



Town of Hamden
Planning and Zoning Department

**Hamden Government
Center
2750 Dixwell Avenue
Hamden, CT 06518
Tel: (203) 287-7070
Fax: (203) 287-7075**

April 15, 2009, revised 4/24/09

MINUTES: THE PLANNING & ZONING COMMISSION, Town of Hamden, held a Public Hearing and Regular Meeting on Tuesday, April 14, 2009 at 7:00 p.m. in the Thornton Wilder Hall, Miller Memorial Library Complex, 2901 Dixwell Avenue, Hamden, and the following was reviewed:

Commissioners in attendance:

Joe McDonagh, Chairman
Ann Altman
Ed Grant
Ralph Riccio
Don Moses
Lesley DeNardis
Bob Roscow
Gerald Dimenstein
Peter Reynolds

Staff in attendance:

Leslie Creane, Town Planner
Dan Kops, Assistant Town Planner
Tim Lee, Assistant Town Attorney
Stacy Shellard, Clerk
Lisa Raccio, Stenographer

Mr. McDonagh called the meeting to order at 7:00 p.m. He introduced the panel and reviewed the procedure.

A. Public Hearing:

- 1. Special Permit & Site Plan 09-1147/WS**
2335 Dixwell Avenue, CDD-1 Zone
Retail
Robert Hayes, Applicant
Deadline to open Public Hearing 5/14/09

Mr. David Stein, Architect, addressed the Commission and reviewed the application. He explained the changes that would be made to the facade of the building. There would not be a reduction or addition of the square footage to the building. Sears Hardware had an open garden center which will be closed in. The air handling units on the roof will be screened in. Landscaping around the perimeter of the building that will be enhanced. The operating hours for the loading docks will be similar to the existing retail stores. The dumpster will be enclosed. The plan is to subdivide the building and convert into 4 tenant spaces. Mr. Stein stated Lake Shore Learning Center is a potential tenant. Each tenant will present their own signage to the commission.

Mr. Dan Kops, Assistant Town Planner read his comments recommending approval and 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. All conditions of approval
 - ii. Demonstration with turning movements that the proposed or an alternative location and orientation of the dumpsters permits trash pickup, including any directional arrows and signs to be employed.

- iii. Six inch high curbing on three sides of the dumpsters. To the extent possible the concrete pad should be angled down toward the rear, to retain fluids.
- B. A performance bond in an amount approved by the Town Planner and Town Engineer.
- 2. The RWA should be notified three days prior to the start of any construction activity.
- 3. The RWA should be apprised of the condition of the water quality basin and all maintenance activity over the previous twelve months.
- 4. If any excavation is to occur:
 - a. Erosion controls should be installed prior to the commencement of construction activities.
 - b. All stockpiles of excavated material remaining on-site for more than a month should be temporarily seeded or covered.
 - c. Erosion controls should be inspected regularly and immediately after each rainfall, as well as maintained and modified as necessary.
- 5. During construction all oil, paint, and other hazardous materials should be stored in a secondary container and placed in a locked indoor area.
- 6. If fuel for construction equipment is stored on-site it should be placed in a secondary containment system in a secured area.
- 7. Any on-site fueling and repairs should be conducted over a portable spill containment system.
- 8. A supply of absorbent spill response material should be kept on-site to clean up any spills of hazardous materials.
- 9. The RWA should be notified of any spills of hazardous materials.
- 10. Catch basins with sumps and hoods or drywells should be inspected at least three times a year.
- 11. The basin should be inspected twice a year and mowed two to three times a year.
- 12. Sediment and debris should be removed at least twice a year or as soon as deposits are within six inches of the outlet.
- 13. The dumpsters should be adequately sized, covered with a watertight lid and plugged to prevent leaks. They should be inspected on a regular basis.
- 14. RWA inspectors should be granted access to the site to conduct routine inspections.
- 15. All work must be completed by April 14, 2014.

Mr. Riccio asked if the doors shown on the plan are between tenant 1 and tenant 2. Mr. Stein advised that the doors are existing but will be blocked and the size of the spaces will be flexible.

Mr. McDonagh asked for Public Comment and there was none.

The Public Hearing was closed.

