



Town of Hamden
Planning and Zoning Department

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

Fax: (203) 287-7075

May 17, 2010

MINUTES: THE PLANNING & ZONING COMMISSION, Town of Hamden, held a Public Hearing and Regular Meeting on Tuesday, May 11, 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:

Commissioners in attendance:

Joe McDonagh, Chairman
 Ann Altman
 Bob Roscow
 Peter Reynolds
 Ed Sullivan
 Brack Poitier
 Jon Cesare

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. The clerk read the Public Hearing items into the record. Mr. McDonagh introduced the panel and reviewed the Public Hearing procedures.

A. Public Hearing:

1. **Special Permit & Site Plan 09-1159/WS**
 3139 Whitney Avenue
 Multi-family housing
 Bernard Pellegrino, Attorney
Postponed until June 8, 2010

2. **Special Permit & Site Plan 10-1163/WS**
 455 Sherman Avenue (rear), M-1 Zone
 Outdoor storage & excavation
 Gar Development, LLC, Applicant
Deadline to open Public Hearing 6/17/10
Postponed until June 8, 2010 meeting at the request of the applicant.

3. **Major Amendment to Special Permit & Site Plan 96-783**
 Farmington Canal Greenway Phase II
 Skiff Street underpass
 Town of Hamden, Applicant
Deadline to open Public Hearing 7/15/10

Mr. David Schaefer, Chairman, Hamden Farmington Canal Committee, addressed the Commission and reviewed the application. He explained that the project is being funded by the CT Department of Transportation and the Federal Highway Administration. Mr. McDonagh thanked Mr. Schaefer for all the work he has done to see this project go forward.

Mr. Dan Kops, Assistant Town Planner, read his comments and recommended approval based on the following plans:

“Farmington Canal Greenway Skiff Street Underpass, Semi-Final Design Submission, March 2010”, prepared by Milone & MacBroom, Inc.

with the following conditions:

1. Prior to the Issuance of a Zoning Permit, the applicant must:
 - A. Submit revised plans containing the following, for approval by the Town Planner and the Town Engineer:
 1. Correction of the discrepancy between the label “BEGIN CONSTRUCTION” as Station 23+50 State Street, while the leader points to Station 23+00.
 2. Clarification of the trail r.o.w width and the Hamden Land Records Volume reference.
 3. Clarification of the sidewalk width.
 4. The shifting of the maintenance access gate to the stormwater outfall to the west side of the pipe, if deemed advisable.
 5. A note on on Sheets 10 and 11 stating that the tunnel vertical clearance will be somewhat less than 10 feet due to the pavement, lights and security cameras.
 6. A revised amp load if deemed advisable.
 7. A revised cross-slope label of the 5' wide sidewalk of 1 1/4" on Sheet 27.
 8. The the limit of sidewalk construction lengthened to the west ends of the existing sidewalks.
 9. A planting restoration plan.
 10. Any changes required by CT DOT.
 11. A refueling plan and emergency response numbers.
 - B. Obtain final design approval from CT DOT.
 - C. Obtain approval of a temporary and permanent easement from the owners of the property at 2535 Rear Dixwell Avenue.
 - D. Obtain approval of a temporary access and equipment storage easement from the owners of the property at 100 Skiff Street.
2. During Construction:
 - A. All closure notifications and updates should be sent to the Town's Central Communications center daily.
 - B. The work associated with the drainage pipe should be performed during a dry period.
 - C. 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.
 - D. A supply of absorbent spill response material should be available, especially during refueling, to clean up any spills of hazardous material such as gasoline or oil. The RWA should be notified in the event of a spill.
3. All work must be completed within five years.

Mr. Kops reviewed the Police Department comments.

Ms. Altman stated that she is in favor in theory of the underpass for the trail, but she has used trail underpasses in the past and prefers the overland routes. She explained that underpasses accumulate litter, people use them as bathrooms, and they have poor air circulation. Ms. Altman is concerned with the upkeep of the underpasses because the lights and

security cameras can be broken by people throwing stones. She asked who will be maintaining the area and who will be viewing the security cameras. Also, who will be liable if something were to happen in the tunnel? She would like to know that the money being spent is being put to good use.

