



Town of Hamden

Planning and Zoning Department

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Memorandum

To: Hamden Planning and Zoning Commission

From: Leslie Creane, AICP, Town Planner
Daniel W. Kops, Jr., Assistant Town Planner

Re: Proposed Amendment of Zoning Regulations
Application Number 09-914
Proposed Amendment of the Zoning Map
Application Number 09-915

Date: December 1, 2009

Overview

The Planning and Zoning Commission is proposing to amend both its Zoning Regulations and the Zoning Map, in the first major overhaul since 1982. The proposed changes are a hybrid, utilizing both a traditional “Euclidean” approach to zoning and a contemporary, form-based approach known as SmartCode. It is important to state at the outset that much of the Town – the vast majority of the properties in residential zones not on major thoroughfares, will remain largely untouched by the proposed changes to Zoning Regulations and Zoning Map.

The parcel size and setback requirements for most homes in residential zones will not change under the proposed regulations. These residential properties will be subject to a new impervious surface coverage restriction and various procedural changes, while being better protected by greater environmental controls, expanded notification requirements and the elimination of such unwelcome uses as landfills and sand and gravel mining operations.

Properties in currently zoned non-residential areas, as well as those along major corridors will become part of new zones known as T-Zones (transects), subject to different zoning requirements that pull buildings closer to the street, encourage mixed use development and special districts with enhanced pedestrian access, and take building form and public spaces into consideration. The encouragement of more intensive development in limited areas increases commercial and mix-use opportunities, while protecting residential zones and existing open space. At the same time it offers the potential of an expanded tax base that can reduce the financial strain posed by property taxes on homeowners.

The process to get to this point has been a long one. Numerous citizens, businesses and neighborhood associations have reviewed various drafts during public and meetings with staff in the office and provided comments that have led to significant improvements in the proposed text and map. Given the magnitude

of the proposed changes it is certainly appropriate that all affected parties provide input that helps determine the final product. The proposed amendments have undergone a rigorous review.

Proposed Changes to the Zoning Regulations

The proposed Zoning Regulations consist of nine sections, called Articles. Article I, formerly named Purpose, Authority and Application, has been re-titled “Introduction.” It expands somewhat on the previous text, providing an extended Purpose section. Environmental and natural resource protection are elaborated more than previously. The text also lists a number of purposes relevant to future growth and development. And it expands transportation into a section titled “Circulation.” The specific purposes described are a mix of traditional ones and those reflecting the influence of SmartCode, as evidenced by the increased attention paid to pedestrian and bicycle accessibility.

It also incorporates the Conformance as well as Interpretation of Zoning Boundaries sections, previously placed in Article III. One notable change will affect parcels containing two zoning designations. Currently a use in one zone is allowed to extend fifty feet into the other zone, subject to Special Permit approval. In the proposed text the first 100 feet or one-third of the property must be the same zone as the parcels across the street.

Article II, Residential Zones, contains much of the material found in the current Article IV but displays it in a series of comparative tables and figures that should simplify the task for those seeking information on residential zoning requirements. Lot size, building coverage and setback requirements remain unchanged.

The most significant changes proposed are as follows:

- A new requirement, maximum impervious surface, has been added. The limit applies to the combined footprint of all structures plus the area of paved driveways and the like. A reduction in impervious surface will increase on-site absorption of rainwater and reduce runoff. It will also help in improving water quality.
- The requirement of a minimal square is eliminated because it is redundant and overly restrictive.
- Accessory structures located in the rear yard may be within three feet of the side and rear property boundaries. The proposed change creates more usable rear yards, especially in R-4 and R-5 zones, where yards tend to be smaller.