B. Regular Meeting:

- 1. **Special Permit & Site Plan 09-1147/WS**
 2335 Dixwell Avenue, CDD-1 Zone
 Retail
 Robert Hayes, Applicant

Mr. McDonagh asked if there were any questions or comments from the commission and there were none.

Ms. Altman made the motion to approve 09-1147/WS as recommended by the Assistant Town Planner and the following conditions as recommended by the Assistant Town Planner:

- 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. All conditions of approval

- ii. Demonstration with turning movements that the proposed or an alternative location and orientation of the dumpsters permits trash pickup, including any directional arrows and signs to be employed.
 - iii. Six inch high curbing on three sides of the dumpsters. To the extent possible the concrete pad should be angled down toward the rear, to retain fluids.
- B. A performance bond in an amount approved by the Town Planner and Town Engineer.
2. The RWA should be notified three days prior to the start of any construction activity.
 3. The RWA should be apprised of the condition of the water quality basin and all maintenance activity over the previous twelve months.
 4. If any excavation is to occur:
 - d. Erosion controls should be installed prior to the commencement of construction activities.
 - e. All stockpiles of excavated material remaining on-site for more than a month should be temporarily seeded or covered.
 - f. Erosion controls should be inspected regularly and immediately after each rainfall, as well as maintained and modified as necessary.
 5. During construction all oil, paint, and other hazardous materials should be stored in a secondary container and placed in a locked indoor area.
 6. If fuel for construction equipment is stored on-site it should be placed in a secondary containment system in a secured area.
 7. Any on-site fueling and repairs should be conducted over a portable spill containment system.
 8. A supply of absorbent spill response material should be kept on-site to clean up any spills of hazardous materials.
 9. The RWA should be notified of any spills of hazardous materials.
 10. Catch basins with sumps and hoods or drywells should be inspected at least three times a year.
 11. The basin should be inspected twice a year and mowed two to three times a year.
 12. Sediment and debris should be removed at least twice a year or as soon as deposits are within six inches of the outlet.
 13. The dumpsters should be adequately sized, covered with a watertight lid and plugged to prevent leaks. They should be inspected on a regular basis.
 14. RWA inspectors should be granted access to the site to conduct routine inspections.
 15. All work must be completed by April 14, 2014.

Mr. Roscow seconded the motion. The motion passed unanimously.

2. Proposed Zoning Regulations

Consideration of incorporating specific Village Districts in the zoning regulations being proposed by the Commission.
Spring Glen Civic Association, Whitneyville Civic Association,
West Woods Neighborhood Association

Mr. McDonagh advised the public that the Planning Office and the Commission are in the process of updating the proposed regulations. He stated there have been conversations with the West Woods Neighborhood Association, Whitneyville and Spring Glen Civic Association about Village Districts. Village Districts are permitted under the state statute 8-2-J that provides for further restrictions which will be explained by the Assistant Town Attorney.

Mr. Tim Lee, Assistant Town Attorney addressed the Commission and the public and explained that the Planning and Zoning Commission is in the process of amending the zoning regulations. Several of the Neighborhood/Civic Associations are proposing to have Village Districts which are authorized by the State Statues. This would allow for certain protections over and above the existing zoning regulations. It would allow the neighborhoods to protect certain features that have historic significance and allow Planning and Zoning to regulate the architecture to protect certain features of the neighborhoods.

Mr. Tim Lee stated that in his opinion the Town can not incorporate the Village Districts as part of the Proposed Zoning Regulations, and that it can not be done at the same public hearing as the zoning regulations. The state statues authorizing Village Districts have different notice requirements and advertising requirements than the application to amend the zoning regulations. The Planning and Zoning Commission would have to hold separate public hearings.

Mr. McDonagh asked for questions and comments from the commission.

