



Town of Hamden
Planning and Zoning Department

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October 20, 2010

MINUTES: THE PLANNING & ZONING COMMISSION, Town of Hamden, held a Public Hearing and Regular Meeting on Tuesday, October 12, 2010, at 7:00 p.m. in the Thornton Wilder Hall, Miller Memorial Library Complex, 2901 Dixwell Avenue, Hamden and the following items were reviewed:

Commissioner in attendance:

Bob Roscow, Vice Chairman
Ann Altman
Jon Cesare
Ralph Marottoli, Sitting for Joe McDonough
Brack Poitier

Staff in attendance:

Leslie Creane, Town Planner
Dan Kops, Assistant Town Planner
Tim Lee, Assistant Town Attorney
Peggy Craft, Acting Clerk
Genevieve Bertolini, Stenographer

Vice Chairman Roscow called the meeting to order at 7:00 pm. The clerk read the Public Hearing items into the record. Mr. Roscow introduced the panel and reviewed the Public Hearing procedures.

A. Public Hearing

1. Special Permit & Site Plan 10-1167/WS

41 Haig Street, T-4 zone
Church, Offices, Classrooms
Reverend William Mathis, Applicant
Deadline to open Public Hearing 11/18/10

Architect Regina Winters spoke on behalf of the applicant, Reverend William Mathis, Spiritual Leader of the Spring of Life Giving Water Congregation. The applicant wishes to convert an industrial building to a church. Ms. Winters displayed the plans for the church. She said that the regulations require them to have 51 parking spaces to accommodate the seating capacity of the church. She added that the site plan meets the parking requirements with 52 spaces and three additional spaces on the street.

Next, Ms. Winters informed the Commissioners that this building is 35,000 square feet. The church will occupy 15,000 square feet. This will consist of the sanctuary, five classrooms, and a fellowship hall that will be used for small activities of the church body. The fellowship hall will not be in use during services. There will also be an office in front for administrative purposes. Ms. Winters added that improvements would include a sidewalk along the entryway to the parking lot. Landscaping and lighting improvements are also planned. Ms. Winters said this building would be an attribute to the community.

Mr. Roscow asked if there were any questions from the Commissioners.

Ms. Altman asked if there would be an increase in the footprint. Ms. Winters said there would not. Mr. Poitier asked if 35,000 square feet is correct. Ms. Winters said yes, the remainder of the building would be used for storage. Ms. Winters shared a rendering of the sanctuary used in the church's capital campaign.

Mr. Roscow asked if the storage area would still have two exits with the added church space. Ms. Winters said there will still be two exits from the storage area and she pointed these out on the plans, she added that there will be one exit to the loading dock and one in the back.

Mr. Roscow asked if there is a need for a handicap ramp. Ms. Winters said there are two handicap ramps proposed. She showed them on the plans. They will be adjacent to the building from the parking lot.

Assistant Town Planner Dan Kops read his comments recommending approval with the following conditions:

1. Prior to the Issuance of a Zoning Permit the applicant must:
 - a. Provide for approval by the Town Engineer and Town Planner revised plans containing:
 - i. A revision date, bulk requirements table and legend explaining the symbols used.
 - ii. An explicit depiction of the screening around the dumpsters.
 - iii. A photometric study confirming that the lighting drops to zero foot-candles at the property boundary.
 - iv. Depiction of the existing and proposed grading with contours, spot elevations and/or grade to drain arrows.
 - v. Clarification of any changes to the existing drainage patterns resulting from repaving or other improvements.
 - vi. A five-foot wide raised, concrete sidewalk running from the northwest corner of the building to the main access the sanctuary.
 - vii. A note stating that the eastern portion of the property will be improved through a combination of landscaping and yard maintenance as well as improvements to the facade of the building.
 - viii. A note stating that legal occupancy is limited to 165 persons – or less, depending on the status of legal parking on Haig Street.
 - ix. Sedimentation and erosion controls as noted in the response to the 8/24/10 letter.
 - x. Storm-water management responsibilities as noted in the response to the 8/24/10 letter.
 - xi. All Conditions of Approval.
 - b. Obtain GNHWPCA approval to reuse the existing sewer lateral or to connect a new sewer lateral.
 - c. Provide a performance bond in an amount approved by the Town Planner and Town Engineer.
2. During demolition waste materials should be disposed of in accordance with local, state and federal regulations. Any hazardous materials should be recycled or properly disposed of by a licensed waste hauler.
3. During construction all oil, paint, and other hazardous materials should be stored in a secondary container and placed in a locked indoor area with an impervious floor during no-work hours.
4. RWA inspectors should be granted access to this property during the annual inspection program.
5. All work should be completed by October 12, 2015.