Article III, Transect Zones T1-T5 and Special Districts, replaces Article V, Non-Residential District Regulations. Business Districts B1 and B2, and Controlled Development Districts 1-4 have been re-zoned using a blend of “use-based” and “form-based” zoning. The Transect Zones (T-Zones) are primarily located along the three major commercial corridors, Whitney and Dixwell Avenues and State Street. Development within a Transect zone will consider not just the proposed use on a single parcel but also:

1. Compact, pedestrian oriented and mixed-use as appropriate;
2. Activities of daily living within walking distance of most dwellings, allowing independence to those who do not, or do not wish to drive;
3. Interconnected public and private street networks designed to disperse traffic and reduce the length of automobile trips;
4. Allowing for a range of housing types and price levels to accommodate diverse ages and incomes;

5. Integration of civic, institutional and commercial activities in downtown areas and not as isolated and remote single-use complexes;
6. Locating schools to enable children to walk or bicycle to them;
7. Distribution of parks, squares and playgrounds between neighborhoods.

The location and orientation of buildings to the street, building setbacks, building massing, façade elements (including the minimum required percentage of glazing for shopfronts), screening of rooftop mechanical units and the encouragement of sloped roofs have been incorporated into the regulations in Article III.

It has long been acknowledged that the parking requirements in the current zoning regulations mandate more paving and more spaces than are necessary. One need look no farther than at the Hamden Plaza and the Hamden Mart even on the heaviest of shopping days. Spaces are easily found. The negative environmental impacts of excess paving on stormwater management, area heat gain and unnecessary restrictions on developable taxable land have resulted in several changes to the current requirements. The proposed regulations allow for shared parking, the counting of on-street parking, reduced parking requirements for mixed-use projects and Transit Oriented Developments. The proposed regulations also, for the first time, require the installation of bicycle racks.

In addition to regulating the form of buildings, Article III includes design criteria for roadways that are internal to a project. The design requirements are well-established dimensions that will calm traffic and help create a unified development. These design requirements include travel lane and parking lane width, effective turning radii and length of block perimeters.

Requirements for open civic space have been added and are determined by the acreage of a parcel on which development is occurring.

In addition to the T-Zones, the proposed zoning regulations identify three Special Districts. The first is the Manufacturing Zone. This zone includes the current Manufacturing Zone and incorporates many of the areas that have been designated as CDD zones. Very few changes to the requirements for the Manufacturing Zone have been made.

Second, is the Newhall Center Zone. This zone contains two parcels; the parcel that contains the old middle school and the adjacent parcel that contains the old community center. The purpose of this zone has been taken directly from the report generated out of the Newhall charrette. The bulk requirements for this zone remain unchanged.

Third, is the Town Green District. With the exception of the addition of side and rear yard setbacks, the requirements for this zone remain unchanged.

The proposed Article IV, Overlay Zones, expands on material currently found in Article VI, Special Zones and Regulations, including Coastal Area Management zones, Special Flood Hazard Areas, Open Space Development Zones and the Spring Glen Village District. The overlay zones impose a second set of requirements that must be met in addition to the standard ones governing the particular zoning district. No substantive changes have been made to the text of any of these overlays.

Article V covers the Basic Standards for the use of land, buildings and structures. Of particular note are the new standards for nuisance factors. These include the establishment of hours of outdoor construction,

clear standards regarding environmental protection, sediment and erosion control and stormwater management measures during construction, long term stormwater management and the location of dumpsters and trash compactors.

A list of recommended street-trees has been incorporated in the proposed regulations.

Signage standards have been changed to require that the address number be attached to buildings in proximity to the principal entrance, at a mailbox or displayed on a freestanding sign or canopy. Sponsors' signs at public ball fields will be permitted for the duration of a single sporting season. A-frame signs are permitted. They are, however, prohibited from obstructing sidewalks as well as street access and are also limited to a maximum of four square feet on each of two sides of frame.

The current section on shopping center signs will only apply to the existing buildings in a shopping center constructed prior to the effective date of the proposed regulations. Shopping centers built or substantially altered after this date shall be subject to the new sign regulations of the appropriate zone.

Outdoor lighting regulations are included in the proposed regulations. Minimum and maximum foot-candles standards are listed by use. Full cut-off exterior light fixtures are required and any unnecessary lighting shall be reduced after the close of business.