Mr. Roscow asked if there should be a category for a Village District in section 4 of the overlay zones in the proposed regulations and language included, since an application would be forthcoming. He asked if the application for a Village District for Spring Glen and an application for the proposed zoning regulations could be heard at separate public hearings on the same night. Mr. Lee advised that it could be done, but the question is who will be the applicant for the Village Districts. If the commission is the applicant it would go to the full Planning and Zoning Commission. If it were the Civic/Neighborhood Association, individual or a developer it would go to the Planning Section and then the Zoning Section. These meetings are held on separate nights. Mr. Roscow expressed the need for "Village District" to be put into the language with an explanation of the procedure for establishing one. There should also be a distinct category for a Village District. Mr. Lee advised that it could not be done because there is a mechanism in place for enactment because of the State Statue. Each Village District is unique to each neighborhood. He explained that it is difficult to have a blanket Village District Regulation. Ms. Creane, Town planner advised the Commission that there could be a place holder for Village Districts in the proposed regulations.

Ms. Altman stated that she has been working on the proposed regulations with Mr. Grant, Mr. McDonagh and the Town Planner. She does not want the public to have any preconceived notion that any member of the Commission has decided for or against a Village District. Because of the problems just noted, public hearings can not be done simultaneously. The Commission is operating in good faith and needs to complete one task at a time. Ms. Altman feels that the new regulations need to be in place before considering Village Districts. There are many areas in the Town that may be considered a district. Those areas should be able to determine if they want to study the Village District State Statue. Ms. Altman read a letter submitted to the Commission from Mr. Peter Haller, Whitneyville Civic Association.

Mr. McDonagh stated that the Proposed Zoning Regulations are still being worked on by the Planning Office. It is anticipated that another public meeting will be hold for additional comments in May, 2009 and then have a final draft completed.

Ms. Creane advised that when it is determined that the final draft of the Proposed Zoning Regulations is ready, it would be frozen with no further changes for two weeks. The public would be able to review the final draft. There will then be a public information meeting for suggestions on changes to the regulations. The Commission will then instruct the Planning Office to make the changes proposed or a list for future amendments. There may be suggestions that may not be legal and can not be done. Changes that are authorized by the Commission will be added into the regulations as part of the formal application, and sent to the Regional Council of Government and the various departments within the Town for notification. Then a timeline for a public hearing will be given.

Mr. Moses stated that if a place holder for a Village District is included it would legally make it a formal part of the proposed zoning regulations. Mr. Lee stated there will be no substance under the title of the Village District during the enactment of the zoning regulations. The place card does not commit the Town to enact Village Districts in the future.

Mr. McDonagh said the issue before the Commission today is who the applicant will be for the affected neighborhoods.

Mr. Lee advised that the Planning & Zoning Commission or a private person may be the applicant. During discussions with the Civic/Neighborhood Associations it was discussed who should be the applicant. It was determined that the Civic Association should be the applicant. Mr. Lee stated that each Village District is unique to their neighborhood and the purpose is to protect and preserve the architect and historical features. The Village district gives the Planning and Zoning Commission the power to regulate certain aspects of the property that you do not normally get under the Zoning Regulations. You would be able regulate the aesthetics or architecture of the structure, and how the application gets submitted to the Planning and Zoning Departments. This could have an impact on what people can do with their properties and may increase their cost for improvements. Each individual would be

affected. The neighborhoods need to be apprised of the Village District and make sure this is what they want for their neighborhood.

Mr. McDonagh advised that Mr. Lee has given his legal recommendation for this policy matter. He asked for public comment.

Ms. Pat Hesslin, 143 Haverford Street addressed the Commission. She stated that she has been a resource person for the Spring Glen Civic Association and is guiding them in finding different information. She asked Mr. Lee why the district cannot adopt a comprehensive revision of the zoning regulation, including the Village District. Mr. Lee advised that it is his recommendation that they be done as separate and distinct applications, because of the different notice requirements. Ms. Hesslin asked if it could be included in the current draft of the transect and the residential zoning regulations. This would include a Village District that could be part of same application and heard and adopted at the same time. Mr. Lee advised that in his opinion the notice requirements are different because the Village District will impact each and every property owner that is effected by the Village District. Notices would have to be sent to each individual affected property. If it is a general zoning change would effect properties town wide. Ms. Hesslin advised the Commission that her research has found two communities that have done their zoning regulations and a village district as one application. She stated Ridgefield had done it in 2007 and Bloomfield is about to. Ms Altman asked if Ridgefield and Bloomfield will each have one Village District. Ms. Hesslin advised that Ridgefield was originally one, but may have more now. She stated that 30 to 40 communities in the State of Connecticut have regulations for Village Districts. Mr. McDonagh advised that he personally has no opposition to Village Districts, but the procedure is in question. Ms. Hesslin is advocating that as part of the regulations going forward there be village districts and the commission be the applicant. The intent is a tool permitting a Commission to introduce new and innovative techniques. The Village District would be form based, like the transects that are being introduced. This would enhance the Plan of Development for improving quality of life, development and design. Ms. Hesslin agrees with the involvement of the neighborhoods and the agreement of the property owners.

