

When I caught up with Laurie Deredita, vice chairwoman of New London's Historic District Commission, to learn more about how out-of-state developers ever got permission to build a hideous, five-story, prefabricated modular apartment building in the heart of the downtown National Register historic district, she told me she still hadn't recovered from last week's approval by the Planning and Zoning Commission.

"I've been licking my wounds all weekend," she told me Monday.

I know exactly how she feels.

When I saw the rendering of the new Bank Street building published in The Day, I felt like someone had kicked me in the stomach.

It's like they are going to rip a part of the soul out of Connecticut's finest downtown, a historic district of 19th century, whaling-era architecture that has survived remarkably well into the 21st century.

A lot of well-meaning citizens have tirelessly volunteered over the years to help keep it preserved.

I can't help but think of the recent efforts, coordinated by New London Landmarks, with a



successful petition drive, that secured the help of statewide preservation organizations and the attorney general, leading to a Superior Court judge ordering a stop to the demolition of two small Bank Street buildings.

Several new restoration projects on important buildings are underway downtown, and those responsible developers have all pledged to respect the historical character of the downtown.

And then the city's Planning and Zoning Commission, turning a deaf ear to unanimous negative comments from the Historic District Commission members about the manufactured tower, approved it with a unanimous vote after little discussion.

It's like the tall and skinny new building, which will literally cast a shadow over the remarkable stone 1833-35 Custom House, will become a giant raised middle finger aimed at all those, volunteer preservationists and developers alike, who have respected and worked so hard to celebrate the city's rich architectural history over the years.

"It very much sets a precedent," Deredita told me. "It sort of tells people, 'why bother.'"

The board of New London Landmarks held an emergency meeting this week and pledged to look at how the city's approval process works.

"We have to find a way to prevent something like this from happening again," the board said in a statement.

The perpetrator of this assault on New London's rich historic character is a New York-based company called Vessel Technologies Inc., the creation of developer Neil Rubler, who claims his use of cheap manufacturing systems for housing will help ease homelessness.

Honestly, that's part of the pitch. I find it offensive to suggest that market-rate apartments in an ugly, prefabricated building on Bank Street are going to do anything except make Vessel Technologies money.

It is certainly isn't going to help New London's homeless.

Vessel's local pitch person was William Sweeney, the New London attorney who represented the owners of the Whaler's Inn in Mystic in their successful demolition a few years ago of a house on the Stonington side of downtown Mystic listed on the National Register of Historic Places.

Sweeney even convinced the New London Planning and Zoning Commission, before the Vessel project came to a vote, to change the zoning rules, so that new buildings on empty lots would not have to abide by rules requiring first-floor commercial space on the street.

Then they wheeled in their no-storefront building for Bank Street for its unanimous thumbs-up from the planning commissioners.

Mayor Michael Passero gave the commissioners a pat on the back in a story in *The Day* reporting on the December approval for a rule change made specifically at the request of the developer's lawyer.

Shame on them all.

Someone should tell New London officials that there's a housing boom going on around the country and there's no need for the city to be desperate and groveling before developers anymore.

"Uuuuuugly," was one of the typical reader comments on the story with the rendering of the new prefabricated building blessed by New London officialdom.

Wait till they see the actual product being assembled in the middle of one of the things that makes New London so special, a riverside streetscape from the golden age of whaling.

This is the opinion of David Collins.

[d.collins@theday.com](mailto:d.collins@theday.com)



**Farmington River Watershed Association, Inc.**

749 Hopmeadow Street, Simsbury, CT 06070  
(860) 658-4442 Fax (860) 651-7519 [www.frwa.org](http://www.frwa.org)

March 16, 2023

RE: Application ZC #23-03 of Vessel RE Holdings, LLC, Applicant, EAY Properties, LLC, Owner, for a site plan pursuant to CGS 8-30g for construction of a  $\pm$  55,030 sq. ft., 80-unit multi-family development, at 446 Hopmeadow Street. (Assessor's Map G13, Block 142, Lot 003C) Simsbury, CT 06070. Zone R-15.

Dear Simsbury Zoning Commission,

These comments are provided by the Farmington River Watershed Association (FRWA), a private non-profit citizen's organization dedicated to preserving, protecting, and restoring the Farmington River and its watershed. The Farmington River Watershed contains 33 towns, 23 of which are in Connecticut. We are often asked to provide comments for applications when proposals concern land close to the Farmington River or encompass wetlands and streams that flow into the River.

The Farmington River Watershed Association feels compelled to write in opposition to this proposed development for 446 Hopmeadow Street. Obviously, the scope and scale of the project is something that Simsbury is not used to seeing, and with the new challenges this region is facing from climate change, we feel the developer has not incorporated the best management practices so needed for a development so close to Second Brook and its eventual discharge into the Wild & Scenic Farmington River.

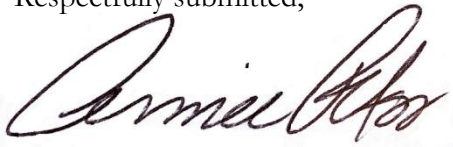
Our concerns include:

1. The amount of impervious surface for the property and that the property proposes to simply hold this stormwater in giant underground vessels. The CT DEEP is currently updating the 2004 Stormwater Quality Manual and 2002 Guidelines for soil erosion and sediment control. I would urge the applicant to follow the new draft guidelines as the CT DEEP is in the final draft stages of a new Connecticut Stormwater Quality Manual, which has updated stormwater control guidelines - we encourage these new recommendations to be integrated, especially due to flooding issues documented by the neighbors in this area.
2. The scope and scale: 80 apartments on 2 acres of land is beyond the scope and scale that our office has seen in any of the communities along the Farmington River. Some public comments have argued that this could possibly work in a different part of Simsbury like up Hopmeadow Street, near the new Big Y. FRWA would have to agree, this proposal is not fitting for the current location. It would be a large disruption to the Powder Forest Area and Second Brook. The only benefit of this project is that it is actually trying to solve the affordable housing issue in Simsbury and in many towns in the Farmington Valley.

3. Archaeological artifacts concerns made by the State Archeologist Sarah Sportman and Professor Marc Banks: I concur with their recommendations that an archeological survey be performed on this site to inform the decisions of your commission due to the high likelihood of finding archeological artifacts on this property. As mentioned in Dr. Sportman's letter, there have been over 250 archeological sites discovered along the Farmington River Valley including the recent 12,500 year-old discovery on the banks of the Farmington River in Avon. It would be a shame to lose a potentially significant site without due process.

Thank you for the opportunity to provide these comments.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Aimee Petras". The signature is fluid and cursive, with a large initial "A" and "P".