Mr. Tom Balscus, Project Manager, addressed the Commission and stated that he has worked on other trail systems in Connecticut using box culverts. Most recently he designed a tunnel for a trail located in Wallingford, which is longer and there is no other access to the trail. He explained that there have not been any issues with regard to security and there are no security cameras for the Wallingford trail. The box culvert that is being proposed is designed to be straight so that you can see all the way through the tunnel to see what is coming. The cameras being proposed are infra-red cameras and the lights are designed to be vandal resistant.

Ms. Altman asked if someone would be able to see both ends of the tunnel before entering it. Mr. Balscus said that you can see through the tunnel for several hundred feet from either direction before entering the tunnel. The approach on the south side going north you will be able to see 250-350 feet before getting into the box culvert, and when you are approaching from the north going south it will have a similar alignment which allows you to see all the way through the tunnel. Mr. Balscus said that the grade is flat all the way through the tunnel and that the pitch is two percent so that any water will keep moving.

Mr. McDonagh asked if the existing crossing and traffic light will remain after the underpass is completed, and Mr. Balscus replied yes. Mr. McDonagh asked if the security cameras would be watched 24 hours a day. Mr. Balscus said that a determination regarding the security cameras has not been made yet and once the new Police Station is completed a determination will be made on how the cameras will be manned.

Mr. Poitier asked what would be the Police Department's response time would be if someone were to have a problem and he asked if there were provisions being made to place alarms such as the ones found on a university campus. Mr. Balscus said that he is unable to determine a response time and there is no plan to install a call box or alarm system and that the area is not secluded.

Mr. Kops said that when the other phases for the Farmington Canal were constructed, safety issues were also raised. The Farmington Canal Greenway is self policing and heavily used during the day and is closed at night.

Ms. Altman asked how the Police Department would access the Skiff Street underpass if a problem were to occur. Mr. Balscus explained that the underpass can be accessed by the existing trail from both sides of Skiff Street.

Mr. Reynolds asked how technically difficult it is to construct the underpass tunnel, because Skiff Street will be closed during the construction. Mr. Balscus explained that Skiff Street is being closed because there are utilities that need to be supported and the road is not wide enough to do the work in stages. It would be more expensive to keep the road open while the work is being done and the State has a cap on the funding being provided to the Town. The box culvert can be constructed in two weeks with the money available. Mr. Balscus explained that the box culvert constructed in Wallingford was a similar structure and involved work near the Parkway. He explained that it becomes cumbersome when a road must be kept open.

Mr. Roscow asked if the width of the culvert would be wide enough so that it would not have to be redone if in the future improvements were to be made to Skiff Street. Mr. Balscus stated that the length of the culvert is long enough to increase the width of Skiff Street, but there may be a need to add retaining walls for grading purposes.

Mr. Roscow said that he lives on Woodlawn Street and that Thornton Street, Ardmore Street, and Woodlawn Street are used as a cut-through from Dixwell Avenue and Whitney Avenue by way of Connolly Parkway. Also, there are a lot of people using these streets to access the Parkway and on the weekends going to the shopping center and Mr. Roscow does not want to see an increase in the traffic. Mr. Roscow stated that the traffic load on Skiff Street was an issue when the Mall hearings were taking place. He would like to see the improvements to the Farmington Canal on Skiff Street, but feels that putting additional traffic onto Connolly Parkway would be dangerous. Mr. Roscow said that the light located at Whitney Avenue and Thornton Street takes a long time to change to green and needs to be corrected.

He would also like rubber speed bumps placed on these roads to slow cut-through traffic down, and that it this has already been done on Waite Street.

Mr. Balscus explained that the proposed plan has taken into concern reducing the increase in traffic, there are two detours proposed and there will be signage. He said that to reduce the traffic impact on the neighborhoods they are trying to reduce the amount of time needed to construct the underpass.