Ms. Irene Fiss, 236 Edgehill Road addressed the Commission and asked if there is anything in the Proposed Zoning Regulations that would be controversial to the Village District. Ms. Creane advised that the zoning regulations are a restriction of property rights. To varying degrees it would depend on what the regulations say. A Village District is a further regulation or restriction and is further taking away from someone's property rights for the betterment of the neighborhood. An Historic district is the most restrictive The baseline regulations are being worked on and the Spring Glen Civic Association was offered a moratorium on building within Spring Glen. This would be for up to one year until a Village District is proposed and can be included in the base regulations. The new regulations would restrict and control form, unlike the current regulations. Ms. Fiss asked if in the new regulations if there is anything that would be competitive or controversial to someone who would want further regulations for a Village District. Mr. Kops advised that the basic regulations being proposed would provide a foundation of protective guidelines for the entire town. A Village District imposes a different level of restrictions for a specific area. Mr. McDonagh advised that two associations/neighborhoods have helped to redraft the new regulations and posed a 3.5 zone. There may not be anything of substance that the new regulations would permit that are not already permitted. Irene stated to the Commission that she understands the need to allow the public to view the proposed regulations. She would like to caution the Commission about the timing of the meetings and in the best interest of the public that the meetings should take place in September because of summer vacations.

Mr. David Hennigan, 64 Waite Street addressed the Commission. He stated that he would like the Planning and Zoning Commission to be the applicant because he does not conceive Spring Glen as a historic district. The overlay is to fulfill the promise of the Plan of Conservation and Development done in 2004. This was to protect the residential areas in Spring Glen and Whitneyville to keep walkability and protecting houses from conversions to commercial uses in the neighborhood. It was supposed to encourage commercial growth in the existing village areas with an appropriate scale and density. The businesses were to cater to the neighborhood. The Village District overlay was to achieve the goals of the Plan of Conservation and Development. Ms. Altman feels the residents are better equipped to define a Village District and therefore they should be the applicant. Mr. Hennigan asked if the existing proposal from Spring Glen Civic Association were brought to the Commission what they would or would not bring forward. Mr. McDonagh stated his concerns that if the Commission is the applicant he would not be comfortable imposing the restrictions that the neighborhoods would like. If the neighborhood is the applicant with strong support from the residents, it would be a different matter.

Mr. Al Dobie, West Woods Neighborhood Association addressed the Commission and stated that his association is interested in a Village District Overlay. If they were to be the applicant the work needed by the volunteers would be difficult. They would like to work with the neighbors and the Town Planning Department to bring forth a proposal. Ms. Creane advised that work has been done with Spring Glen and the draft continues to be worked on. She and Mr. Kops and herself are willing to give their assistance if needed to the Civic/Neighborhood Associations

Ms. Elaine Dove, 137 Santa Fe Avenue addressed the Commission and stated she is a member of the Spring Glen Civic Association and a Commissioner of the Hamden Zoning Board of Appeals. She would like Village District Overlay be incorporated by the Planning & Zoning Commission. She has observed from sitting on the ZBA that developers are encouraged to develop properties to increase the tax base. The tax base does not increase and the Town is left with a visual of commercial development that is not appealing. The Town needs to encourage development that is visual appealing. There should be a architectural review commission to help guide the aesthetics. The Village District Overlay should help the aesthetics protection. Smart Code will not address the aesthetics and a village overlay is needed. Mr. Kops stated that the Village District Overlay for Spring Glen would involve approximately 80 properties on Whitney Avenue. He suggested that the property owners who are affected be contacted and get signatures for approximately 80 percent. The property owners should be aware that the proposal could effect their property rights and there must be support from the local community. The Planning & Zoning Commission will want to know that a substantial number of people want to have the village district overlay. Ms. Dove said that Smart Code is being used that it would change the zoning and abutting properties. She is aware that an agreement has been reached that the Town and will notify the abutting properties. Ms. Creane stated that advising the property owners is not required by State Statue and the Commission is voluntarily doing this. Mr. McDonagh not comfortable as a commissioner making a decision unless the neighborhood has initiated the proposal to have a Village District. Ms. Altman stated that the Commission represents the entire town, and writing the news regulations must have uniformity. Ms Creane advised that no current business would be forced to change because of the new zoning regulations.