Aimee Petras  
Executive Director

**From:** [McGregor George](#)  
**To:** [Hollis Joseph](#)  
**Subject:** FW: Comment on Application  
**Date:** Monday, March 20, 2023 8:42:44 AM  
**Attachments:** [image001.png](#)

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George K. McGregor, AICP  
Planning & Community Development Director  
Town of Simsbury  
933 Hopmeadow Street  
Simsbury, CT 06070  
P(860) 658 3252  
[gmcgregor@simsbury-ct.gov](mailto:gmcgregor@simsbury-ct.gov)



---

**From:** FRANK Boyko <[frank.boyko@comcast.net](mailto:frank.boyko@comcast.net)>  
**Sent:** Saturday, March 18, 2023 10:22 AM  
**To:** McGregor George <[gmcgregor@simsbury-ct.gov](mailto:gmcgregor@simsbury-ct.gov)>  
**Subject:** Comment on Application

This comment is in reference to the 80 unit proposal for 446 Hopmeadow Street.  
This comment is from Frank and Janice Boyko of 15 Hampshire Lane, Simsbury.

We are of the opinion that 80 parking spaces for 94 apartments is totally in adequate and will result in many cars parked on Hopmeadow street overnight. This will be a major problem in the winter by blocking the plowing of snow.

Frank Boyko  
Janice Boyko

**From:** [McGregor George](#)  
**To:** [Hollis Joseph](#)  
**Subject:** FW: Form submission from: Contact Us  
**Date:** Monday, March 20, 2023 9:13:57 AM  
**Attachments:** [image001.png](#)

---

George K. McGregor, AICP  
Planning & Community Development Director  
Town of Simsbury  
933 Hopmeadow Street  
Simsbury, CT 06070  
P(860) 658 3252  
[gmcgregor@simsbury-ct.gov](mailto:gmcgregor@simsbury-ct.gov)



---

**From:** Manager Town <[townmanager@simsbury-ct.gov](mailto:townmanager@simsbury-ct.gov)>  
**Sent:** Monday, March 20, 2023 8:54 AM  
**To:** McGregor George <[gmcgregor@simsbury-ct.gov](mailto:gmcgregor@simsbury-ct.gov)>  
**Subject:** FW: Form submission from: Contact Us

Hi George,

I think this email is more meant for your office than ours!

---

**From:** Simsbury Info <[simsburyinfo@simsbury-ct.gov](mailto:simsburyinfo@simsbury-ct.gov)>  
**Sent:** Monday, March 20, 2023 8:40 AM  
**To:** Jonathan Kahl <[kahlzy50@comcast.net](mailto:kahlzy50@comcast.net)>  
**Subject:** Re: Form submission from: Contact Us

Thank you for visiting [simsbury-ct.gov](http://simsbury-ct.gov). Your email has been forwarded to the appropriate department(s) for follow-up.

---

**From:** Jonathan Kahl via Simsbury CT <[cmsmailer@civicplus.com](mailto:cmsmailer@civicplus.com)>  
**Sent:** Sunday, March 19, 2023 7:04 PM  
**To:** Simsbury Info <[simsburyinfo@simsbury-ct.gov](mailto:simsburyinfo@simsbury-ct.gov)>  
**Subject:** Form submission from: Contact Us

Submitted on Sunday, March 19, 2023 - 7:04pm

Submitted values are:

Please include any question or comments: I would like to voice my strong opposition to the 80-unit development on Hopmeadow Street, or indeed, any housing development in Simsbury. Housing is a bust as far as taxes are concerned for the town and a high-density development is super negative. People move to Simsbury to take advantage of the education system and the tax burden outstrips the taxes paid. Add to this the increased traffic and bustle in town and decreased standard of living for those who already live in town. If development must be done, we need to encourage small high-tech manufacturing businesses to settle in Simsbury. The taxes paid are good, the services required are minimal, and the standard of living costs are not nearly as bad as residential development. The insistence on more and more residential building makes one wonder if the developers and real estate companies are running this town and not the residents.

Name: Jonathan Kahl

Email Address: [kahlzy50@comcast.net](mailto:kahlzy50@comcast.net)

Street Address: 488 Firetown Road

City: Simsbury

State: CT

The results of this submission may be viewed at:

<https://www.simsbury-ct.gov/node/5070/submission/30136>

To: Zoning Commission  
Re: Vessel Technologies, 446 Hopmeadow St.  
From: Susan Van Kleef  
6 Mallard Circle, Tariffville

I want to begin by acknowledging that, since Vessel's application includes 8-30g units, I understand clearly that my comments MAY carry little weight.

I would also like to state that I have always believed affordable housing and stewardship of our natural environment can be compatible with CAREFUL planning.

I know neighbors of this development, and other stakeholders, have submitted comments. Please read those comments. I feel that detailed explanations about some of my concerns are not necessary because they will be addressed by other commenters, but I do want to acknowledge them briefly.

- storm water run-off into Second Brook and the Farmington River (pressure on the Farmington River from development is increasing every year.)
- lack of adequate parking space
- traffic on Hopmeadow St.
- tree removal
- noise from the parking lot disturbing neighbors
- light in the parking lot and streaming from the building affecting wildlife and neighbors
- the lack of an archeological study

I am impressed with Vessel's aspirations to build energy efficient and sustainable buildings, but I do not think this should be the only aspect of this project used to decide if it is appropriate for this location.

I have been thinking about how Simsbury got to this place and want to make a few comments about that. How did we get to a place where a developer can locate a property for sale, take advantage of a law such as 8-30g, and end up building an industrial looking four-story building next to a bike trail with no indoor bicycle storage and a large parking lot in a residential neighborhood?

After attending, or watching on Simsbury Community Media, several workshops about affordable housing. I accept that Connecticut needs more housing, and that Simsbury needs to do its part. I accept 8-30g isn't perfect but currently there are few other tools available.

I also want to acknowledge that affordable housing is needed to desegregate Connecticut and give members of the BIPOC community opportunities they may not have otherwise. The desegregation emphasis in discussions about the need for affordable housing often gets lost in conversations about the topic. Seniors, young people, and disabled people all need affordable housing, but an entire group of people is often left out of the conversation. In one of the Vessel presentations, I saw there was a slide with only white people. Under the pictures it said:

Who is Simsbury building its community around for the 21<sup>st</sup> century? They seem to not understand one of the most important reasons for affordable housing either.



So how do I think we got here? I think Simsbury has not acted proactively to bring affordable housing into town. During a Zoning Meeting on March 12, 2022, it was stated that “Simsbury has done this well and local control can work”. I do not agree that Simsbury has “done this well”. 8-30g was passed in 1989. Currently, there are 18 rental units at Aspen Green, 5 single family homes on Hendrix Lane, and 5 single family homes at Cambridge Crossing with 8-30g deeds. During the last 20 years, with development in the Powder Forest, Aspen Green, Old Mill Court, Talcott Ridge, Dorsett Crossing, (and most likely some development I forgot), we only have 28 8-30g units. Barber Cove MAY have 10% of the units designated as affordable.

The Simsbury Affordable Housing Plan has action items. One is “Amend subdivision Regulations to require % of new developments to be deed restricted affordable units.” The target date is December 2021, but this action item has not been completed yet. The next is “Investigate developing and implementing Inclusionary Zoning Regulations”. The target date is January 2023, but this action item has not been completed yet.