Mr. Roscow said that he is not comfortable approving this project without rubber speed bumps being placed to slow down the traffic for safety reasons. Mr. McDonagh said that the Commission does not have jurisdiction over speed bumps and it cannot be a condition of approval. Mr. Roscow feels that the Commission has jurisdiction over safety.

Ms. Leslie Creane, Town Planner, said that she had spoken with the Police Chief and that the Commission does not have jurisdiction over roadways, other than in subdivisions, and that matters concerning roadways would need to go to the Traffic Commission. Mr. Roscow said that the P&Z Commission can make recommendations. Ms. Creane said that recommendations can be made but cannot be a condition of approval.

Mr. McDonagh asked Mr. Balscus when the project would start. Mr. Balscus said that it is anticipated that the project will start in the fall. Mr. McDonagh does not feel that starting in the fall would be a good idea because the High School and Middle School will be in session, and he would be more comfortable if the project were done in the summer.

Mr. Roscow said that a traffic study had been done and it said there are 16,000 cars using Whitney Avenue, and Skiff Street has approximately the same amount of cars that are using it to access the Miracle Mile. The traffic study was done 25 years ago and it clearly states that Woodlawn Street, Ardmore Street and Thornton Street are used as a cut through to the Miracle Mile and the Parkway. He asked what the Commission can and cannot do when they are making a decision based on the improvements to Skiff Street and what would need to go to the Traffic Commission. Mr. McDonagh said that the P&Z Commission would have to make strong recommendations to the Traffic Commission.

Mr. Balscus said that they had wanted to start the project in the spring, but the approvals needed and because of scheduling issues has extended the start date of the project. He said that the soonest the project can start is in the fall. Ms. Altman said that if the Commission has no jurisdiction and if the project is rejected it would not be helping anyone. The underpass is needed and would not benefit anyone if the application is denied. Mr. Roscow said that there could be language used in the approval because adding 5,000 cars to the cut through and Connolly Parkway as a detour would not be wise.

Mr. McDonagh asked for comments from the public in favor of the application and there was none. He asked for comments against the application and there was none.

Mr. Kops recommended that a condition 1.e be added and read: The approvals of the traffic authority for the temporary road closing of Skiff Street. Also a condition 1.a.12 to read: The recommendations of the Police Department where feasible.

Mr. Balscus explained that the funding of the money for this project is allocated from the Phase III of the Farmington Canal project that was left over. He said that they had worked with the DOT to use the money for the box culvert. The box culvert under the master plan that was developed over 12 years ago always had an underpass on Skiff Street. Mr. Balscus reviewed the original plan and said that there had not been enough money at the time to complete the underpass, and if the money now available is not used, the funding will go away.

Mr. Sullivan asked what the deadline date is to use the funds available for the project. He is also concerned with the project being done in the fall, because of the increase of traffic with schools in session.

Mr. Schaefer said that the process for this project had started when the application for 100 Skiff Street was before the Commission. The concern was for safety if the existing signal crossing was removed and moved to a different intersection. The Town proceeded to do a design for this project because the developer for 100 Skiff Street had promised to pay for it and then the developer did not go forward with their project. The reason for the federal money is because the project was ready to go when the federal funds became available. The concern is now that the money can be taken back at anytime because of the budget considerations at the State and Federal level, and if the project is delayed the money could be lost. There are many reviews and approvals needed and it is not possible to complete the project during the summer. There is also a concern that the cost to construct may increase and additional money is not available. Mr. Schaefer explained that Hamden has completed more greenway than any town in the State. A special ear mark was needed by Congresswoman Rosa DeLauro, Senator's Dodd and Lieberman to get the funding. Then the town had negotiations with New Haven on how to divide the funding. The representatives were needed to assist in going to the U.S. Department of Transportation to allow the excess funds to be used for this project. Mr. Schaefer is concerned that the money can be taken away at any time.