Ms. Nancy Beals, 255 Ridgewood Avenue addressed the Commission and read a letter from Edward and Joan Blair, 43 Dessa drive who were was unable to attend. They support Spring Glen Civic Associations efforts to have specific District Overlays incorporated into the zoning regulations. Ms. Beals read a letter from Mary Glynn, 4 Harmon St, who supports the Spring Glen Civic Association to have Village Districts incorporated into the zoning regulations. The Village District Overlay is important to protect neighborhoods. The zoning regulations have a specific section article 4 that identifies overlay zones and the village district overlay would fit into this section. Ms. Glynn had written the letter and it was addressed and sent it to the Mayor. She had received a response from him supporting the Village District Overlay. Judy Rosenthal, 70 Brookside Drive received a response from the Mayor with regard to a letter sent from her dated 3/24/09 supporting the Village District Overlay.

Mr. Bob Patterson, 25 Augur Street addressed the Commission and asked for clarification regarding the procedure of an individual vs. the Commission being the applicant. Mr. Lee, explained that when an individual is the applicant, they would bring the application to the Planning Office. The application would then go to the Planning Section of the Planning and Zoning Commission and then to the Zoning Section. If the Planning and Zoning Commission is the applicant then it would go to the full Planning and Zoning Commission. Mr. Kops stated that communications with those who want a Village District would need to be done through the Planning Office before it could go to the commission. Mr. Patterson is in favor of having a place holder put into the Proposed Zoning Regulations.

Mr. John Morrisson, 1692 Whitney Avenue addressed the Commission and is a member of the Spring Glen Civic Association who has been working with the commission and the Planning Office to create a section 3.5 in the Proposed Zoning Regulations. He submitted and explained a handout titled Article 4-Residential Zones that he feels why a village district overlay would be beneficial. Mr. McDonagh asked that his remarks be kept to who should be the applicant. Mr. Morrisson advised that they are near 80 percent on a petition for wanting a Village District.

Ms. Christine Esposito, 1742 Whitney Avenue asked for clarification on what the moratorium would be. Ms. Creane advised that there is a fear of what developers would be able to do. She has committed to putting into the proposed regulations a moratorium for up to a year in Spring Glen against any area that would be a Village District. This would give time for a proposal and application for a Village District be presented to the Commission. Ms. Esposito stated that she would be more comfortable when the time line to submit the Proposed Zoning Regulations has been decided. She is in favor of the meetings for the public take place in September. She is in favor of the Village District proposal

and would like it done simultaneously with the proposed zoning regulations. Ms. Creane explained the statutory time lines must be observed when an application is submitted.

Ms. Sarah Clark, 4032 Whitney Avenue addressed the Commission and asked if a group proposing the Village District regulation, would they have to also submit the application to the Regional Council of Government. Ms. Creane advised that the Planning Office would distribute the applications. Mr. Kops stated that the application would go to the Regional Council of Government. If an application to amend the zoning regulations or map would affect property within 500 feet of another surrounding town's property. The representative's from various municipalities have the right to vote and send a recommendation to the Planning and Zoning Commission. The eighty percent of the residents signatures is an arbitrary number that is a recommendation from the Planning Office to show support from property owners who would be affected. Mr. Lee advised that the 80 percent is not a formal requirement when submitting an application would be same regardless of who the applicant.

Ms. Eileen Levy, 50 Hawley Road, addressed the Commission and stated that the Village District it would enhance property values. Commissioners are not elected but appointed, and is the town's representatives. She feels the Commission should be the applicant. The Spring Glen Residents and all residents haven an interest in keeping Spring Glen attractive.

Mr. McDonagh asked if the Commission had any additional comments.