From looking at affordable housing plans for Avon and Canton, we have not made the progress we could have. Avon and Canton have affordable housing plans that are much more thorough than Simsbury’s. A document titled Incentive Housing Zoning and Similar Zoning Regulations from the Partnership for Strong Communities shows other towns have already taken more effective actions to incentivize affordable housing than Simsbury. Simsbury has a workforce housing overlay zone. Other steps that could be taken, such as mapping appropriate locations for affordable housing and requiring a percentage of deed restricted affordable units in developments, have not been taken in Simsbury. Simsbury didn’t work proactively to identify the best locations for different types of affordable housing, so developers are doing that for us.

Vessel’s lawyer sent a memo to town officials with language that clearly seems to hold us hostage to our own slow progress. *“The cost of land and the costs of development render it impossible to develop housing units that will meet affordable standards without approving density greater than that permitted by the existing regulations and/or by the creation of government programs that support the development such as significant tax incentives.”* We have kicked the can down the road and ended up with a building that suggests stacks of sardine cans which will affect the quality of life for the neighbors and put more stress on our precious aquatic ecosystems.

In November 2022, at an affordable housing program at the library George McGregor stated, “Getting from aspirational goals to actualized affordable development which are planned and financed and approved and ultimately occupied is an increasingly difficult task.” Yes, it absolutely is.

My asks today are:

1. If you can’t find a way to eliminate this development from this site, try to reduce the size of its footprint.
2. Step up the pace of creating a more actionable affordable housing plan that respects established neighborhoods and stewards our fragile environment. I really hope that can be accomplished but after letting developers set the scale and pace for so long, we may be too late.

**From:** [Pat Weisbrich](#)  
**To:** [Hollis Joseph](#)  
**Subject:** Re:  
**Date:** Monday, March 20, 2023 2:46:47 PM  
**Attachments:** [image001.png](#)

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Thanks , Joe. I do understand that they are not required to submit to zoning regulations. What we don't understand is 1) why Simsbury has not gone to court on this issue and 2) why this project is not being done in the southern part of Hopmeadow street where all the condos and apartments already are. We are very concerned that if... for example... our house burned down and we don't want to rebuild (we're too old to do that)... a developer could buy our land and build another monstrosity like what is potentially going to be built by Vessel. Letting this in sets a very dangerous precedent for all of us in town. There is a reason all of us who live in and love this town. Local zoning is imperative!! The 830-G is 100% politically motivated and will detrimentally change the character of this town.

Please add this to our previous submission.

Thank you.

Pat (& Al) Weisbrich

On Mon, Mar 20, 2023 at 1:30 PM Hollis Joseph <[jhollis@simsbury-ct.gov](mailto:jhollis@simsbury-ct.gov)> wrote:

Good afternoon Pat,

Following up on our conversation, the Vessel project (applications ZC 23-03 and CC 22-29) is not required to comply with zoning and subdivision rules. The setbacks for an R-15 that you requested are as follows:

Front Yard 35'

Side Yard 12'

Rear Yard 25'

Regards,

Joseph Hollis

Land Use Specialist

Town of Simsbury

[933 Hopmeadow Street](#)

[Simsbury, CT 06070](#)

P(860) 658 3245

F(860) 658 3217

[jhollis@simsbury-ct.gov](mailto:jhollis@simsbury-ct.gov)



**From:** Pat Weisbrich <[pweisbrich@gmail.com](mailto:pweisbrich@gmail.com)>

**Sent:** Monday, March 20, 2023 11:08 AM

**To:** Hollis Joseph <[jhollis@simsbury-ct.gov](mailto:jhollis@simsbury-ct.gov)>

**Subject:**





**From:** [Alfred Weisbrich](mailto:Alfred.Weisbrich)  
**To:** [Hollis Joseph](mailto:Hollis.Joseph)  
**Cc:** [margerywinters@comcast.net](mailto:margerywinters@comcast.net)  
**Subject:** Application for Development of 446 Hopmeadow Street  
**Date:** Monday, March 20, 2023 1:30:48 PM

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Dear Joe,

As longtime Simsbury residents, we are very concerned regarding the pending application by a New York Development company to build an 80 unit apartment building in one of Simsbury's R15 single family zones. Despite knowing the State's 830G rule which we believe our Town should object to in court, our objections are as follows:

Objections:

1. Vessel Development proposed 94-space parking imperils wetlands. See attached photos for visualization of what a 94k-space parking lot will look like on a 2-acres lot. The photos are of Simsbury Town Hall lot (not including the upper police parking area), -75 spaces, Bed Bath and Beyond Parking Lot - 53 spaces and the snow removal from the BBB lot after one snow storm and photographed 6 days of very mild weather. Snow removal and drainage will be an ongoing issue
2. Excessive snow buildup and chemical treatment of snow and ice for the size of the parking, which will endanger adjacent wetlands.
3. Potential for Vessels drainage system design to be plagued with blockage (clogging, etc.). The higher the degree of complexity, the greater the potential for failure.
4. Increase in Hopmeadow Street traffic, particularly in the morning and evening hours. Often it can take up to 20 minutes to drive from Rt 185 up to the Town Hall. We, personally, have been forced to make it a policy to not drive on Hopmeadow Street between the hours of 7am-9am and 3p-6p due to the high traffic congestion.
5. Noise pollution for adjacent Hazel Meadow Place from residential and commercial traffic within the development.
6. Light pollution from buildings - interior as well as exterior
7. Garbage - with only one dumpster in Vessel's design, garbage will need to be collected more than once per week.
8. Attraction of wildlife to dumpsters, particularly bears. Our town is not affectionately named Sims-beary for nothing!

Please see attached photos of the scope of the parking to be installed by this development as compared with virtually equivalent parking at the Simsbury Town Hall and of only 55% comparable Bed Bath & Beyond parking off Bushy Hill Rd.

Respectfully,

Al & Pat Weisbrich  
3 Lenora Dr.  
West Simsbury, CT 06092  
860.578.7200



**From:** [debz](#)  
**To:** [Hollis Joseph](#)  
**Subject:** RE: Conservation Commission Meeting Tuesday March 7, 2023 Re:446 Hopmeadow Street Simsbury, CT  
**Date:** Monday, March 20, 2023 8:02:25 PM  
**Attachments:** [I.docx](#)  
[image001.png](#)

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Hello Mr. Hollis,

My husband expected to attend tonight's meeting but got delayed at a previous meeting. Please consider his additional comments that he had expected to make at the meeting on 3/20/23.

Thank you.

Deborah Spillane

Sent from [Mail](#) for Windows

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**From:** [Hollis Joseph](#)  
**Sent:** Tuesday, March 7, 2023 11:56 AM  
**To:** [debz](#)  
**Subject:** RE: Conservation Commission Meeting Tuesday March 7, 2023 Re:446 Hopmeadow Street Simsbury, CT

Good morning,

Thank you for submitting your comments. They will be distributed to the Commission accordingly.