Mr. Richard Thomas, 37 Charlton Hill, addressed the Commission and stated that he is retired and a biker who uses the Farmington Canal all the time. He feels it improves the neighborhoods, helps to get people outside and is a positive experience. Mr. Thomas said that the underpass is a good idea because of the safety of bicycles crossing Skiff Street. He feels that people have a tendency not to use the crosswalk and it is dangerous. He supports the proposal and that the money available should be used for this project.

Mr. McDonagh asked for further comments and there was none.

The Public Hearing was closed.

4. Proposed Amendment of the Planning & Zoning Commission By-Laws

Ms. Leslie Creane, Assistant Town Planner, stated the Planning & Zoning Commission is comprised of the full commission, the Planning Section and the Zoning Commission. There are three separate meetings a month and on occasion it has been difficult getting a quorum for the section meetings. She said it would work best when the full Commission works as a whole because it allows for more people to contribute thoughts, ideas, concerns, criticism and concerns for different project. The goal is to change the by-laws to eliminate the sections, and to have every application go before the full Commission. The P&Z Commission will meet twice a month and it will be a cost savings to the Town with regard to the services needed when opening a room for the meetings. Ms. Creane explained that the proposal would be to have a Chair of the Commission and a Vice-Chair of the Commission.

Mr. Tim Lee, Assistant Town Attorney, stated that there are only a few towns in Connecticut if any that have broken their P&Z Commission into sections. It is a better process to have the P&Z Commission meet in full to consider the applications. Mr. McDonagh said that the change would allow an the application to be reviewed more expeditiously. Ms. Altman said that the most important reason for abolishing the different sections is because some applications such as the revised Zoning Regulations and the POCD were not allowed to be heard and discussed by the entire Commission. Mr. Roscow said that he is in favor of the proposal to amend the By-Laws. He stated that many projects have had to wait for more than a month to receive an approval or a disapproval for the application, and that time means money.

Mr. McDonagh asked for public comments in favor of the application. There was none. He asked for comments against the application. There was none.

The Public Hearing was closed.

B. Regular Meeting:

- 1. Special Permit & Site Plan 09-1159/WS**
3139 Whitney Avenue

Multi-family housing
 Bernard Pellegrino, Attorney
Postponed until June 8, 2010

2. Special Permit & Site Plan 10-1163/WS

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3. Major Amendment to Special Permit & Site Plan 96-783

Farmington Canal Greenway Phase II
 Skiff Street underpass
 Town of Hamden, Applicant
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Mr. McDonagh stated that there is a significant level of concern with this application because of the need to divert traffic when Skiff Street is closed for two weeks.

Mr. Roscow stated that as an architect he knows that delaying a project is risky especially with the current economic times which may last. He suggest that prior to a Zoning Permit being issued, there be an item that the Commission be allowed to address concerns over Connolly Parkway. He also would like something put into the approval for the request to have speed bumps. Mr. Roscow said that the Spring Glen Civic Association has written about traffic calming, and this proposal would be counter to traffic calming and that there have been previous traffic studies done for different projects in the Town. He would like notification so that he can attend the Traffic Commission meetings. Mr. McDonagh would like the Commission to make a recommendation to the Traffic Commission that the detour signs at Skiff Street and Whitney direct people to go north. If signs direct traffic both ways Mr. McDonagh is concerned that the traffic will use the streets that have been mentioned as a concern. Ms. Altman feels that Spring Glen residents will voice their concerns to the Traffic Commission and the issue will be addressed.

Ms. Altman would like that the Civic Associations to receive notifications of all meetings that relate to this project. Mr. McDonagh explained that the P&Z Commission does not have authority over other commissions. Mr. McDonagh said that he will send a letter on behalf of the P&Z Commission to the Traffic Commission & Police Commission, and Spring Glen Civic Association stating the concerns cited at this meeting.