Mr. Roscow stated that the Plan of Conservation and Development's key point is is to create a city with distinct historic and neighborhood development. The issue is who will be the applicant and if it will set a future precedent. The Commission would not be representing Hamden if they were to be the applicant for the individual district villages. There is one application that is ready to be submitted. If there is a moratorium proposed after the Proposed Zoning Regulations are submitted it would be a safe guard until the individual applications are submitted. He is in favor of the place holder in the proposed regulations, so that the Village District can be the applicant. If the application for a proposed Village District is approved and adopted the commission's job is to enforce it.

Mr. Dimenstein asked the public if they wanted the Planning and Zoning to decide what they should or should not have.

Ms. Atman stated that the Commission must consider if there is a moratorium in one district, the other potential districts that would want a moratorium.

Ms. Altman made the motion that any application for the designation of a Village District should come from outside of the Commission. Mr. Grant seconded the motion. Mr. Roscow, Mr. Reynolds, Mr. Moses, Ms. Altman, Mr. Grant, Mr. McDonagh, Ms. DeNardis voted in favor of the motion. Mr. Riccio and Mr. Dimenstein voted against the motion. The motion passed by a 7-5 vote

3. Planning & Zoning Commission By-Laws

Discussion to amend and refer to the Legislative Council

Mr. McDonagh asked that this item be tabled. He explained that Hamden is one of the only communities in the state that has a Planning and Zoning Commission with a Planning Section and a Zoning Section. He would like time to prepare a draft of the revisions to present at the next meeting.

Mr. Moses made the motion to table the discussion to amend the Planning and Zoning Commission By-Laws until the May 12, 2009 meeting. Mr. Riccio seconded the motion. The motion passed unanimously.

4. Election of the Planning and Zoning Representative for the Regional Planning Agency

Mr. Roscow explained to the Commission the Regional Planning Agency's responsibilities and procedures. Mr. McDonagh asked for a volunteer and there were none. Mr. McDonagh appointed Mr. Riccio as the Planning and Zoning Representative.

C. Old Business/ New Business

1. Review of March 10, 2009 Minutes

Mr. Grant made the motion to accept the minutes as written. Mr. Reynolds seconded the motion. The motion passed unanimously.

2. Minor Amendment to Special Permit & Site Plan 08-1146/APA/FP

3379 Whitney Avenue

Modification of Condition of Approval

Mr. Dan Kops, read his recommendation to remove Condition 1.B. from the conditions imposed at the February 10, 2009 Planning & Zoning meeting.

Conditions of Approval imposed last February:

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. Existing Conditions Plan – Sheet 2 of 12
 - a. The signature and seal of a Land Surveyor licensed in the State of Connecticut, with appropriate certification of the topographic, existing improvements, boundary and easement information depicted.
 - b. The references on Sheet 9 of 12, including the date(s) of wetlands flagging, and the notes and reference maps on Sheet 11 of 12.
 - c. The parcel boundary information, including at least one coordinate along the Pond Hollow parcel boundary as shown on Sheet 11 of 12.
 - d. Indication to whom the existing sanitary sewer easements are in favor of, noting the recording information for the easement documents.
 - e. The type of sanitary sewer pipe which now exists.
 - ii. Sanitary Sewer Site Plan – Sheet 3 of 12
 - a. The limits of the Wetlands.
 - b. The portion of the existing sanitary easement noted as “Eliminate” re-labeled using the term “Released”, e.g., “Easement to be Released by the GNHWPCA to the Pond Hollow Condominium Association.”
 - c. The distance between the limit of wetlands and nearest proposed limit of disturbance.
 - d. Any changes in emergency vehicle access during construction required by the Hamden Police or Fire departments.
 - e. Easement areas obtained from the property owner for paving, installation of sedimentation and erosion controls, installation of wetland markers, and if necessary, a staging and storage area for material and equipment for this project.
 - iii. Stormwater Pollution Control Notes and Details – Sheet 6 of 12
 - a. A detail of the relevant sediment control at drainage structures.
 - b. The catch basin inlets in the work area protected with Silt sacks.
 - c. A note on this sheet or Sheet 3 of 12 requiring daily sweeping of the pavement.
 - d. In the Contingency Plan, the term “Town Engineer” replaced with “Zoning and Inland Wetlands Enforcement Officers.”
 - iv. Easement Map – Sheet 11 of 12
 - a. The portion of the existing sanitary easement noted to be “Discontinued” re-labeled using the term “Released”, e.g., “Easement to be Released by the GNHWPCA to the Pond Hollow Condominium Association.”
 - B. A Development Permit must be obtained, in accordance with Sections 630-636 of the Zoning Regulations.
 - C. A performance bond in an amount approved by the Town Planner and Town Engineer.