Regards,

Joseph Hollis  
Land Use Specialist  
Town of Simsbury  
933 Hopmeadow Street  
Simsbury, CT 06070  
P(860) 658 3245  
F(860) 658 3217  
[jhollis@simsbury-ct.gov](mailto:jhollis@simsbury-ct.gov)



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**From:** debz <debzholmez@gmail.com>

**Sent:** Tuesday, March 7, 2023 8:50 AM

**To:** Hollis Joseph <jhollis@simsbury-ct.gov>

**Subject:** FW: Conservation Commission Meeting Tuesday March 7, 2023 Re:446 Hopmeadow Street Simsbury, CT

Sent from [Mail](#) for Windows

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**From:** [debz](#)

**Sent:** Monday, March 6, 2023 10:21 PM

**To:** [www.jhollis@simsbury-ct.gov](mailto:www.jhollis@simsbury-ct.gov)

**Subject:** Conservation Commission Meeting Tuesday March 7, 2023 Re:446 Hopmeadow Street Simsbury, CT

Thank you for allowing me to express my objection to the proposal to be heard at the Public Hearing on March 7, 2023 regarding 446 Hopmeadow Street, Simsbury, CT.

Allowing any structure on this property (or combination with adjacent properties that have recently been sold to this developer) of this magnitude should not be considered by the Town of Simsbury to become a reality.

This (these) residential property is located in the middle of two closely aligned brooks that lead directly into the Farmington River. To expect that there would not be any runoff from parking lots



etc. from this building into the adjacent Farmington River is not a reality, and therefore should not be approved.

Senator Blumenthal recently announced that the Federal EPA awarded CT 18 million dollars to fight dangerous chemicals in our waters, and Farmington River was one of the locations to be found with water contaminants (PFAS). These PFAS are found in household products that leak into our rivers and are labeled contaminants known as “forever chemicals” that also have been found in our drinking water. Therefore, even the Federal government is aware that the Farmington River needs to be cleaned up rather than be burdened with additional PFAS contaminants.

If low income housing is in need in Simsbury for compliance, I would suggest that across the street from this (these) residential property Powder Forest is still building and low income areas could be incorporated as well. This would not impact the Farmington River nor the Route 10 traffic congestion that is already overburdened.

Also, I would suggest that this development will be objected to regardless of size, and therefore alternate sites should be considered before this plan is contested and cost the Town of Simsbury additional funds for lawyers and solutions for clean water.

Again, thank you for consideration of my objections.

Sincerely,  
Thomas and Deborah Spillane  
9 Mathers Crossing  
Simsbury, CT 06070

Sent from [Mail](#) for Windows

## Tom/Board Vessel/Rubler

I'm concerned about the CEO of Vessel, Neil Rubler, and his previous business practices.

Without going into great detail, some of his tactics are outlined in the 3/16/2010 Village Voice where he is noted as one of New York's 10 worst landlords.

He would not cash rent payments from his tenants and then accuse them of non-payment and therefore was able to add late charges and fines to his tenants along with eviction notices.

In April 2008 10 tenants sued Vantage, Rubler and another officer of the LLC.

On January 28<sup>th</sup> 2010 atty General Cuomo threatened the company to force Vantage to stop harassing rent regulated tenants. Two weeks later on February 11<sup>th</sup>, Cuomo announced the settlement with Vantage that would stop the company from serving tenants with baseless legal notices and will stop it from frivolous housing evictions.

In addition, this will stop him from evicting tenants and replacing them with higher rents to new tenants.

Also under the agreement Vantage was forced to take several reformed steps and pay a total of 1 million dollars not only in damage to the tenants but also to non for profit organizations that provide free legal and educational services to tenants.

I'm asking the Board to not be influenced by high priced attorney's, and his political connections with New York Congressman Charlie Wrangle and Trump's son in law Jared Kushner. Instead, please look out for the affected property owners and Town of Simsbury.

## PARKING ISSUES FOR PROPOSED APARTMENT DEVELOPMENT

The 95 Parking spaces will never be enough, and will pose many safety problems for the tenants along with the surrounding properties and businesses.

--When I looked up the CT Public Act No 21-29 that you quote in your plans, it states there should be "more than one" space for a studio or one bedroom. Not sure what "more than one" really means, but "more than one" means more than one. I don't really think it means 1 and 1/18th. Unless you have a lot of motorcycle drivers. So 95 spaces is not enough according to the state of Connecticut.

--ITE (Institute of Transportation Engineers) 5th edition that you quote gives you ratios like --60 weekday usage and --77 weekend usage. Does that mean everyone doesn't get to come home at night to sleep? Does this Manuel have a night usage ratio too? And by the way, there is an updated version out now (11th edition), and from what I can understand your numbers may be reflecting a figure for an apartment that is within 1/2 mile of a "**Rail Station**" Simsbury has a limited bus schedule for CT transit, we are not near a "**Rail Station**" So possibly or town officials can do some fact checking on this and their numbers.

--If you want to argue using the manual numbers and provide less spaces, it's not ethically considerate for your tenants. You are telling them that they cannot have a roommate or family member stay or live with them. I thought I read in your application that this building is a multi-family dwelling. To Vessel, hmm where is all this family you mention in your application?

--Even your 10 EV spaces will be full all the time, never allowing the real use of them, because tenants will need those spaces to park on a daily basis.

--And what about those 56 units being rented at full market value. Are they not allowed to have a roommate? With those alone, you should be providing 84 spaces for those units (1.5 each unit) then add the 24 discounted units (you obviously don't think these folks will be in need of more than one space and deny them a roommate) With those figures in mind 108 spaces should be a bare minimum. Most municipalities seem to go with the rate of 1.5 per one bedroom unit which would come to 120.

### **Parking nightmare scenarios:**

Tenants will park anywhere and everywhere they can once all the spaces are filled

--along the medians where the light posts are in the middle of the lot, making it impossible for emergency vehicles to enter, much less exit.

--along any landscape area without spaces, in a snow event you lose these spaces

--in front of the dumpsters, once they figure out which nights they are emptied

--park at the exit facing west, because they have already circled and all is full!

--fire lanes

--The plans call for a future sidewalk along Hopmeadow, leaving just enough room for 2- 3 cars to park on the road out front. Making it harder for exiting vehicles to have a clear view of oncoming cars, making it a impossible for a safe exit.

--Tenants may even drive out the rear and park along the bike path, via the swing bar gate, they figure they are leaving early enough in the morning, that it won't matter, no one will be using the path at 6am

--or they will continue down the bike path and turn into Mitchell's and park in their employee area, making it hard for the employees and mechanics to park in the morning.

--they may even pull out back onto Hopmeadow St and go down to the commuter lot.