Mr. Sullivan made the motion to approve the Major Amendment to Special Permit & Site Plan 96-783 as recommended by Mr. Dan Kops, and add conditions 1.e and 1.a.12 as recommended by Mr. Kops, and the following conditions:

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 - A. Submit revised plans containing the following, for approval by the Town Planner and the Town Engineer:
 1. Correction of the discrepancy between the label "BEGIN CONSTRUCTION" as Station 23+50 State Street, while the leader points to Station 23+00.
 2. Clarification of the trail r.o.w width and the Hamden Land Records Volume reference.
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 4. The shifting of the maintenance access gate to the stormwater outfall to the west side of the pipe, if deemed advisable.
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7. A revised cross-slope label of the 5' wide sidewalk of 1 1/4" on Sheet 27.
8. The the limit of sidewalk construction lengthened to the west ends of the existing sidewalks.
9. A planting restoration plan.
10. Any changes required by CT DOT.
11. A refueling plan and emergency response numbers.
12. The recommendations of the Police Department where feasible.
- B. Obtain final design approval from CT DOT.
- C. Obtain approval of a temporary and permanent easement from the owners of the property at 2535 Rear Dixwell Avenue.
- D. Obtain approval of a temporary access and equipment storage easement from the owners of the property at 100 Skiff Street.
- E. The approvals of the traffic authority for the temporary road closing of Skiff Street.
2. During Construction:
 - A. All closure notifications and updates should be sent to the Town's Central Communications center daily.
 - B. The work associated with the drainage pipe should be performed during a dry period.
 - C. 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.
 - D. A supply of absorbent spill response material should be available, especially during refueling, to clean up any spills of hazardous material such as gasoline or oil. The RWA should be notified in the event of a spill.
3. All work must be completed within five years.

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

4. Proposed Amendment of the Planning & Zoning Commission By-Laws

Mr. Lee stated that item 11 in the proposed amendment to the by-laws should change from "granting" to "consideration".

Ms. Altman said that pending applications for the separate sections be completed before the by-laws take effect and that item 14 states that the by-laws become effective June 1, 2010 after they are adopted. Mr. Kops said that there are not a lot of applications pending for the two sections and that the effective date should be June 1, 2010 and it should also say "all applications being heard from that date will go to the full P&Z Commission". Mr. McDonagh said that item 11 should be changed to read "The Commission shall act in the consideration" and item 14 "These by-laws shall become effective on June 1, 2010 after adoption by a majority".

Ms. Altman made the motion to approve the amendments to the By-Laws with the recommended changes to item 11 and item 14. Mr. Sullivan seconded the motion. The motion passed unanimously.

5. Discussion regarding zoning regulations for the keeping of chickens

Mr. Dan Kops, Assistant Town Planner, reviewed the memo he prepared with the Comparison of Chicken Regulations and Recommended Standards for the keeping of chickens.

Mr. McDonagh explained that Attorney Lee had brought to his attention that there is a Town Ordinance 90.01 regarding the keeping of chickens. Mr. McDonagh reviewed the ordinance and stated that it does not clearly state whether you can or cannot keep chickens.

Mr. Lee said the Town Ordinance's intent is unclear as to whether you can or cannot have chickens. The Town's Zoning Regulations do not allow the keeping of chickens. The Commission must determine if there is a conflict between the zoning regulation and the town ordinance on the issue of chickens. If there is a conflict it must be determined if the zoning regulation supersedes the town ordinance or the town ordinance supersedes the zoning

regulations. Mr. McDonagh reviewed the town ordinance 90.03 and stated that it suggests that someone could own fowl. Mr. Lee said the Commission must determine if 90.03 is an authorization to own fowl.

Ms. Altman said that she has reviewed the material provided by Mr. Kops. She is a believer in the Helsinki Declaration of Human Rights, and it says there is a United Nations right to food declaration. She feels this supersedes any town ordinance or zoning regulation. She said she does not know what the United Nations Right to Food Declaration means because she only was given the letter today, but found it interesting and feels it was a critical issue when Toronto was about to ban chickens. Ms. Altman said there is an interest in residents keeping chickens, and she has a neighbor who is keeping chickens. She feels that the Commission should not get involved with animal husbandry. Ms. Altman would like a sub-committee formed with citizens and several Commissioners to come up with set of regulations that are reasonable, easy to follow, and approved by the QVHD. When the committee drafts a proposal it should be brought to the Commission & the Legislative Council so that the issue can be resolved.