2. Prior to the start of construction activity the erosion and sedimentation controls should be installed. Controls should be inspected weekly and after each rainfall. Additional controls should be stored on-site for any necessary repairs. Excavated material stored on-site for any length of time should be stabilized.
3. During construction all oil, paint, and other hazardous materials should be stored in a secondary container and placed in a locked indoor area.
4. All work must be completed by February 10, 2014.

Mr. Grant made the motion to remove Condition 1.B. as recommended by Mr. Kops, Assistant Town Planner and the following conditions:

Conditions of Approval imposed last February:

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. Existing Conditions Plan – Sheet 2 of 12
 - a. The signature and seal of a Land Surveyor licensed in the State of Connecticut, with appropriate certification of the topographic, existing improvements, boundary and easement information depicted.
 - b. The parcel boundary information, including at least one coordinate along the Pond Hollow parcel boundary as shown on Sheet 11 of 12.
 - c. Indication to whom the existing sanitary sewer easements are in favor of, noting the recording information for the easement documents.
 - d. The type of sanitary sewer pipe which now exists.
 - ii. Sanitary Sewer Site Plan – Sheet 3 of 12
 - a. The limits of the Wetlands.
 - b. The portion of the existing sanitary easement noted as “Eliminate” re-labeled using the term “Released”, e.g., “Easement to be Released by the GNHWPCA to the Pond Hollow Condominium Association.”
 - c. The distance between the limit of wetlands and nearest proposed limit of disturbance.
 - d. Any changes in emergency vehicle access during construction required by the Hamden Police or Fire departments.
 - e. Easement areas obtained from the property owner for paving, installation of sedimentation and erosion controls, installation of wetland markers, and if necessary, a staging and storage area for material and equipment for this project.
 - iii. Stormwater Pollution Control Notes and Details – Sheet 6 of 12
 - a. A detail of the relevant sediment control at drainage structures.
 - b. The catch basin inlets in the work area protected with Silt sacks.
 - c. A note on this sheet or Sheet 3 of 12 requiring daily sweeping of the pavement.
 - d. In the Contingency Plan, the term “Town Engineer” replaced with “Zoning and Inland Wetlands Enforcement Officers.”
 - iv. Easement Map – Sheet 11 of 12
 - a. The portion of the existing sanitary easement noted to be “Discontinued” re-labeled using the term “Released”, e.g., “Easement to be Released by the GNHWPCA to the Pond Hollow Condominium Association.”
 - B. A performance bond in an amount approved by the Town Planner and Town Engineer.
2. Prior to the start of construction activity the erosion and sedimentation controls should be installed. Controls should be inspected weekly and after each rainfall. Additional controls should be stored on-site for any necessary repairs. Excavated material stored on-site for any length of time should be stabilized.
3. During construction all oil, paint, and other hazardous materials should be stored in a secondary container and placed in a locked indoor area.

4. All work must be completed by February 10, 2014.

Ms. Altman seconded the motion. The motion passed unanimously.

3. Minor Amendment to Special Permit & Site Plan 00-918/WS

2080 Whitney Avenue

Town Planner-approval of modification of Site Plan

Ms. Creane, Town Planner advised the Commission that on March 3, 2009 she signed off on a Minor Amendment to Special Permit 09-918/WS. She reviewed the application and advised the Commission that the amendment was for the elimination of a parking island that was a safety concern.

D. Adjournment

Mr. Moses made the motion to adjourn. Ms. Altman seconded the motion. There was no further discussion. The motion passed unanimously.

The meeting adjourned at 9:06 p.m.

**Submitted by: _____
Stacy Shellard, Clerk of Commissions**