Drive-through window services will now be regulated. They will be allowed by Special Permit and shall be designed and located to minimize conflict between pedestrian, bicycle and vehicular traffic. Queuing standards have also been established.

Article VI, Special Provisions, deals primarily with allowed uses in town. A revised Use Table, Table 6.1, identifies new uses to be regulated and prohibits previously allowed uses such as gravel mining. Several uses have been broken down by size. For instance, retail, office and personal services require a different level of commission review depending upon their size. Table 6.1 has been reviewed and footnoted extensively based upon conversations with area civic and neighborhood associations, businesses, and the economic development office among others.

Some of the uses proposed to be regulated and/or clarified include animal day care, animal training facilities, community gardens, adult day care, and bed and breakfasts.

Big box retail and parking garages will be required to have liner buildings on at least the street level. These liner buildings will enhance the economic viability of a site, improve the safety of the area and ensure a pedestrian scale to an otherwise vehicular-scale structure.

The section on adult entertainment remains now includes the added ability to regulate of tattoo parlors.

The section on telecommunication facilities has been changed to comply with State statutes.

The section on affordable housing remains unchanged.

The proposed Article VII, Application Standards, Procedures and Zoning Enforcement, contains the requirements currently located in Section VIII. Although the basic requirements remain generally the same, there are some key differences. In the proposed regulations:

- The person responsible for any application requiring a Public Hearing must post a sign provided by the Planning and Zoning Department, announcing the public hearing, for at least ten days prior to the public hearing. Hearings affected by the proposed change include Special Permits, Amendments to the Zoning Map and Variances.
- The information required has been expanded to ensure that reviewing departments and agencies have sufficient information with which to evaluate an application and advise the Commission.
- Special Permit and Site Plan applications for parcels within T-zones must be accompanied by Conceptual Master Plan or Comprehensive Master Plan, depending on the proposed change, showing the plan for full build-out of the parcel or the general intent for future development.
- Applications for Certificates of Zoning Compliance must be accompanied by a digital file in one of the acceptable formats, for use in updating the Town's GIS system.

The proposed Article VIII contains a significantly expanded set of abbreviations and definitions. It includes new diagrams as well. Article IX offers the unchanged appendix regulating Planned Unit Developments.

Proposed Changes to the Zoning Map

In general, with the exception of properties located on the key corridors, zoning designations in residential (R) zones remain the same, untouched by the proposed changes to the Zoning Map. The designations CDD1 through 4, as well as B-1 and B-2 zones are replaced with new zoning designations. The new zones added include T1, T2, T3, T3.5, T4 and T5 "Transect" zones as well as the Special Districts. Most of the zoning designations along the major corridors are changed to T-Zones. However those currently zoned Residential are typically already used for some non-residential purpose at the present time.

The proposed T-5 Zones are the ones that will permit the greatest density of development. The largest of these corresponds to what is known as the "Magic Mile" on Dixwell Avenue, followed by a smaller one in the area around Memorial Town Hall. Two smaller ones are proposed for both lower Dixwell Avenue and State Street. There is a broad spectrum of zones on Whitney Avenue, ranging from T-2 to T-5 at the intersection of Whitney and Dixwell Avenues. But much of Whitney Avenue is proposed as T-3 or 3.5. In terms of frontage on major roads, the dominant zone is the T-4 General Urban Zone.

The proposed map expands the area zoned Manufacturing on the east side of State Street. It also converts the area occupied by the Hamden Industrial Park and two other areas in Southern Hamden to manufacturing zones.

Agency, Department and Commission Reviews

The Commission has received several reviews of the proposed amendments to the Zoning Regulations and Zoning Map. The Regional Planning Commission sent a letter dated November 13, 2009, stating that the RPC had met on November 12, 2009 and determined that the proposed amendments would have no inter-municipal impacts or adverse impacts on the habitat and ecosystems of Long Island Sound.