Mr. McDonagh asked for comments from the public:

Mr. Bernard Brennan, 21 Barrett Street, addressed the Commission and stated that he along with his young daughters had begun the project to keep hens with the full foreknowledge and support of their neighbors. He had researched how to use best practices of how chickens are kept. There are advantages to keeping chickens on a small scale such as a backyard. He submitted a picture of the chickens, and the enclosure where they are housed. He explained that they started with day old chicks because they could be sexed. He did not want roosters because of the noise to his family and his neighbors. The chickens are family pets with individual names and personalities and they have brought joy to all the members of his family. Mr. Brennan said that he has found them to be pets that bring positive dividends and are omnivores that eat a wide variety of things. The chickens eat grass, and bugs such as ticks and fleas and this eliminates the use of pesticides or herbicides. They readily accept food scrapes which reduces the waste stream from the household. They are a free food source of eggs which Mr. Brennan said are the best quality eggs he has ever had. The bird droppings are used as a fertilizer in his gardens. The coop is a triangular "A" frame and it is on wheels to make it mobile. The coop is moved around the yard to maximize the positive benefits and minimize the potential downsides which Mr. Brennan has not experienced. Mr. Brennan said that the chickens are not an eyesore or detriment and have improved the appearance of his yard. He said that the reality is there are a lot of hens in Hamden and they will increase no matter what the Commission's decision is. With the increasing interest in the food systems, chickens have become an influential symbol of local food appropriate to the home. They are not just egg producers, they are an integrated way to deal with waste and incorporate fertilizers. Mr. Brennan said that when he was forced on short notice to find alternative housing for the hens (pets), he sent out an email and within an hour received twenty responses for support from people who were eager and excited to give backyard chickens a try. Mr. Brennan asked if Hamden wants to embrace sustainability and a greener way of living. He stated that he applauds the work of the Planning & Zoning Commission for the improvement to the zoning regulations to make Hamden a more livable, walkable, more conducive to local businesses and more sustainable. Mr. Brennan feels having backyard hens would also make Hamden a more livable and sustainable place to live. Mr. Brennan invited neighbors to attend this meeting because they have experienced living near hens and to counter the misunderstandings and myths that are associated with the keeping of hens. He had received two letters from neighbors that could not attend the meeting and summarized the letters, and submitted them to the Commission.

Ms. Morgan Brennan, 7 years old, addressed the Commission and stated that she feels chickens are good because they are not noisy and they are fun to play with. She said that the rotational grazing is cool, the eggs are good and she likes to identify the eggs with her daddy.

Mr. Phil Lavorgno, 36 Barrett Street, addressed the Commission and stated that Mr. Brennan had approached him before he had gotten the chickens. He stated that his dog walks around the edge of the property was not bothered by the chickens. They are quiet and beautiful and Mr. Lavorgno would like to see them back.

Ms. Altman asked if there was anyone from the public who was against chickens. There was none.

Ms. Diane Hoffman, 190 Wilmot Road, addressed the Commission and stated that the people at this meeting are a responsible group of people. She is in favor of nutrient rich eggs and free fertilizer and that she supports local produce and sustainability. She has no problem with responsible residents who respect their neighbors and maintain their property keeping hens as pets. However, she is concerned if the pens are not properly cared for and the properties are not maintained. Ms. Hoffman is concerned that Hamden seems to be unable or unwilling to enforce certain regulations and with the budget issues of town and employees being laid off she does not have the confidence that the Town will have the ability to enforce additional regulations. Ms. Hoffman said that in her neighborhood there is a problem with feral cats and blight problems. If a regulation for chickens is passed it could create an out of control situation in southern Hamden. She endorses the idea of a sub-committee and if the regulation were to pass she would like a required class for the keeping of chickens. Ms. Brennan hopes that supporters of the regulation will work hard to see that stringent requirements are put in place for the welfare of the hens and the people that would next door to the hens.