Mr. Roscow asked if Ms. Winters had copy of Mr. Kops comments. She said she did.

Mr. Roscow asked if anyone wished to speak in favor of this request.

Pastor William Mathis addressed the Commission and wished all present peace and blessings. He said his congregation wants the community to know they come here as a part of the community and look forward to building the community. As is his habit, Pastor Mathis asked all to the members of his congregation to say Amen, which they enthusiastically did.

Pastor Mathis was asked where his congregation presently worships. He said they are currently housed in New Haven on Goffe Street. Ms. Altman said this would be a good thing for the community.

Mr. Roscow asked if anyone wished to speak against or in general about this request.

There were no further comments and the Public Hearing was closed at 7:21 PM.

Mr. Roscow explained that the Commission must go through all the hearings before they can discuss and vote on any of the requests.

2. Special Permit & Site Plan 10-1168/WS

1651 Dixwell Avenue, T-4 zone

Liquor & Wine Store

Kenan Kiranlioglu, Applicant

Deadline to open Public Hearing 11/18/10

Steve Miller, agent for the property owner, spoke on behalf of the applicant.

Mr. Miller said the applicant wants to relocate his liquor store from Hamden Mart to 1651 Dixwell Avenue, a free standing building formerly part of Mauro Motors. He added that there is not much work to be done except for moving and installing a new air conditioning system. There will be 20 spots for parking, which is five more than the 15 spaces the Town requires.

Assistant Town Planner Dan Kops read his comments recommending approval with the following conditions:

6. Prior to the Issuance of a Zoning Permit the applicant must:
 - a. Provide for approval by the Town Engineer and Town Planner revised plans containing:
 - i. A handicapped parking space.
 - ii. A bulk requirements table indicating the parking required for the proposed store and stating that the remainder of the site is not currently being used by any business.
 - b. A simple floor plan.
7. Obtain a Zoning Permit prior to opening the store.
8. All work should be completed by October 12, 2015.

Mr. Miller was asked if he has a copy of Mr. Kops' comment, and he said he did.

Mr. Roscow asked if there was any one who wished to speak for or against this request.

Anthony Bontempo, 70 Marne Street wished to speak against this request. Mr. Bontempo said liquor stores cause problems. His house is right in back of the proposed liquor store. He said the church on Haig Street is right around the corner and this is a good thing, but the liquor store is not a positive addition to the neighborhood.

There was a discussion regarding where liquor store can be open. It was noted that liquor stores must be at least 1,500 feet apart.

Mr. Miller said the applicant has been searching for a site that meets the requirements, and added that this site does.

Ciro Bontempo, 70 Marne Street addressed the Commissioners. Mr. Bontempo is worried about a liquor store right behind his home. He is also worried about increased traffic and noise. He added that his neighborhood is being hit with two things at once. He said that he, along with his brother, Anthony, is not opposed to the church on Haig St, but is very unhappy about a liquor store being opened so close to his home.

There were no further comments and the Public Hearing was closed at 7:30 PM.

3. Special Permit & Site Plan 10-1169/WS

1110 Dixwell Avenue, T-4 zone

Car Rental and Used Car Sales

Cheap Auto Rental, LLC, Applicant

Deadline to open Public Hearing 12/2/10

The applicant, said he is looking to move from his present location at 1351 Dixwell Avenue to 1110 Dixwell Avenue. He is adding a used care component to the business. He said the building is an eye sore and he has already been doing a lot to cleanup the building. He added that he is doing a lot to make this section of Dixwell Avenue look better. He said he is putting an automobile business where and automobile business has been before.

Next, the applicant said the necessary parking spaces required by the Town are based on a different component. He said for the car rental part of the business there is usually not more than two or three customers at a time. He feels there is enough parking, and does not feel that there is a need for more than three parking spaces for customers. He added that this is not something he is starting from ground zero; he has eight other locations in the State.

Ms. Altman said this is the number of parking spaces that are the statutory requirement, according to our regulations. Mr. Kops said regulations were recently amended and state there should be five spaces per car.

Ms. Altman asked if this came into effect after the adoption of the new regulations. Mr. Kops said they are. Mr. Kops said that this would have to be heard before the Zoning Board of Appeals, and it is recommended that the Public Hearing be continued to the November 23rd meeting after the Zoning Board of Appeals has a chance to act on the variance.