In note dated November 20, 2009 the Police department indicated it has no objections to the proposed amendments.

In a letter dated October 20, 2009 the GNHWPCA stated it had no comments but that any proposed development must meet its requirements.

In a memorandum dated November 11, 2009 the Economic Development Director, Dale Kroop, noted that the proposed regulations respond in large measure to his previous comments. He made the following recommendations:

1. Allow all types of health care facilities in manufacturing zones.
2. Require no minimum lot size for a civic club, lodge or association.
3. Increase the allowable retail space at a conference center from five percent to ten percent.
4. Permit home occupations to sell goods or commodities under appropriate conditions.
5. Allow each tenant in a strip center or plaza a minimum amount of linear signage that can be seen from street level.

In a memorandum dated November 25, 2009 the Economic Development Commission expressed its appreciation for the cooperation it received and indicated it was kept well informed of the proposed changes. Most of the Commission's comments have been addressed by Mr. Kroop. However the EDC remains concerned about the lack of commercial property and the backlog of residential projects. With only six percent of the property zoned for commercial use, the burden on residential tax payers is increased and Hamden's competitiveness in the region is weakened. The EDC believes the proposed changes to the regulations may increase the amount of commercial space on larger parcels, but the benefit is offset by current residential projects.

In a memo dated November 18, 2009 the Town Engineer stated he had no comments regarding the proposed changes to the Zoning Map. In a memo dated November 19, 2009, attached to this report, he provided a series of comments regarding the proposed changes to the Zoning Regulations. Most are quite minor and have been included in the staff recommendation to the Commission, as minor changes to be approved.

In a letter dated November 30, 2009 the RWA states, "Overall, we believe the proposed regulations will significantly strengthen the protection of our public water supply sources in Hamden." The letter notes:

- The exclusion of areas containing steep slopes and wetlands from lot size calculations.
- The proposed cap on impervious surface.
- The reduction in parking space requirements in order to reduce unnecessary paving.
- The expanded stormwater management section.

The State Department of Public Health sent an unofficial copy reviewing the proposed amendments that was received too late to be included in this review. Commissioners have been given copies. DEP is intended to email a review but had not done so at 4:30 today.

Planning Department Comments

As previously noted, the proposed changes to both the Zoning Regulations and Zoning Map follow directly from the goals expressed in the 2004 Plan of Conservation and Development. The recent amendment to the POCD makes the connections even more explicit. The proposed changes are therefore consistent with the 2004 POCD.

The proposed changes to the Zoning Map are the result of extensive citizen input, especially along the entire Whitney Avenue corridor, as reflected in the numerous changes in proposed zones along the avenue. The same is also true of the proposed changes to the Zoning Regulations. In fact a new category, the T 3.5 Zone, was created to address specific concerns raised by residents. The types of uses allowed and approval required in each zone are the result of the numerous meetings where residential and commercial property owners voiced their concerns.

Mr. Kroop's comments have merit and the Commission should consider making most of the changes he recommends in the near future. The request for more signage, however, needs to be studied further. The EDC's concerns about the limited amount of commercial land are quite valid. Hamden has a limited amount of such property and several commercial parcels are currently approved for residential projects. There is however, no backlog of applications. The proposed regulations offer a new model for development promote that which encourages denser and mixed use development. They will raise the potential value of the properties and make investment more profitable.

The Commission has also heard criticisms of the proposed T-5 designation for the "Magic Mile" on Dixwell Avenue. The argument presented is that the density is too high and that there will be too much traffic and demand for the Town's services. However that argument is flawed for several reasons.

First, the development allowed under the proposed regulations will probably take a considerable amount of time – perhaps twenty years, to occur. There will be no sudden increase in traffic or demand for public services. Moreover the typical tenants of the apartments are in age-cohort groups that do not contain large numbers of school-age children. Furthermore, the development of pedestrian-friendly, mixed-use projects will reduce the amount of traffic growth in the coming years. Public transportation is also available.