--These last two possibilities will be unsafe for tenants to walk down the dark unlit path, possibly encountering wild animals i.e. coyotes, bears or possibly a stranger walking down the path with ill intentions. The path is not cleared in the winter the person may trip and fall on the icy path, severely injuring themselves and no one will be around to hear or help them. **This alone is a huge public safety issue.**

--I tell you what, If I'm paying full rent and I come home at 12 am from my waitressing or bartending job (because isn't this the type of tenant you are looking for?, you said so in one of your presentations I came to at Town Hall) and I don't get a parking space, I'm going to be livid! I shouldn't expect to have to park 1/4 - 1/2 a mile away and walk home. Please keep in mind it gets dark at 4:30 during most winter months.

--In the winter months Vessel stated they will cone off at least 10 spaces to plan ahead for snow plowing. I ask everyone, **WHERE ARE THESE 10 PEOPLE NOW GOING TO PARK?**

--When asked by the design board in Feb. about not providing adequate parking, You said in the presentation you would keep the lease to one person, but You will have people living there not on the lease, as a mail carrier I see this first hand, and once they have settled in, it is very difficult to get them out without having to take legal action, and expect it to take several weeks, if not months.

If a developer had any sense of ethics or morals they would not have a building that did not provide enough safe parking for their tenants. They can use State Statute 8-30g all they want but, bottom line, they should provide safe and adequate parking area for their tenants to park on a daily basis. Anything short of that, they should be held accountable till the end of time!

I am sure a lot of others feel the same as I do.

**The parking plans alone is a huge red flag as to why this application from Vessel LLC should be rejected. It is an unethical and unsafe plan for the future tenants of this proposed development.**

Ann McDonald  
3 Tamarack Lane  
Simsbury

**From:** [JoAnna Vaughn](#)  
**To:** [Hollis Joseph](#)  
**Subject:** 446 Hopmeadow St development  
**Date:** Wednesday, March 29, 2023 6:11:56 PM

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I am concerned about the proposed development and its implications it may have on my property and the quality of life. I do not want to see wetland destruction along the Farmington river trail. Thank you for your help in this matter.

Sincerely,  
JoAnna Vaughn  
Simsbury resident

4-3-23  
Ann McDonald (Recorded by)  
Hazelmeadow Community Requests

THE FOLLOWING ARE STIPULATIONS BE REQUIRED AND BE MET BEFORE ANY CONSTRUCTION BEGINS BY VESSEL RE HOLDINGS LLC OR ANY OTHER DEVELOPER WISHING TO DEVELOPE THIS PROPERTY AT 446 HOPMEADOW STREET IN THE FUTURE OTHER THAN ONE OTHER SINGLE FAMILY HOME.

1. FOLLOW THE GUIDENCE OF THE ARCHEOLOGIST COMMENTS THAT WROTE IN AND ALLOW A NATIVE AMERICAN ARCHEOLOGICAL STUDY. IT IS WELL KNOWN THAT NATIVE AMERICANS FREQUENTED AREAS WHERE A SMALL STREAM MEETS A BIG STREAM OR RIVER. THIS PROPERTY HAS NEVER BEEN DISTURBED EXCEPT FOR THE ONE HOME THAT WAS BUILT. IT IS HIGHLY LIKELY THERE ARE ARTIFACTS HERE. THIS COULD BE A CELEBRATED EVENT FOR SIMSBURY AND THE DEVELOPER COULD BE PRAISED FOR HIS ALLOWING THIS TO HAPPEN.
2. DONATE THE RIVERFRONT LOT 2.39 ACRES ( WITH THE WINSLOW PLACE ADDRESS) TO THE SIMSBURY LAND TRUST SO THAT IT MAY NEVER BE DEVELOPED
3. NO MORE THAN A TWO STORY BUILDING WITH A MAXIMUM NUMBER OF 20 APARTMENTS (6 -30% BEING SLATED AFFORDABLE) WITH NO MORE THAN A ~~60~~<sup>40</sup> CAR PARKING LOT.
4. AN ONSITE TRAFFIC REVIEW MUST BE COMPLETED BY THE STATE OF CONNECTICUT AND THE INTERSECTION BE OKAYED BY THE STATE AND ANY RECOMMENDATIONS MADE BY THE STATE BEFORE ANY CONSTRUCTION BEGINS. THIS PREFERABLY BEING A WEEKLONG STUDY. NO 1 HOUR IN THE MORNING AND 1 HOUR IN THE AFTERNOON SHOULD HAVE EVER BEEN ACCEPTED AS AN ADEQUATE STUDY FOR SUCH A INTERSECTION.
5. AN 8 FOOT FENCE BE ERRECTED ON THE NORTH SIDE OF 446 HOPMEADOW ST, THE LENGTH OF THE PROPERTY FROM HOPMEADOW STREET TO THE BIKE PATH (MINUS THE SITE VIEW NEEDED FOR TRAFFIC PULLING IN AND OUT OF THE APATMENT COMPLEX). THIS WILL HELP LIGHT AND EXHAUST POLLUTUION INTO THE WETLANDS AND LIGHT AND EXHAUST POLLUTION INTO THE NEIGHBORING YARDS TO THE NORTH IN THE HAZELMEADOW COMMUNITY.
6. SPRUCE TREES THAT ARE NATIVE TO CONNECTICUT BE PLANTED ON THE NORTH SIDE AND ADJACENT TO THE 8 FOOT FENCE TO FURTHER BLOCK ANY EXHAUST AND LIGHT POLLUTION CREEPING ONTO AND OVER INTO THE WETLANDS.
7. ABSOLUTLY NO WATER SHOULD BE DRAINED ONTO ANYONE ELSSES PROPERTY NEARBY OR DOWN ANY NEARBY EMBANKMENTS THAT WOULD LEAD TO THE NEARBY WATERSHED OR FARMINGTON RIVER. HAZELMEADOW COMMUNITY OWNS THE EMBANKMENT, SO AT NO TIME SHOULD ANY WATER EVER BE DRAINED DOWN THE HILLSIDE. THIS IS AGAINST THE LAW TO ENCROACH ON ANYONE ELSSES PROPERTY WITH WATER DRAINAGE. ALL THE WATER THAT FALLS ON THE PROPERTY AT 446 HOPMEADOW SHOULD BE CONTAINED AT 446 HOPMEADOW ST.
8. HIRE A PROFESSIONAL LICENSED PROPERTY MANAGER.



9. NOISE ABATEMENT FOR THE POWER SOURCES AND ANY COMPRESSERS OR ANY OTHER NUISANCE NOISE MAKING MACHINES THAT DISTURB NEARBY NEIGHBORS OR WETLAND INHABITANTS AND HABITATS.
10. THE DUMPSTER MUST BE MOVED TO THE SOUTH SIDE OF THE PARKING LOT AND OUTSIDE THE 100 FOOT UPLAND REVIEW AREA.
11. EV STATIONS MOVED AWAY FROM THE WETLAND BORDER AND PLACES ON THE SOUTH SIDE OF THE PARKING LOT.
12. CANNOT USE THE BIKE PATH AS A SAFETY EGRESS OR A THOROUGHFARE FOR ANY EMERGENCY VEHICLES.
13. ANOTHER SCIENTIFIC STUDY OF NATIVE SPECIES BE DONE BEFORE APPROVAL OF THIS APPLICATION. PREFERABLY DONE LATE APRIL/EARLY MAY. A STUDY DONE FOR 6 HOURS ON OCTOBER 19,2022, MAY HAVE FOUND MANY SPECIES ALREADY SEEKING A WINTER HOME AND NOT FOUND IN THE AREA. A STUDY SHOULD ALSO INCLUDE THE NEARBY WETLANDS TO THE NORTH, AS THIS AREA WILL BE GREATLY AFFECTED BY THE CONSTRUCTION OF A LARGE APARTMENT BUILDING AND LARGE PARKING LOT, BY POLLUTED WATER RUNOFF, LIGHT AND EXHAUST FUME ENCROACHMENT JUST TO NAME A FEW.