The Applicant said this would cause a hardship because he will have to pay rent on both the present property and the proposed property.

Mr. Marottoli motioned to continue the Public Hearing to the November 23rd meeting. Mr. Poitier seconded the motion that passed unanimously.

4. Major Amendment to Special Permit & Site Plan 03-999

20 & 36 Todd Street, T-3.5 zone
Reduce required width of roadway
Ravenswood Company, LLC
Deadline to open Public Hearing 12/2/10

Bernie Pellegrino appeared before the Commission representing Ravenswood, the developer of Trailside Village, at the corner of Todd Street and Route 10. He said he is here tonight to talk about road improvements on Todd Street. Mr. Pellegrino discussed the regulations requiring this type of facility to be on a road with a 30-foot width. Approval in 2004 required widening Todd Street to a 30-foot width. During the development of this project it was felt that widening the road didn't make sense. This was discussed with the West Woods Civic Association, and they agreed. The West Woods Civic Association presented a letter to the Zoning Board of Appeals supporting the proposal to reduce the road to 24 feet. A Variance was granted, and has been approved by the Inland/Wetlands Commission. Mr. Pellegrino is here to request an amendment to reduce the required width of the roadway to 24 feet.

Ms. Altman said this looks like a good idea in regard to traffic calming and will encourage slower driving on this part of the road. She added that it would enhance public safety.

Dan Krober of Milone & McBroom said as Mr. Pellegrino stated, they are here to request a major change in reducing the width of Todd Street from 30 feet to 24 feet. He said there are many benefits to this change, including environmental safety and traffic safety.

Mr. Kober said that under existing conditions, Todd Street is a winding road with pavement width between 18 to 20 feet and "T"s up with Route 10.

Mr. Kober discussed the driveway and the parking presently in place at the café on the corner. He discussed the changes that have been made, and how the road has been improved to a more typical arrangement for this establishment. Mr. Kober pointed this out on the plan. He added that a major benefit is the improved safety at the intersection. He said reducing the road width will also serve as a traffic-calming tool. They are now running drainage up Todd Street, and a series of catch basins will be placed at Route 10 and Todd Street and intermittently up the road.

Ms. Altman said this is a complicated map and it would help if the map were shaded as the original map had been. Mr. Kober was asked to pass the plan to the Commissioners.

Commissioner Poitier discussed cars coming out of Todd Street onto Whitney Avenue. He asked if the berm could be dipped down to create a better site line. Mr. Krober said they would look at this and adjust it to improve the site lines. Mr. Portier also asked if the utility pole would be moved. Mr. Krober said it would not. He said the road would be swung north on the other side of the utility pole. Mr. Poitier said this pole now blocks the site lines looking north and will block the sight lines

looking south when the road is moved. Mr. Krober said they feel that this is an improvement from the existing condition. Mr. Poitier said he couldn't see how Mr. Krober can say this. Mr. Poitier said he has driven this way every day for 25 years, and does not see how they are going to improve this, they will only reverse it. Mr. Pellegrino said this has been a problem for ATT, and moving this pole would be a major problem. Mr. Krober said widening the road and changing the radius would be an improvement.

Mr. Roscow asked about the café that Mr. Krober had mentioned earlier. Mr. Krober said there will be a grass strip and there will also be sidewalks as part of this plan. The grass strip will be between the sidewalk and the road. The applicant will be deeding some of their land to the town to widen the road.

Assistant Town Attorney Kops read his comments recommending approval with the following conditions.

1. Submission of a revised plan, for approval by the Town Engineer and Town Planner, showing:
 1. The proposed drainage easement in favor of the Town enlarged in the vicinity of the outfall to permit maintenance of the whole rip rap scour hole.
 2. A note indicating that the pipe between the catch basin at Sta. 15+09 12.0 LT and the catch basin at Sta. 15+18 14.9 RT is to be installed as deeply as possible to permit future expansion of the storm drainage system west of Todd Street.
2. Approval is granted by the Legislative Council per C.G.S. 8-24.

No one wished to speak in favor of, opposed to, or in general regarding this request.

The Public Hearing was closed at 8:01 PM.

B. Regular Meeting:

1. Special Permit & Site Plan 10-1167/WS

41 Haig Street, T-4 zone
Church, Offices, Classrooms
Reverend William Mathis, Applicant

Ms. Altman motioned to grant Special Permit & Site Plan 10-1167/WS, and welcome the church into the community with the conditions set forth in Mr. Kops comments. Mr. Portier seconded the motion. There was no further discussion, and Mr. Roscow called for a vote. The vote was unanimously in favor of the motion.

