



Town of Hamden Planning and Zoning Department

Hamden Government
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January 26, 2010

AGENDA: THE ZONING SECTION, PLANNING & ZONING COMMISSION, Town of Hamden, held a Regular Meeting on Tuesday, January 26, 2010 at 7:00 p.m. in the Thornton Wilder Hall, Miller Memorial Library Complex, 2901 Dixwell Avenue, Hamden, CT and the following was reviewed:

Commissioner in Attendance: Joe McDonagh, Zoning Section Chair
Donald Moses
Robert Roscow

Staff in Attendance: Leslie Creane, Town Planner
Dan Kops, Assistant Town Planner
Tim Lee, Assistant Town Attorney
Peggy Craft, Acting Commission Clerk

Chairman McDonagh called the meeting to order at 7:00 PM.

Regular Meeting:

- 1) **Site Plan Application 01-1299/WS**
1732 Dixwell Avenue
Wireless Communications Facility
Minor Amendment

Attorney Jennifer Herz appeared on behalf of the Applicant. Attorney Herz stated that the applicant, Sprint Nextel Corporation, proposes to replace the existing equipment, adding one antenna and three dishes and one GPS antenna on the existing penthouse, and place two antennae on the existing chimney. The application also calls for the installation of an equipment cabinet and new cables next to the existing cabinets.

Mr. Kops said the Planning and Zoning Department staff recommend approval of the minor amendment to Site Plan application 01-1299, as depicted in plans titled CT-NHN0060/CT43XC815, SHEETS 1-3, dated 12/7/09 and revised 12/17/09 with the following conditions:

A. Prior to the Issuance of a Zoning Permit the applicant must submit a demolition bond to cover the demolition and removal of the wireless communication facility in the event it is no longer in operation, in an amount approved by the Town Engineer and Town Planner, unless a bond was provided with the initial site plan approval.

B. Prior to commencing the work the applicant must obtain a Zoning Permit.

C. All work must be completed by January 26, 2015.

Chairman McDonagh asked if the Commissioners present had any questions. Commissioner Moses asked what intersection 1732 Dixwell Avenue was near, and was informed that it is just below the Merritt Parkway in the vicinity of Benham Street between Hillcrest Avenue and Red Rock Terrace.

There were no further questions from the Commissioners and Chairman McDonagh asked for a motion regarding this request. **Commissioner Moses motioned to approve subject to the Assistant Town Planner's recommended conditions in his January 26, 2010 Memo. Commissioner Roscow seconded the motion. The motion passed unanimously.**

- 2) **Site Plan Application 85-754/WS**
3394 Whitney Avenue
Minor Amendment to Site Plan
Parcel ID # 3130/003

Alex Martins an employee of Barry Steinberg Associates appeared on behalf of the applicant.

Assistant Town Planner Kops read his memo regarding this request and provided copies of the memo to the applicant.

Mr. Martins said that last April the Commission approved a 405 square foot addition to an existing building. The building is used as a convenience store and a self-service gasoline station. The applicant is now requesting approval of another 405 square foot addition on the south side of the building.

Commissioner Roscow asked if the previous addition has been built. Mr. Kops said it has not. Mr. Kops said the retaining wall could be built as part of the building, and explained the Town Engineer's conditions regarding the retaining wall and swales.

Mr. McDonagh asked about the Police Department conditions. Mr. Kops explained the way the Police Department now do their reviews, and added that their reviews are less germane to this Commission than they are to the applicants themselves.

Next there was a discussion regarding the windows. Mr. Roscow said that windows could be added to the side of the main entrance.

Mr. McDonagh asked what the worktable is. Mr. Kops said it for use by the staff.

Mr. Moses asked if they are expanding to increase business, and also asked what the impact on traffic would be. Mr. Kops said the Police Department would have looked at the impact on traffic. He also said that he believes the amount of customers would be the same as before. He added that, regarding the Police Department requirements another door would insure staff safety.

Mr. McDonagh again asked for clarification on the work area for staff as well as the doors.

Mr. Hadim came forward, representing the owner.

Mr. Hadim said the double door in the existing building would remain.

Mr. Martins said that, unfortunately the second doors are not shown on the drawing and should have been. Mr. McDonagh said it has to be clear where the doors are, so that once the two additions are build it is clear how far into the building customers can come. Mr. Hadim said customer could come just to the counter.