THIS IS NOT A AN APPLICATION FOR SHED IN SOMEONES BACKYARD. A DEVELOPEMENT OF THIS SIZE ON SUCH A SMALL PARCEL OF LAND RELATIVE TO THE PLANS WILL HAVE DETRIMENTAL IMPACTS ON THE NEARBY NEIGHBORS AND CRITICAL WETLAND AND WATERSHED HABITATS.

IF VESSEL IS SO IN TUNE WITH SUCH THINGS LIKE MAKING THEIR BUILDING NET ZERO AND USING NATIVE PLANTINGS ETC... THEY HAVE NO REGARD FOR THE NEARBY WETLANDS, FARMINGTON RIVER OR THEIR NEIGHBORS PHYSICAL AND MENTAL WELL BEING.



**From:** [deblynct@aol.com](mailto:deblynct@aol.com)  
**To:** [Hollis Joseph](#)  
**Subject:** Letter for Zoning Public Hearing and Conservation/Wetlands Commission Hearing  
**Date:** Sunday, April 2, 2023 10:51:56 PM

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Dear Mr. Hollis,

I appreciate your distributing the following letter to all members of the above Commissions ahead of the April 3rd and April 4th meetings. I am unable to attend in person. Would you kindly confirm this distribution at your earliest convenience.

Thank you.

My letter is below:

3 Riverview Circle  
Simsbury, CT 06070

April 2, 2023

To: All Members of the Town of Simsbury Zoning and Conservation/Wetlands Commissions

Re: 446 Hopmeadow Street proposed housing development project

First, thanks to all of you for your time and dedication to accepting, and listening to, the Public of Simsbury and the Residents of Hazelmeadow I and II Associations.

I am asking for your commitment and tenacity. Commitment to understanding the importance of denial of this project based on legitimate evidence of public harm.

Commitment to requiring additional tests, especially from unaffiliated third party providers and at appropriate seasonal times. Commitment to involving the State Department of Transportation, at a detailed level, to review the engineering of Route 10, which will show the lack of visibility impacting traffic safety at current posted speeds; the lack of ingress and egress, including for fire and disaster equipment. The intention to utilize the bike path for use, other than intended. Commitment to bonafide proof that Hazelmeadow II property values are being negatively impacted.

Public harm:

1. Complete and irreversible mass envelopment of almost two acres of current natural environment into a 24 hour a day aura of light akin to a Walmart parking lot. It has been stated that lights will be downward facing to minimize affect. The property at 446 Hopmeadow elevation is substantially higher than the properties of Hazelmeadow residents. Downward facing will simply intensify the results. For those of you not familiar with the area along the Farmington River, I can personally assure you that the lighting from The Riverview (in Weatogue) is seen by me every evening, substantially lighting up the River and the coastal area. And my home is at the north end of Hazelmeadow II, still somewhat protected by natural growth. The lighting from this project will be constant and interfering to human sleep, and in some cases, health conditions.
2. Irreversible mass parking, with still not enough spaces for residents, and vehicular traffic and noise concentrated into a less than two acre plot. Accumulation of carbon monoxide and other gases/chemicals emissions WITHOUT the benefit of any absorption by trees, flora and fauna. Residents of Hazelmeadow will have their sleep



impacted, their air for breathing substantially polluted, and continued vehicular noise to endure, not to mention the same impact for wildlife. Moisture from the river can entrap emissions and noise, and transport these both north and south. I can personally attest to this phenomenon.

3. I believe that the testing for River species such as the Slimey Skullcap and Box turtle was done off season. The Slimey Skullcap is extremely sensitive to a small range in water temperature. Broader and more seasonal timely testing needs to be done by a bonafide third party. These, and many other river creatures populate both Second Brook and the Farmington river.

4. The Engineering and submitted plans regarding water/chemical runoff should be re-examined by an Unaffiliated third party. One which has expertise specifically in the Farmington river, and other rivers in Connecticut. Those of us who reside here know full well that the current plans are not sufficient to handle runoff during different weather scenarios. Runoff WILL impact the riverbank, the Second Brook bank, part of which is owned by us, and some Hazelmeadow homes and wildlife environment. None of this can be reversed at a later date. The risk of Wetland destruction, over time, is great.

5. The current river walkway that is owned by Hazelmeadow HOA continues along the river and behind 446 Hopmeadow. There needs to be a stringent and legal determination of how our premises would be protected from any pedestrian trying to "walk" the river on our personal property. This is absolutely essential to prevent unauthorized entry and safety for our property owners.

6. A subject not always considered but imperative for health concerns. EMFs. Electro magnetic fields. These are fields of radiation emitted by cell phones, computers, any Wi-Fi instrument, vehicles, LED lighting, microwaves, and all forms of electric heating and air conditioning units, smart meters to name a few. Yes, these are all around us. However, they are rarely concentrated unless one resides in an apartment complex or dense housing. The amount of units and residents that will generate electro magnetic fields in an under two acre site, will be an enormous change to the environment, both north and south of the project. I can personally attest to being affected by these fields. With the advent of 5G in the future, Hazelmeadow residents will be submitted to an unwarranted, concentrated volume of radiation fields. My personal reason for living in Hazelmeadow was to be naturally protected from such pollution.

Tenacity. I am asking for your commitment to be tenacious. To not take the easy road. To take the time to really consider what this development would do to the health, safety, serenity, and environment of Hopmeadow Street and its residents.

There are many other ways to achieve affordable housing in Simsbury. This is not one of them.

With appreciation and respect,  
Deborah McDonald



**From:** [Edna Forbes](#)  
**To:** [Hollis Joseph](#)  
**Subject:** Health and safety concern - Vessels proposed 80 unit apartment building  
**Date:** Wednesday, April 12, 2023 8:30:01 AM

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Good morning Mr. Hollis,

My name is Edna Forbes and I live at 7 Tamarack Lane Simsbury. This is in the HazelMeadow neighborhood.

I am contacting you regarding Vessels's proposed 80 unit apartment building at 446 Hopmeadow St.

I have attended all of the Zoning and Wetland meetings.

I have one health concern that I would like passed on to the Zoning commission.