And without permitting denser development, there is no way for Hamden to increase its commercial sector. The costs of providing municipal services will continue to rise and without commercial growth the tax burden will continue to fall on homeowners. The denser development permitted along the "Magic Mile" will not create a monolithic behemoth. SmartCode is predicated on creating attractive environments in which people want to live, work and shop. Scales are carefully calibrated. Public spaces for children and adults are also an integral component. The standards employed in SmartCode and proposed for Hamden in the Zoning Regulations create a very different scale of development that attendees of the 2007 Charrette applauded.

However there is one critical difference between the generic SmartCode and the hybrid adapted for Hamden. The former provides an accelerated review and approval process. The proposed regulations for Hamden require Special Permits for any significant development project, ensuring a thorough review by the Commission and protecting citizens' rights to comment at the hearing. As an additional safeguard, developers who wish to begin with smaller projects on larger parcels will be required to provide a comprehensive plan for the long term development so that the Commission can be satisfied that the traffic circulation pattern is acceptable and that the plan provides sufficient and appropriate public spaces.

The Commission has received correspondence criticizing the designation of the Newhall Center as spot zoning. The area in question contains a substantial area of land and its prior and current uses as well as infrastructure are significantly different than the surrounding properties. The proposed changes will allow some flexibility in how the properties are developed yet at the same time offer residents the opportunity to influence development through public hearings.

There are a few minor changes that should be made in addition to the ones suggested by the Town Engineer and mentioned earlier.

There is a discrepancy between the title of the Zoning Map and the title of the Zoning map referred to on page .7. The Title of the Zoning Map should be “Zoning District Map Town of Hamden, CT. Section 150 a. should be revised to use this title. The map should also be revised to display this title.

There are a small number of properties, notably those near Forest on Whitney Avenue, that are shown with split zones. The proposed new zone should apply to the entire property. However a change of this magnitude must be done as an amendment, once the two applications now before the Commission are approved.

Section 120.3.o refers to developing “... in accordance with the POCD Neighborhood Plans.” It should say “... in accordance with the POCD Conceptual Plans.”

Table 2.2 shows the required area per dwelling unit in an R-4 zone as one per 10,000 sf. This is correct for a single family home but is inconsistent with Section 652 governing multi-family properties. A footnote should be added to clarify the difference.

In Table 2.5 the title of the second column, “Min. Side Yard,” should be changed to “Min Front Yard.”

Section 5502.12 is missing a period. It should read “550.2.13.”

Section 702.4.g -- is missing the section reference number. The section referred to is 700.

Section 781.1 The first sentence, “The Commission, on its motion or on petition, may amend these Regulations or the Zoning Map, after public notice and hearing, in accordance with the General Statutes of the State of Connecticut.” should be deleted.

Section 718 f.i. The phrase “any proposed increase to existing building coverage” should be changed to “any proposed substantial changes to building coverage”

Section 718 f.ii. The phrase “any proposed increase to building coverage” should be changed to “any proposed minor changes to building coverage”

Applicants should be required to provide traffic or hydrology studies as well as other information if needed by staff or the Commission to evaluate the plans, for both Special Permits, Section 718.2.c.12, and Site Plans (Section 720.4.1).

Given the number and complexity of the changes it is not surprising that they are not perfect. Based on feedback already received, the Commission will need to makes changes in the coming months. However the applications before the Commission merit passage, with minor adjustments. They provide a sensible approach to both development and environmental protection to guide Hamden over the next twenty years.

Recommendation

The Planning and Zoning Department therefore recommend approval of the proposed amendment of the Zoning Regulations, 09-914, with an effective date of....., with the following list of minor changes:

The title page should include Scott Jackson, Mayor and Craig Henrici, Former Mayor.

Section 120.3.o should say "...in accordance with the POCD Conceptual Plans."

Section 150 a. should be revised to use this title. The map should also be revised to display this title, "Zoning District Map Town of Hamden, CT."