Mr. Doug Peterson addressed the Commission and stated that he lives in Seymour where chickens are allowed and he was a former chicken owner. He said that he had six chickens for about three years and had never had a problem. He is in full support of Mr. Brennan being allowed to keep his chicken.

Ms. Altman said that the Commission needs to approve the keeping of chickens and it would be a mistake to ban them. It would be better to have regulations that protect public health, and would keep rats and raccoons and other wild animals from getting to the chicken food. Ms. Altman said that it needs to be determined if the Commission or the Legislative Council needs to make the regulations for the keeping of chickens. She feels that if chickens are allowed, people who have the knowledge of chickens should be involved with the making of the regulations as a subcommittee.

Mr. McDonagh said that he applauds Mr. Kops' summary that he put forward, and that the best practice manual is helpful. He likes the idea of requiring people to be educated about the responsibility of the keeping of chickens.

Emma Kennedy addressed the Commission and stated that she likes her chickens because they are sweet and different personalities. She said that Pebbles is her favorite, and there is Dolly, Dandelion, Buttercup and Peep. Ms. Kennedy said that the personality of Buttercup is that she runs away when you try to pick her up. Dandelion is very fat, because she runs up and gets the most when you're feeding the chickens treats. Dolly pecks the other chickens when they are being held and it is one of her bad habits. Pebble is the lightest of all of them. Ms. Kennedy really likes the chickens and does not want to give them to the government. Ms. Altman asked how many eggs Ms. Kennedy gets from the chickens. Ms. Kennedy said she gets about five eggs a day.

Mr. John Kennedy addressed the Commission and stated he had become a reluctant chicken owner. He said that he built a coop and having the chickens has been a great experience for his family. He has received full support from the majority of his neighbors. He has found chickens to be the funniest animals he has ever seen. He thanked the Commission for looking at what can be done to allow the keeping of chickens in Hamden.

Mr. McDonagh said that chickens are prohibited in Hamden and this meeting is to discuss the possibility of amending the regulations. He suggests that the Planning Office and Town Attorney look into amending the regulations because there is a fair amount of interest in the keeping of chickens.

Ms. Creane said that she has had communications with residents who have interest and would like to be included in putting together a draft for the language to amend the regulations for the keeping of chickens. Mr. Kops asked Mr. McDonagh for a sense of where the people who are interested in keeping chickens live. Mr. McDonagh surveyed the attendees, and present were residents from Spring Glen, Whitneyville, West Woods and Southern Hamden.

Ms. Rebecca Irwin addressed the Commission and asked if the next step would be a change to the zoning regulations or the town ordinance. Mr. McDonagh said that the change would need to be to both the zoning regulation and the town ordinance. Mr. Lee said that the Commission can only consider the zoning regulation that currently prohibits the keeping of chickens. A group can be set up to come up with a recommendation for a regulation to allow chickens under the zoning regulations and something to recommend to the Legislative Council with regard to the ordinance.

Mr. Randy Domina, Cheshire resident, addressed the Commission and stated he and his wife are looking to buy a home in Spring Glen. He said it is important to him that he be allowed to keep chickens because it is a sustainable food. If he were to move to New Haven, chickens would be allowed.

Ms. Laura Boyer, Whitneyville resident, addressed the Commission and stated she has been doing research and talking with local people about the keeping of hens. She is a dog and cat owner and her impression is that chickens are easier to keep because they are quieter and cleaner and residents should be allowed to keep them.

Mr. Richard Thomas, Charlton Hill, addressed the Commission and stated that he grew up in the area of Wintergreen Avenue which was surrounded by small family farms. As a child he had chickens and gardens for which he learned a sense of responsibility and a connection to nature. He said that Hamden has changed from rural to suburban, from farm land to suburban track housing. The issue of chickens is important because it brings up the issue of the quality of life and the connection to where one lives and their neighbor. Mr. Thomas feels it would be a sustainability movement back to something that has been lost.