The approval of this request was greeted by a rousing round of applause from Reverend Mathis and his congregation, many of whom were present.

2. Special Permit & Site Plan 10-1168/WS

1651 Dixwell Avenue, T-4 zone
Liquor & Wine Store
Kenan Kiranlioglu, Applicant

Mr. Altman asked if the neighbors were noticed on this. Mr. Kops said they were. There was no further discussion and Mr. Roscow called for a motion.

Ms. Altman motioned to approve Special Permit & Site Plan 10-1168/WS with the conditions put forth in Mr. Kops comments. Mr. Cesare seconded the motion. The vote was three in favor, one opposed. The motion carried.

3. Special Permit & Site Plan 10-1169/WS

1110 Dixwell Avenue, T-4 zone
Car Rental and Used Car Sales
Cheap Auto Rental, LLC, Applicant

This request was continued to the next meeting of November 23rd.

4. Location Approval 10-017

1110 Dixwell Avenue, T-4 zone
Car Rental and Used Car Sales
Cheap Auto Rental, LLC, Applicant

There were no comments from the Applicant.

Assistant Town Attorney Kops read his comments recommending approval with the following conditions:

9. All hazardous materials and waste chemicals should be stored on-site on an impervious floor with some form of secondary containment.
10. Waste material should be disposed of by a licensed waste hauler in accordance with all applicable federal, state and local regulations. If stored outside the containers should be within some form of secondary containment and sheltered from precipitation.
11. Solid waste material should be stored in an appropriately sized, covered solid waste dumpster or other watertight container that is plugged to prevent the release of any liquids.
12. Any vehicle washing should be conducted indoors.
13. All servicing of vehicles should be conducted indoors on an impervious surface.
14. There should be absolutely no discharges of motor vehicle fluids or detergent chemicals to the environment.
15. Any vehicles that are leaking automotive fluids should be stored inside the garage or at minimum on an impervious surface where the leaks can be contained and cleaned up.
16. Scrap metal or other parts in contact with lubricant should be stored in a watertight container to prevent the accumulation and contamination of stormwater.
17. The survey submitted to the Connecticut Department of Motor Vehicles should be revised to show:
 - a. All Conditions of Approval.
 - b. No more than 15 spaces clearly reserved for display vehicles.
 - c. The rental storage area clearly marked on the plans, with a note indicating that approval is pending before the Zoning Board of Appeals and the Planning and Zoning Commission.
 - d. The originally approved circulation pattern.
18. Prior to the issuance of a Zoning Permit a copy of the revised survey should be submitted to the Planning and Zoning Department for approval by the Town Planner.
19. A Zoning Permit must be obtained prior to the opening the business.
20. The landscaping shown on the previously approved plan should be completed by June 30, 2011.

Commissioner Poitier motioned to approve Location Approval 10-017 as recommended with the conditions put forth in Mr. Kops comments. Commissioner Cesare seconded the motion that passed unanimously.

4. Major Amendment to Special Permit & Site Plan 03-999

20 & 36 Todd Street, T-3.5 zone
Reduce required width of roadway
Ravenswood Company, LLC

Commissioner Poitier motioned to approve Major Amendment to Special Permit & Site Plan 03-999 as recommended with the conditions put forth in Mr. Kops comments. Commissioner Cesare seconded the motion that passed unanimously.

C. Old Business/ New Business

1. Review minutes of September 28, 2010

Ms. Altman brought up the issue of the performance bond that was tabled to Oct 12th meeting. Ms. Altman suggested that they not vote until the Commission receives the recommendations from the Finance Department... It was agreed that this would be tabled until such time as recommendations from the Finance Department regarding the accepted form of performance bonds are received.

Mr. Poitier stated that his first name is Brack not Brock.

It was noted that on the top of Page 3 it reads “that that” it should read “that they”.

On Page 9 it stated “Mr. Roscow withdrew his motion, and Mr. Portier seconded the motion.” It should read “Mr. Roscow withdrew his motion”.

Ms. Altman motioned to accept the minutes as corrected. The motion was seconded by Mr. Marottoli and passed unanimously.

D. Adjournment

There was no further business to come before the Commission and Vice Chairman Roscow called for a motion to adjourn. **Commissioner Altman motioned to adjourn the meeting. Commissioner Marottoli seconded the motion that passed unanimously.** The meeting was adjourned at 8:24 PM.

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