



Town of Hamden

Planning and Zoning Department

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Draft Minutes, subject to approval of the Planning and Zoning Commission

April 12, 2011, revised April 18, 2011

MINUTES: THE PLANNING & ZONING COMMISSION, Town of Hamden, held a Regular Meeting on **Tuesday, April 12, 2011** 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:

Ann Altman, Vice-Chairperson
 Peter Reynolds
 Jon Cesare
 Brack Poitier
 Ryszard Szczypek
 Ralph Marottoli

Staff in attendance:

Leslie Creane, Town Planner
 Dan Kops, Assistant Town Planner
 Patrice LeMoine, Clerk

Ms. Altman called the meeting to order at 7:00 p.m. She then made introductions of the members in attendance, the staff, and the clerk recording the meeting. Ms. Altman then noted this is not a public hearing.

A. Regular Meeting

1. Site Plan 11-1467/WS

1245 Dixwell Avenue, T-5 Zone

Fast Food Restaurant with Take Out and Drive-Through Window
 2 Cousins, LLC, Applicant

Ms. Altman asked Mr. Kops to present his report. D. Kops read the report as seen, April 12, 2011, and recommended approval as the plans were submitted and if all work is completed within the five years (April 12, 2016).

The applicants were asked to present the final plans to the Commissioners. R. Szczypek noted the plans were done by the franchise organization's in-house engineering and design team. This was a professional job completed by the team, which is so that the applicant meets the owner, Little Caesar's Restaurant's specifications.

Ms. Altman requested a motion. **P. Reynolds made the motion to approve the Site Plan 11-1467/WS as presented and recommended by D. Kops. R. Szczypek seconded the motion. All were in favor. The motion passed unanimously.**

**2. Proposed Historic District-Ivesville
Town of Hamden Historic District Study Committee,
Applicant**

Ms. Altman noted the report presented for an Ivesville Historic District for Ivesville. Mr. Kops summarized his review of the proposal. There are twenty-five (25) properties located on Ives Street near Whitney Avenue, New Road, and Broadway.

The steps are to go before a public hearing and would then require a two-thirds majority of the property owners in order to go forward. From there, the proposal would go before the Town Council for final recommendations and approval. He commented on the report and then noted areas that need further clarification.

Also, the report omits six properties that appear to fit the selection criteria employed:

1. The home at 40 Broadway, built in 1835;
2. The house at 220 Ives Street, erected in 1878;
3. The home built at 118 Broadway, built in 1930 and mentioned on page 12;
4. The office building at 8 Broadway, constructed in 1970;
5. The house at 219 South New Road, built in 1955; and
6. The office building at 2669 Whitney Avenue, constructed in 1965.

In addition, the property at 110 Broadway, a house built in 2006, is included in the list on page 27. This appears to be an error, since it is not indicated in the other list, description on map.

Item 22 on the page 27 list should be identified as 165 New Road, not New Street.

The inclusion of 26 Ives Street, a parcel that houses a building built in 1975 containing stores, and another hosting the recently renovated, Luce Restaurant, seems inconsistent. The description on page 16 neither references the Luce building nor makes a compelling argument for including the retail one.

The commercial building at 2989 Whitney Avenue is currently being converted into a bank. The HDSC should determine whether or not it still merits inclusion in the proposed district.

Last year staff received a draft of the study report, bearing a revision dated of February 17, 2010. The report submitted with the current request bears a date of October 2, 2009. The one submitted last year contained 29 properties, including 220 Ives Street and 219 "South New" Road, that are missing in the official submission.

Section 154.87 enumerates the factors to be used in determining the appropriateness of a proposed change. Such a determination may be made more difficult for properties in the proposed Ivesville Historic District, due to the existing mix of styles, representing different eras. If commercial properties are to be included, great care must be taken to balance the desire for historic preservation and the need for economic development.

Assuming that at least two-thirds of the owners vote in favor of the district, the owners will be indicating their understanding of the tradeoffs, strong support of the proposed ordinance and willingness to move forward toward the creation of Hamden's first historic district.

Recommendation: The Planning and Zoning Department has no objections to the formation of the Ivesville Historic District and, therefore, recommends the Planning and Zoning Commission vote to send a favorable recommendation for the proposal as presented, to the Historic District Study Committee, with the following comments and recommendations:

The Historic District Study Committee should strongly consider including the following homes:

1. 40 Broadway, built in 1835;
2. 220 Ives Street, constructed in 1878; and
3. 118 Broadway, built in 1930.