It was asked, again, what the worktable would be used for. Mr. Hadim said the items that come into the store would be prepared there before they go on the shelves.

Next, it was asked if customers purchasing gas could enter through the door on the northeast corner. Mr. Hadim said they could.

Mr. McDonagh discussed the large cooler in middle of the store, noting that it seems like two separate stores. Mr. Hadim said there would be two separate cashiers.

Mr. Moses asked if the interior would be redesigned. Mr. Hadim said there would be minor changes.

Next, there was a discussion regarding parking. Mr. McDonagh noted that there are four drive through gas pumps, and there is a huge distance between the parking area and the store. Mr. McDonagh said that it is very possible that people will park right in front of the store. Mr. Hadim said only a small percentage of the customers do so now. He said he could add signage to the front of the store to prohibit this practice.

Next, there was a discussion regarding food preparation. Mr. Hadim stated that all the food sold in the store will arrive pre-packaged, nothing will be prepared there. Mr. Roscow said that if food were to be prepared on site then Quinnipiac Valley Health District and the Hamden Building Department would have to be involved. Mr. Hadim said that all food would be prepackaged.

Mr. Hadim was asked if the store has a liquor license. He said it does not.

Mr. Martins and Mr. Hadim were asked which of the two options are being used. If the applicant follows the Town Engineer's recommendations, the second set applies.

This will require approval of the Town Engineer.

Commissioner Moses motioned to approve Site Plan Application 85-754/WS 3394 Whitney Avenue with the following conditions as recommended by the Assistant Town Planner:

1. Prior to the Issuance of a Zoning Permit the applicant must:
 - a. Provide a detailed plan showing the addition, equipment and other components of the food service operation for review and approval by Q.V.H.D.
 - b. Provide revised plans containing the following, for approval by the Town Engineer and Town Planner:
 - i. The swale behind the proposed retaining wall and the swale between the wall and the proposed building on the site plan. The plans should include spot elevations and/or contours to show how the swales are to be graded, and where they drain to.
 - ii. The height of retaining wall on Elevation A-A as well as top and bottom of wall elevations at each end of the wall on the site plan.
 - iii. Weep holes or curtain drains on Elevation A-A and on the typical wall section, if they are proposed. If a curtain drain is proposed, it should also be shown on the site plan, and include the discharge location and invert elevation.
 - iv. Specification of the "Unit Core Fill" shown on the typical retaining wall section.
 - v. A distinction between the portion of the retaining wall previously approved and the new portion. The plan should show the retaining wall tying into the existing building.
 - vi. A note indicating that an erosion control blanket will be used to stabilize the slope above the retaining wall.
 - vii. The locations of the existing and proposed roof drainage leaders, and where they discharge.
 - viii. The dimensions of the proposed handicapped parking space, as well as the additional paved area between the parking space and the building.
 - ix. A note indicating the parking spaces will be striped.
 - x. A note stating that the dumpster area will be both screened and curbed and that the dumpster will be plugged and covered to prevent leaks.
 - xi. Removal of the handicapped parking space to the north side of the building and any necessary modifications to the sidewalk to make it accessible, unless

- the State of Connecticut Department of Transportation provides a statement in writing, recommending that the space remain where it is proposed.
- xii. Existing and proposed drainage.
 - xiii. A stormwater management plan describing the inspection and maintenance schedule and identifying the responsible parties.
 - xiv. A landscaping plan, with attention paid to the southern end of the property.
 - xv. All conditions of approval.
- c. Submit a performance bond in an amount approved by the Town Engineer and Town Planner.
2. All erosion controls should be installed prior to the commencement of construction activities.
 3. During construction:
 - a. Silt sack inserts should be used to prevent soil deposits from entering the collection structures.
 - b. Erosion controls should be inspected regularly and immediately after each rainfall, as well as maintained and modified as necessary. All stockpiles of excavated material remaining on-site for more than a month should be temporarily seeded or covered.
 - c. All fuel, oil, paint and other hazardous materials stored on-site should be placed in a secondary contained and kept in a locked indoor area with an impervious floor when not being used.
 - d. Any on-site fueling and repairs should be conducted over a portable spill containment system.
 - e. A supply of absorbent spill response material should be kept on-site to clean up any spills of hazardous materials.
 - f. The RWA should be notified of any spills of hazardous materials.
 4. All work must be completed by January 26, 2015.
 5. After completion of the project:
 - a. RWA inspectors should be granted access to the site to conduct routine inspections.
 - b. If a grease dumpster is used on the site, extra care should be taken to prevent the spill of waste grease and fry oil when it is transferred to the dumpster. The pick-up of waste grease should be closely monitored so that any spills that do occur can be properly remediated.