Table 2.2 should contain a footnote stating "The density of dwelling units in a multifamily property is governed by Section 652."

In Table 2.5 the title of the second column, "Min. Side Yard," should be changed to "Min Front Yard."

Section 430.5(b) Replace "the 'Rational' method" with "standard hydrology and hydraulics methods such as those described in the Connecticut Department of Transportation Drainage Manual 2000, as amended," and replace "residential development" with "development in accordance with the Zoning Map."

Section 520.9.5(c) Replace "Chapter 9 of the Connecticut Guidelines for Soil Erosion and Sediment Control (2002)" with "the Connecticut Department of Transportation Drainage Manual 2000" and "Commission" with "Town Engineer."

Section 520.10.1(c) Replace "Driveways require a blend, or vertical transition curve, not to exceed 6%." with "Changes in driveway grades require vertical transition curves."

Section 520.11.2 Add the word "significantly" before "alter hydrologic conditions."

Section 520.11.3(l)(ii) and (iii) Replace "Soil Conservation Service" with "Natural Resources Conservation Service" and delete the reference to New Haven County.

Section 520.11.3 (last paragraph) Add the 25 and 50 year frequency storms to the list of those required to be analyzed, add "as set forth in this section" after "sound engineering practice", and replace "one thousand (1,000) acres." with "two hundred (200) acres, and shall not be used to compute drainage volumes or to design detention facilities."

Section 520.11.4(f) Delete this section.

Section 520.11.5 Add "a" in front of "sensitive surface water" and add "which is" in front of "impaired."

Section 520.11.9(a)(ii)(a) Add "pre-development" before "magnitude" and "or less" after "magnitude."

Section 520.11.9(a)(ii)(b) Delete "activity of a" after "post-construction", delete "a" before "2-year", and replace "design post proposal or activity" with "pre-development."

Section 520.11.11 Delete the extra "s" in "standards."

Section 520.11.12 Replace "registered" with "Connecticut licensed."

Section 520.11.13(a)(Engineering Data)(i) Replace “National Geodetic Vertical Datum of 1929” with “North American Vertical Datum of 1988 (NAVD 88)” and add a period before “Benchmark(s)” and “should also be shown.” after “Benchmark(s).”

Section 520.11.13(a)(Hydrological and Soil Data)(iii, iv, and v) Replace “Soil Conservation Service” with “Natural Resources Conservation Service” and delete the reference to New Haven County.

Section 520.11.14(a) Delete “technically” before “feasible”, and add “or prudent” after “feasible.”

Section 520.11.16 Re-order the list of items to be included in the Maintenance Covenants “a,b and c” rather than “c, d, and e.”

Section 5502.12 A period should be inserted so that it reads as “550.2.13.”

Section 560.1(b) Replace “4-1/2” with “5”, to comply with the Americans with Disabilities Act (ADA) compliance guidelines.

Section 591.1.7(a) Replace “Traffic” with “Town” and add “and sight lines.” after “locations.”

Section 591.1.7(Table 5.6) The one-way aisle width for parallel parking should be 12 feet.

Section 591.1.10(b) Replace “4-1/2” with “5”, to comply with the Americans with Disabilities Act (ADA) compliance guidelines.

Section 591.2.1 Delete “(top of curb)”.

591.7 Table 5.6 Change the parking aisle width for a one-way aisle with parallel parking to 12 feet instead of 24 feet.

Section 702.4.g The missing section reference number, 700, should be added.

Section 718.1 Delete the first sentence, “The Commission, on its motion or on petition, may amend these Regulations or the Zoning Map, after public notice and hearing, in accordance with the General Statutes of the State of Connecticut.”

Add “Section 718.2.c.12 “Any other information, such as a traffic or hydrology study deemed necessary by the Commission or staff to be necessary to determine conformity with the intent of these regulations.”

Add “Section 720.4.1 “Any other information, such as a traffic or hydrology study deemed necessary by the Commission or staff to be necessary to determine conformity with the intent of these regulations.”