My understanding of the design is that there is only 1 window in the bedroom. Only filtered light will be coming in through a tube system in the main living area. Therefore, any resident who rents the apartment will not have access to natural light and fresh air in the main living area. It has been proven that the lack of natural light can have a negative impact on a person's health and well being. This would include their mental health. In these current times, I believe we should only be developing properties that have a positive and beneficial health and safety impact on residents.

Thank you to you and the Zoning Commission for taking the time to consider my concern.

Edna Forbes  
7 Tamarack Lane  
Simsbury, CT  
860 651 4869

## **State Statute 8-30g**

In order to deny the application the municipality must prove, based upon the evidence presented, that:

- (a)** the denial was necessary to protect substantial public interests in health, safety, or other matters that the municipality may legally consider;
- (b)** these public interests clearly outweigh the need for affordable housing; and
- (c)** the public interests cannot be protected by reasonable changes to the proposed affordable housing development.

Dear Zoning Commission:

Our diverse community in Hazelmeadow II is comprised of 53 homes with about 75 residents of mixed ages and has been here for 45 years, filled with long time Simsbury residents. It is a private homeowners association that is adjacent to the parcel on our south border. We are not condos. Like most people who own a home, we have yards, gardens, decks, and patios that also include areas of common property throughout our 26 acres. All this enables us to enjoy the great outdoors. Many of us have been living here for more than 30 years and take pride in our homes and neighborhood. We strive to maintain a safe and pleasing environment, where neighbors help neighbors.

Our property includes the top of the bank which is part of the wetlands' structure as a watershed. The edge of the wetland is only 50' from the shared border. Because of the stream bed, we have nothing but air space between us and the proposed parking spaces and apartment building. Our property and homes closest to the Brook are at eye level or below it because the parcel's elevation is higher than ours by at least a 20' differential. Massive amounts of excavation right along our property line will destabilize our property which includes the entire bank of the wetlands of Second Brook. By covering most of the parcel with 70% impervious material (parking lot and apartment building) they will cause irreparable damage to our property by diverting the natural drainage and flow of the watershed that enters our property. They also intend to tilt the entire parking lot to send the water in the direction of our southeast corner.

Our overall community will be substantially encroached upon by this development and will directly affect our mental and physical well-being. This development will create unwanted and continual stress caused by a variety of pollution that will directly affect our health, including air, light, noise, and soil degradation. It will also affect our security and have a negative impact on the value of our homes, adding another level of stress. This will be permanent with no way for us to escape the causes.

Regarding our security, 64-plus tenants will have easy access to our neighborhood using the bike path or by taking a quick stroll through our land along the river should they decide to “explore” our property. We have no idea if they will be armed with good intentions or not. Our security will be permanently compromised. Many of our residents are seniors, a majority of those are single women. The bike path is not lit, and our neighborhood has no streetlamps. To control light pollution, we would like to keep it that way.

One of the many causes of stress will come from knowing that our home values will be adversely affected. Recently, one of our neighbors put their house on the market. The home has a very desirable riverfront location, and the interest was extremely robust. When the sellers revealed that the proposed development was possible, multiple buyers immediately rescinded their offers. What should have created competitive bidding, immediately evaporated after buyers learned of the development.

All of our riverfront and adjacent homes will be within sight and sound of the huge lit up, bright white, 4 story apartment building, complete with light, noise and air pollution. Imagine what the consequences will be for those homes that are much closer. It will be hard to find buyers willing to purchase a home where they can see and hear a packed apartment building and noisy parking lot whether they are inside their home or outside trying to enjoy their yard. How will we be able to call our location “residential” with a 4 story apartment building and large parking lot so close to us?

A whole host of challenges and continual problems will be created by developing this 1.97 acre lot that sits along the edge of critical wetlands, with inadequate parking and so close to our community and the other adjacent homeowners. All the traffic from the development entering or exiting the busiest road in Simsbury without the benefit of a traffic light will be extremely dangerous for all. Are the cramped 500 sq. ft. living conditions offered by this developer the best Simsbury can do for affordable housing? How is this remotely family friendly? It’s very hard to find the “Family” in their designation of “Multi-Family Housing”.

No changes that might be presented by the developer would ever eliminate the stress and anxiety that will come about for our homeowners if this apartment building is allowed to be constructed. No one has quantified “substantial”, but we hope that our lives and well-being count as much as any other homeowner living in Simsbury.

Thank you for taking the time to understand and consider our legitimate concerns.

Ann McDonald 3 Tamarack Lane    Kathryn Godiksen 7 Nutmeg Court



**From:** [Bea Fritz](#)  
**To:** [Hollis Joseph](#)  
**Subject:** 446 Hopmeadow St  
**Date:** Monday, April 17, 2023 11:23:54 AM

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To the Zoning Commission;

After reading through some of the documentation on the proposed development of 446 Hopmeadow St, I wanted to express some reasons why this proposal is inappropriate on this site.

There are no four story buildings on Hopmeadow St currently. Even the newer apartments further down Hopmeadow St are only 3 stories. Would our zoning laws allow this building to be erected if not for the 8-30g statute?

Referencing the letter of February 14, 2023 from the fire marshal: "fire department access to roof will be hindered due to access for a 100 foot ladder truck. Solar arrays and mechanicals mounted on roof hinder ventilation points and access for fire department personnel"

Response: "Access to roof is provided from the proposed stair wells."

How does this help if the fire is inside the building? Have the legal ramifications to the town been considered?

Given the fire safety hazards, traffic considerations with such a large complex, and effect on adjacent wetlands, perhaps a smaller 2 story complex could be proposed or a different site entirely.

Respectfully submitted,  
Beatrice Fritz

**Deborah Robb**  
**15 Nutmeg Court · Simsbury, CT 06070**

April 17, 2023

Zoning Commission  
Town of Simsbury CT  
933 Hopmeadow Street  
Simsbury, CT 06070

**RE: CC 22-29-446 Hopmeadow Street, Vessel Multi-Family Development Site Plan**

Dear Commissioners:

Substantial, Significant, Generalized – these are all modifiers that are used in the CT 8-30g statute. How do we begin to address this application with a statute that offers no quantitative definitions? Since the state statute is so ambiguous, do we assume that those definitions are now left up to the interpretation of local government?

Always, Never, Completely – these are the absolutes that the Developer and their paid experts keep promising and yet they continue to offer no substantive proof to support what is nothing more than their best guesses on a project of a size and scope for which Vessel itself has no history. Maybe we should explore the history of Vessel's owners to be properly informed of their previous experience as building owners and landlords. I would highly recommend knowing their past so that we consider how they will treat our community in the future. Vessel has hired experts to support their claims, however we all know you do not hire experts that are going to disagree with you. You keep asking us, the residents, to explain the health and safety risks to you so that you can reject or propose modifications to this project, well how about asking them to prove that it will not have the negative impacts that we, the residents, know it will have on us.