Alternatively, should the applicant wish to redesign the retaining wall per the recommendation of the Town Engineer, then the recommended conditions of approval are as follows:

1. Prior to the Issuance of a Zoning Permit the applicant must:
 - a. Provide a detailed plan showing the addition, equipment and other components of the food service operation for review and approval by Q.V.H.D.
 - b. Provide revised plans containing the following, for approval by the Town Engineer and Town Planner:
 - i. The swale behind the proposed retaining wall on the site plan. Use spot elevations and/or contours to show how the swale is to be graded, and where it drains to.
 - ii. Weep holes or curtain drains on Elevation A-A and on the typical wall section, if they proposed. If a curtain drain is proposed, it should also be shown on the site plan, and include the discharge location and invert elevation.
 - iii. A distinction between the portion of the retaining wall previously approved and the new portion.
 - iv. A note indicating that an erosion control blanket will be used to stabilize the slope above the retaining wall.
 - v. The locations of the existing and proposed roof drainage leaders, and where they discharge.
 - vi. The dimensions of the proposed handicapped parking space, as well as the additional paved area between the parking space and the building.
 - vii. A note indicating the parking spaces will be striped.

- viii. A note stating that the dumpster area will be both screened and curbed and that the dumpster will be plugged and covered to prevent leaks.
- ix. Removal of the handicapped parking space to the north side of the building and any necessary modifications to the sidewalk to make it accessible, unless the State of Connecticut Department of Transportation provides a statement in writing, recommending that the space remain where it is proposed.
 - x. Existing and proposed drainage.
 - xi. A stormwater management plan describing the inspection and maintenance schedule and identifying the responsible parties.
 - xii. A landscaping plan, with attention paid to the southern end of the property.
 - xiii. All conditions of approval.
- c. Submit a performance bond in an amount approved by the Town Engineer and Town Planner.
- 2. All erosion controls should be installed prior to the commencement of construction activities.
- 3. During construction:
 - a. Silt sack inserts should be used to prevent soil deposits from entering the collection structures.
 - b. Erosion controls should be inspected regularly and immediately after each rainfall, as well as maintained and modified as necessary. All stockpiles of excavated material remaining on-site for more than a month should be temporarily seeded or covered.
 - c. All fuel, oil, paint and other hazardous materials stored on-site should be placed in a secondary contained and kept in a locked indoor area with an impervious floor when not being used.
 - d. Any on-site fueling and repairs should be conducted over a portable spill containment system.
 - e. A supply of absorbent spill response material should be kept on-site to clean up any spills of hazardous materials.
 - f. The RWA should be notified of any spills of hazardous materials.
- 4. All work must be completed by January 26, 2005
- 5. After completion of the project:
 - a. RWA inspectors should be granted access to the site to conduct routine inspections.
 - b. If a grease dumpster is used on the site, extra care should be taken to prevent the spill of waste grease and fry oil when it is transferred to the dumpster. The pick-up of waste grease should be closely monitored so that any spills that do occur can be properly remediated.

Commissioner Roscow seconded the motion that passed unanimously.

A. Old Business/New Business

Review Minutes of previous meeting.

The Minutes of the Meeting were reviewed. There were no additions, deletions or corrections noted, and Chairman McDonagh called for a motion to approve.

Commissioner Roscow motioned to approve the Minutes of the Meeting as amended. Commissioner Moses seconded the motion that passed with a unanimous vote.

B. Adjournment

There was no further business to come before the Commission and Chairman called for a motion to adjourn. **Commissioner Moses motioned to adjourn. Commissioner Roscow seconded the motion that passed**

unanimously.

Chairman adjourned the meeting at 7:34 PM.

Submitted by: _____
Peggy Craft, Acting Clerk of the Commission