Section 718 f.i. Change the phrase “any proposed increase to existing building coverage” to “any proposed substantial changes to building coverage”.

Section 718 f.ii. Change the phrase “any proposed increase to building coverage” to “any proposed minor changes to building coverage”.

Section 720.4(v) Add “the Hamden Traffic Authority or” before “Police.”

Section 730.2 Replace “a” with “an” before “Improvement” and adding “(“As-Built”)” after “Survey.”

Section 732 Replace the list of acceptable digital formats with:

- a. AutoCAD dwg or dxf
- b. ESRI shapefile or geodatabase

Delete “CADD” after “tiled”, after “Line work in”, and before “layers for buildings.”

Section 830(Turning Radius) Modify so that the text is not obscured by the drawing.

Staff also recommend approval of the proposed amendment of the Zoning Map, 09-915, with an effective date of..... with the following minor changes:

The Title of the Zoning Map should be changed to “Zoning District Map Town of Hamden, CT.”

DWK: tbm

Recommendations of the Town Engineer

Section 320.3(a), Graphic Entitled “Private Frontages”, “Form-Based Code Graphics – T4”, “Form-Based Code Graphics – T5”, and Table 3.4 These sections indicate that awnings, galleries, and arcades will be permitted by the zoning regulations to be constructed beyond the applicant's property line, onto the public highway right-of-way. Conveyance of rights to construct private structures and buildings within the public right-of-way of town roads would likely require approval of the Planning and Zoning Commission under Connecticut General Statutes Section 8-24 and the Legislative Council under Connecticut General Statutes Section 13a-80g. Consideration should be given to impacts on public utilities that may be located under the proposed structures as well as conflicts with utility poles and overhead wires and encroachments on safety clearances from overhead electrical distribution wires. Ownership, maintenance, and liability associated with structures and buildings over the public right-of-way should be addressed in the easement or other conveyance documents that are executed and recorded. The town has no jurisdiction to allow construction of structures and buildings within the right-of-way of state highways such as Dixwell Avenue, Whitney Avenue, and State Street.

Section 430.5(b) I recommend replacing “the 'Rational' method” with “standard hydrology and hydraulics methods such as those described in the Connecticut Department of Transportation Drainage Manual 2000, as amended,” and replacing “residential development” with “development in accordance with the Zoning Map.”

Section 520.9.5(c) I recommend replacing “Chapter 9 of the Connecticut Guidelines for Soil Erosion and Sediment Control (2002)” with “the Connecticut Department of Transportation Drainage Manual 2000” and “Commission” with “Town Engineer.” Chapter 9 refers to the 1985 version of the soil erosion and sediment control guidelines and hydrology and hydraulics methods are not included in the current version.

Section 520.10.1(c) I recommend replacing “Driveways require a blend, or vertical transition curve, not to exceed 6%.” with “Changes in driveway grades require vertical transition curves.” Vertical curves are not measured in percent.

Section 520.11.2 I recommend adding the word “significantly” before “alter hydrologic conditions.” Section 520.11 constitutes 8 pages of detailed requirements for data, calculations, and plans. Compliance with this section would require an applicant to hire a consulting engineering firm at an estimated cost of several thousand dollars. This does not seem reasonable for insignificant or “de minimus” activities, e.g., adding a parking space or installing a small shed, patio or deck.

Section 520.11.3(l)(ii) and (iii) I recommend replacing “Soil Conservation Service” with “Natural Resources Conservation Service” and deleting the reference to New Haven County. SCS was renamed NRCS and current soils information is maintained in electronic format on a statewide basis.

Section 520.11.3 (last paragraph) I recommend adding the 25 and 50 year frequency storms to the list of those required to be analyzed, adding “,as set forth in this section” after “sound engineering practice”, and replacing “one thousand (1,000) acres.” with “two hundred (200) acres, and shall not be used to compute drainage volumes or to design detention facilities.”