Mr. Mathew Harris, Russell Street, addressed the Commission and stated that a social marketing system was set up get resident involvement and is confident that additional support will be received. He asked what the process is to change the ordinance.

Mr. Lee explained that the Commission has the jurisdiction to amend the zoning regulation which at this time prohibits the keeping of chickens or fowl. The Commission can submit the application or a citizen can submit the application to allow chickens and it would go before the P&Z Commission who would vote to approve or deny the application. The commission has no jurisdiction over amending the town ordinance, although they can make a recommendation to the Legislative Council.

Mr. McDonagh said that the Commission can provide the safeguards for the neighbors with regard to the keeping of chickens. Through the Mayor's office the residents & the Commission can talk with the Legislative Council to amend the ordinance. The Planning Office can meet with the residents who are interested to draft a proposal. Mr. McDonagh stated if the Commission initiates the amendment then there are no fees to the public and he is more comfortable with the Planning Offices initiating the document because staff are aware of all the safeguards involved.

Ms. Altman made the motion that the Planning & Zoning Commission as applicant generate a proposed amendment to the zoning regulations pertaining to the keeping of chickens in Hamden. Mr. Sullivan seconded the motion. The motion passed unanimously.

Mr. Brennan said that several residents have put together language for a proposed zoning regulation and will bring it the Planning Office.

6. Spring Glen Village Consultant

Ms. Altman made the motion to add to the agenda the Appointment of the Spring Glen Village District Consultant. Mr. Roscow seconded the motion. The motion passed unanimously.

Ms. Creane explained that when the Spring Glen Village District language was adopted, it required that a Village District Consultant be appointed by the Commission in consultation with the Spring Glen Civic Association. Notices were placed in the newspapers asking for people interested in the position and that it would be a volunteer position. The request was for people who were interested have experience in the area of architecture, landscape architecture or urban planning. The Planning Office received several inquiries. Ms. Creane, Mr. Kops, and Mr. John Morrison from the Spring Glen Civic Association met with Mr. Fran Albis who lives in Spring Glen. A letter of support for Mr. Albis was received from the Spring Glen Civic Association. Ms. Creane explained that the appointment would be for a period of one year.

Ms. Altman asked if the position is salary free and only as an advisory position, and Ms. Creane yes. Mr. Roscow stated that he was asked by Mr. Morrison to review Mr. Albis's resume and feels that he is qualified for the position. Ms. Creane explained to the Commission that there is only one village district in Hamden, but if other village districts were to be adopted, Mr. Albis would also be the consultant for them.

Ms. Altman asked if a vote is needed for the appointment and if the position is responsible to the P&Z Commission. Ms. Creane stated that the P&Z Commission is the appointing body and the Commission and there is an application before them that must be approved. Ms. Altman asked if they do not like the Consultant can he be removed from the position by the Commission. Mr. Lee explained that the Commission has the power to appoint the position and has the power to remove the appointment to the position.

Ms. Altman made the motion to approve appointment of Mr. Francis Albis as the Village District Consultant. Mr. Roscow seconded the motion. The motion passed unanimously.

C. Old Business/ New Business

1. Review minutes of March 9, 2010

Mr. Sullivan made the motion to approve the minutes as written. Ms. Altman seconded the motion. Mr. McDonagh, Mr. Sullivan, Ms. Altman and Mr. Cesare voted in favor of the motion. The motion passed 4-0-0.

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2. Review minutes of April 13, 2010

Tabled until the June 8, 2010 meeting

3. Minor Amendment to Special Permit 07-1116

Mr. Kops reviewed the application and stated that Ms. Creane, Town Planner had signed off on it.

D. Adjournment

Ms. Altman made the motion to adjourn. Mr. Sullivan seconded the motion. The motion passed unanimously.

The meeting adjourned at 9:00

Submitted by: _____
Stacy Shellard, Clerk of Commissions