If other properties built in the latter half of the 20th century are to be part of the Ivesville Historic District, then the Historic District Study Committee should consider including the following three properties:

1. The office building at 8 Broadway, constructed in 1970;
2. The house at 219 South New Road, built in 1955; and
3. The office building at 2669 Whitney Avenue, constructed in 1965.
 - The proposed historic status of Luce Restaurant and the commercial building at 26 Ives Street is puzzling.
 - The building at 2989 Whitney Avenue should be reassessed, given the current renovation project.
 - The discrepancy involving 110 Broadway should be resolved.
 - The typo regarding 165 New Road should be corrected.

The ability to regulate the appearance of parking lots on commercial properties is a source of concern.

- Care should be taken to protect the rights of commercial property owners in order to promote economic development while preserving historic structures.

Ms. Altman asked the supporters of the proposal to discuss the issues raised: The applicants, Ken Minkema, chair of the Ivesville Local District Study Committee, and Todd Levine, alternate member, introduced themselves.

Ms. Altman spoke of the situation where homeowners and commercial owners are involved. The number of homeowners out-weighs the commercial owners. There is a concern over the restrictions to the homeowners in this district. The voting can have an impact and imposition, pending the outcome of the votes.

R. Szczypek noted the needs and mentioned the clear recognition and possible success of this application requires all of the property owners to enter into this commitment willingly. He raised the question of what characteristics in this section have to offer to this proposal.

R. Szczypek said that some of this area is undeveloped yet is included in the historic proposal. Part of the area includes water.

The applicants responded that this property is owned by the Regional Water Authority, which is connected to the Ives properties (north of the bridge) and the RWA would like this to be preserved. There is a distinct identity of this area that should be protected and retained. They would like to assist and bring back the area to its original historic work and appearance. One of the goals is to preserve this area like the Whitneyville area.

Mr. Levine noted the changes and maintenance can still work with what each homeowner has presently with their home, and not to be considered as a restriction. He believes the historic district designation will enhance the value of the home being part of a historic district. There are also programs and tax advantages to being in a historic property district.

The commercial owners of Luce Restaurant and Mt. Carmel Wines are in favor of the proposal. Commissioner R. Martoli observed the different types of property structures are not all of historic design: a ranch versus a colonial.

The applicants noted the need for a contiguous set of properties and said that individual homes will not be denied for the historic district application.

A two-thirds majority vote of the property owners must be in favor of the proposal or it goes to the Town Council. P. Reynolds questioned the six (6) properties omitted. The first draft has been revised revision and now includes three (3) of the properties. The applicants approached those properties and three (3) opposed.

The parking issue was discussed and the commercial property, which is owned by the same owner, (where the shops, restaurant, and future bank properties are located) need to be addressed.

R. Martoli questioned the zoning of the properties, previously mentioned, 4, 5, and 6. D. Kops noted that each site has to be looked at individually.

Mr. Szczypek has a concern about a small area that can be considered as the district. Why mix the various houses to make the district, instead of a selection to be individually approved. The applicant replied and not just one class should be considered, making this a district with more significant distinction.

Ms. Altman noted the final study report is to be made available in two weeks. The corrections to the map need to be made as well. The applicants agreed to revise the report of February 2011 and the map as well. It will be available for review within a week. With that said **R. Szczypek made the motion to table this item for the next meeting. P. Reynolds seconded the motion. All were in favor. The motion passed unanimously.**

3. Special Permit & Site Plan 07-1111

451 Putnam Avenue

Request to release Surety Bond in the amount of \$103,224.00

Ms. Altman stated a letter from Ms. H. Masi confirmed the Department's position is in favor in releasing the bond for permit 07-1111. **R. Martoli made the motion to approve the release of the bond for the special permit and site plan #07-1111, in the amount of \$103,224, at 451 Putnam Avenue, applicant: LaRosa Building Group. J. Cesare seconded the motion. The motion passed unanimously.**

4. Special Permit & Site Plan 00-909

79 Bowen Street

Request to release Surety Bond in the amount of \$99,300.00

Ralph Mauro, Applicant

Ms. Altman stated a letter from Ms. H. Masi confirmed the Department's position is to deny the release of the surety bond for special permit/site plan #00-909, located at 79 Bowen Street. **P. Reynolds made the motion to deny the special permit/site plan #00-909 to applicant R. Mauro, in the amount of \$99,300. R. Martoli seconded the motion. All were in favor. The motion passed unanimously.**

C. Old Business/ New Business:

1. Review minutes of March 22, 2011

Mr. Reynolds made the motion to approve the minutes of the March 22, 2011 meeting as presented. B. Poitier seconded the motion. All were in favor. The motion passed.

D. Adjournment

Mr. Martoli made the motion to adjourn the meeting at 7:50 p.m. Mr. Szczypek seconded the motion. There was no further discussion. The motion passed unanimously.

Submitted by: Patrice A LeMoine
Patrice LeMoine, Substitute Clerk of Commission