Section 520.11.4(f) I recommend deleting this section, since it does not reference a specific document and approval of “other methods” is covered in the first paragraph of 520.11.4.

Section 520.11.5 I recommend adding “a” in front of “sensitive surface water” and adding “which is” in front of “impaired.”

Section 520.11.9(a)(ii)(a) I recommend adding “pre-development” before “magnitude” and “or less” after “magnitude.”

Section 520.11.9(a)(ii)(b) I recommend deleting “activity of a” after “post-construction”, deleting “a” before “2-year”, and replacing “design post proposal or activity” with “pre-development.”

Section 520.11.11 I recommend deleting the extra “s” in “standards.”

Section 520.11.12 I recommend replacing “registered” with “Connecticut licensed.”

Section 520.11.13(a)(Engineering Data)(i) I recommend replacing “National Geodetic Vertical Datum of 1929” with “North American Vertical Datum of 1988 (NAVD 88)” and adding a period before “Benchmark(s)” and “should also be shown.” after “Benchmark(s).”

Section 520.11.13(a)(Hydrological and Soil Data)(iii, iv, and v) I recommend replacing “Soil Conservation Service” with “Natural Resources Conservation Service” and deleting the reference to New Haven County. SCS was renamed NRCS and current soils information is maintained in electronic format on a statewide basis.

Section 520.11.14(a) I recommend replacing “Upon written request, the Commission, at the request of the Town Planner or Town Engineer,” with “The Town Planner or Town Engineer”, deleting “technically” before “feasible”, and adding “or prudent” after “feasible.” A new sentence should be

added after the first sentence: “Upon written request, the Commission, with the advice of the Town Planner or Town Engineer, may waive these Regulations in whole or in part, in any case where due to special conditions related to the site or vicinity of the proposal or activity, the requirements of these Regulations, in whole or in part, may not be feasible or prudent.” The purpose of these recommended changes is to permit administrative review and approval of requests to waive strict compliance with all of the detailed requirements of this section for small projects, where appropriate.

Section 520.11.16 The list of items to be included in the Maintenance Covenants should be ordered with “a,b and c” rather than “c, d, and e.”

Section 560.1(b) I recommend that “4-1/2” be replaced with “5”, to comply with the Americans with Disabilities Act (ADA) compliance guidelines.

Section 591.1.7(a) I recommend replacing “Traffic” with “Town” and adding “and sight lines.” after “locations.”

Section 591.1.7(Table 5.6) The one-way aisle width for parallel parking should be 12 feet.

Section 591.1.10(b) I recommend that “4-1/2” be replaced with “5”, to comply with the Americans with Disabilities Act (ADA) compliance guidelines.

Section 591.2.1 I recommend deleting “(top of curb)”, since this conflicts with “street grade.”

Section 718.2(c) Although the Commission is required to consider “The safety and intensity of traffic circulation on the site and in adjacent streets.”, in determining whether to approve a Special Permit, there is no specific requirement to submit a traffic study for any proposed use, except for drive-through windows. I recommend that subsection xii be added to Section 718.2(c): xii. Traffic Study, where one is required by the State Traffic Commission, or is required by the Commission, the Hamden Traffic Authority, the Town Planner, or the Town Engineer.

Section 720.4 “720.3.1” should be “720.4.1.”

Section 720.4(v) I recommend adding “the Hamden Traffic Authority or” before “Police.”

Section 730.2 I recommend replacing “a” with “an” before “Improvement” and adding “(“As-Built”)” after “Survey.”

Section 732 The list of acceptable digital formats should be replaced with:

- a. AutoCAD dwg or dxf
- b. ESRI shapefile or geodatabase

Delete “CADD” after “tiled”, after “Line work in”, and before “layers for buildings.”

Section 830(Turning Radius) Text is partially obscured by the drawing. The Effective Turning Radius is listed here as +/- 8 ft, while it varies from 5 to 30 ft in Table 3.3.