Since these Developers are exploiting 8-30g, we now look to you to impose restrictions on this project that will protect us, the current homeowners already living in your community, as well as the prospective tenants of this proposed property. If you approve this project, please consider requiring the Developer to right-size this building so as not to impose their greed on our town. The building's size should be proportionate to the size of the parcel, with enough parking for all residents and it should not disproportionately overshadow the neighborhood. A 4-story, 80-unit building does not fit on this parcel of land. This is simple greed on the part of the Developer. A -2-story, 20 unit development would proportionately be a better fit for the size of this parcel and the neighborhood. While I still do not believe this is the right location for this project, at the very least, please do not allow a 4-story building to be placed in a single-family neighborhood that will literally overshadow everything around it.

We still believe that the current proposal does not provide enough parking which creates a safety issue for the building's residents.

Under the current plan, there is no green space provided to the residents who will occupy this building.



We firmly believe that this massive, impervious, structure and hardscape will create toxic run-off and destroy the wetlands that we are trying so hard to preserve and once gone cannot be restored.

There is no question that the light and sound pollution will negatively impact all of the current residents and wildlife that live around the site of this proposed project.

This building will loom over my neighborhood just to the north, not to mention what it will do the homes directly to its south, blocking out the sun during the day and lighting up everything at night. Their 4-story, illuminated staircase, along with the noise generated by their HVAC and electrical systems will keep the inhabitants of the wetlands and their neighbors awake and change the overall ecology of the area. This Developer insists that they are not clear-cutting the lot. Common sense tells us that the only way to make room for this massive building and parking lot on less than 2 acres will be to clear cut.

This project will also have a negative impact on the mental health of the residents surrounding this building, some of whom have owned homes here for more than 30 years. What number of negatively impacted, current residents, outweighs the needs of only 24 "affordable" 500 square foot boxes. When do we consider the needs of the current homeowners, some of whom have saved for years to be able to live in our town. What recourse do we have when our basements begin to flood and the bank leading down to our wetlands becomes polluted and even more saturated and eroded, eliminating our ability to ever sell our homes.

But this isn't just about the residents directly to the north and south of this property. We need to work together as a community to halt this invasion and reevaluate, recycle and rehab the unused and abandoned buildings already here to help provide affordable and senior housing alternatives. Let's build housing that makes sense for all using local developers that are in tune with the needs of our community. Let's also focus on buildings that create a safe, happy and healthy environment with amenities and green space for their residents and aren't simply providing them with a box to sleep in.

Once these invasive Developers take hold, it will become far more difficult to loosen their grip on our community and these aggressive projects will not only create habitat losses that can never be recovered, they will destroy the New England charm that brought all of us to Simsbury in the first place.

Thank you.

Sincerely,

Deborah Robb

**From:** [McGregor George](#)  
**To:** [Hollis Joseph](#)  
**Subject:** FW: Concerns about Vessel RE Holding, LLC's Zoning Application for 446 Hopmeadow St.  
**Date:** Friday, April 21, 2023 8:36:23 AM  
**Attachments:** [446HopmeadowLetterZoningCommission.pdf](#)  
[image001.png](#)

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George K. McGregor, AICP  
Planning & Community Development Director  
Town of Simsbury  
933 Hopmeadow Street  
Simsbury, CT 06070  
P(860) 658 3252  
[gmcgregor@simsbury-ct.gov](mailto:gmcgregor@simsbury-ct.gov)



**From:** Jeffrey Zhou <yunfeizhoujeff@gmail.com>  
**Sent:** Thursday, April 20, 2023 10:50 PM  
**To:** McGregor George <[gmcgregor@simsbury-ct.gov](mailto:gmcgregor@simsbury-ct.gov)>  
**Subject:** Concerns about Vessel RE Holding, LLC's Zoning Application for 446 Hopmeadow St.

Dear Mr. McGregor,

I am writing to express my concerns about Vessel RE Holding, LLC's zoning application for 446 Hopmeadow St. As a long-time resident of Simsbury, I am proud of the town's commitment to preserving its small-town charm and community spirit, which to a large degree can be attributed to the long-term effort of the town's planning team under your leadership. However, I am worried that this harmony is at risk of being destroyed by Vessel RE Holding, LLC's reckless plan to squeeze an 80-unit, 4-story apartment building into a 2-acre lot designated for a single-family home.

While I am not against affordable housing, I strongly believe that it should be developed in a responsible and sustainable manner. Unfortunately, Vessel RE Holding, LLC's proposed development raises many red flags, including concerns about fire safety, lack of parking space, traffic congestion and accidents, the environmental burden on wetlands and water systems, and the developer's lack of experience and financial resources to keep its promises. Furthermore, the company has a spotty track record of compliance with regulatory requirements in other jurisdictions and its obligations to residents.

As a concerned resident, I urge the town's zoning and planning team to thoroughly investigate all these aspects of the application and understand the reasons why similar applications were rejected by Glastonbury and Rocky Hill. With these diligent efforts, I believe that Simsbury can reasonably

reject this application and avoid a make-believe affordable housing complex that is irresponsible both to the community and to its future tenants. If the rejection of Vessel's application leads to any litigation, as a resident of the town, I would be happy to lead a fundraising campaign to support the town's efforts in defending itself in court.

If we are truly sincere about affordable housing, I suggest that the town planning team designate a better piece of land and open it up for developers to bid with their best proposals. This would be a better way to develop affordable housing in Simsbury that benefits the community and meets the needs of its residents.

Thank you for your attention to this matter. I look forward to your action.

Sincerely,

Jeffrey Zhou  
8605329018

Jeffrey Zhou  
6 Tamarack Ln,  
Simsbury, CT 06070  
860 532 9018  
yunfeizhoujeff@gmail.com

Date: April 20, 2023

Delivered via Email

**To: George K. McGregor, AICP**  
Director of Community Planning and Development  
Town of Simsbury, CT  
gmcgregor@simsbury-ct.gov

**Sub: Concerns about Vessel RE Holding, LLC's Zoning Application for 446 Hopmeadow St.**

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Thank you for your attention to this matter. I look forward to your action.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey Zhou". The signature is written in a cursive, flowing style.

Jeffrey Zhou

**From:** [Harald Bender](#)  
**To:** [Hollis Joseph](#)  
**Subject:** Vessel Multi-Family Housing  
**Date:** Thursday, April 27, 2023 3:28:44 PM

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Joseph,

The Vessel project has only 10% of the parking indicated for electric vehicle charging positions. That portion is OK for the next few years. In the next 20 years that percentage will not meet the needs of the ever increasing use of EV.

A better solution would be to locate the EV spaces on the center island, head to head, and run conduit down the center strip to allow growth to 1/3 of the spaces. Dual charging stations are more cost effective.

Considering future needs I would suggest also placing empty conduits along all of the other parking spaces. This would eliminate tearing up the pavement to increase the number of EV spaces. There is a good possibility that in 30 to 40 years almost all vehicles will be electric. I would assume the building is planned to stay for longer than that.

Keep safe. Let corona bypass you.

**Thanks**  
**Harald**

**Constant Time - Variable Learning - Is the current model in education.**

**Constant learning - Variable Time - Is what the student needs.**