



Town of Hamden

Planning and Zoning Department

Hamden Government Center
2750 Dixwell Avenue
Hamden, CT 06518
Tel: (203) 287-7070
Fax: (203) 287-7075
www.hamden.com

February 1, 2012, Revised 2/2/12

MINUTES: THE PLANNING & ZONING COMMISSION, Town of Hamden, held a Public Hearing and Regular Meeting on Tuesday, January 24, 2012 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
Lee Campo
Ann Altman
Brack Poitier
Peter Reynolds
Ed Grant, left at 10:00 p.m.
Jonathan Cesare
Bob Roscow
Ryszard Szczypek

Staff in attendance:

Leslie Creane, Town Planner
Dan Kops, Assistant Town Planner
Stacy Shellard, Clerk
Genevieve Bertolini, Stenographer

Mr. McDonagh called the meeting to order at 7:01 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 11-1189/CAM

2895 State Street, M Zone

Resource Recovery

Modern Materials, Applicant

Deadline to open Public Hearing 1/26/12

Public hearing continued from 1/10/12 meeting

Mr. David Sacco, Civil Engineer, addressed the Commission and reviewed the existing facility which is currently located on Parcel B and Parcel C. He stated that activities on the site will be moved exclusively onto Parcel C. This relocation is being done to allow the State of Connecticut DEEP to complete the closure of the tire pond. Mr. Sacco explained that Modern Materials recycles construction debris for reuse as construction materials. Mr. Sacco reviewed the operation being proposed, also the materials and construction vehicles that will be located on the site. To minimize the risk of off-site migration of materials Mr. Sacco said that the soil materials will be located to the center of the site. The location and placement of the construction equipment, steel and concrete is to help minimize material leaving the site. Mr. Sacco reviewed the Sediment and Erosion Control Plan and also the Stormwater Management Plan. He also discussed the proposed access road onto the site to provide access to Custom Precision

Materials which already exists on the site and the future development of a boat launch. On Parcel A there is an existing storage yard which is operated by Andreucci Trucking Company. One small office building will remain to support operations, The proposed site will have a scale, parking area, and access controls to maintain site control and separate incoming and outgoing traffic.

Mr. Sacco reviewed the Town Engineer's comments and stated that they have all been addressed. He said that the IWC concerns for the storm water drainage system have also been addressed. The parcel has a high ground water area and is located in a tidal area near the Quinnipiac River. Mr. Sacco advised the Commission where the locations of the catch basins and swales will be and how they will work to minimize the amount of sediment going into the Quinnipiac River. The approval received from the IWC has a condition that will require regular inspections and maintenance of the stormwater management system to guarantee the system is functioning properly.

Mr. Poitier asked what type of maintenance plan is being proposed. Mr. Sacco said that there will be quarterly inspections of stormwater management system and it will also be inspected after each one inch plus storm event. Mr. Sacco gave the details of what the maintenance program will consist of. Mr. Poitier asked how the pipes would be cleared if they become clogged prior to an inspection. Mr. Sacco explained that there will always be construction equipment on the site and any pipe that becomes clogged can be addressed immediately. Mr. Poitier asked what type of silt will be present on the site that can get to the river. Mr. Sacco explained that the site is flat and is graded on the order of a ½ of percent and the water will generally be sheet flowing. An effort is being made so that the water will not concentrate in channels where materials can be picked up and moved around. By isolating the treatment basins and keeping non mobile materials in the area they will act as a buffer to the area. The storage areas for the piles of top soil will be located away from the swales to minimize any material getting into the storm drainage system and to the river. It is a requirement to provide detention of the first inch of water runoff on the site because it is a discharge to a tidal basin. A one inch storm will result in impoundment of the entire runoff giving it time to settle out before it gets to a level to discharge to the river. Mr. Sacco reviewed the additional measures that will be taken to reduce the risk of material getting into the basin. He said that the entire facility will be 100 feet away from the river.

Mr. Roscow asked where the future boat launch site will be located. Mr. Sacco said that there is a parcel located to the north east corner of the site. He reviewed the location of the proposed boat launch and the permanent easement for access to the area. Mr. Roscow asked if the gate located near the railroad tracks will be closed at night. Mr. Sacco reviewed the area where the gate is located and he explained that there will be 24 hour a day access into the interior portion of site which cannot be impeded because of the existing occupants.

Mr. Poitier asked what is the distance of the pipe from the discharge point to the river. Mr. Sacco reviewed the location and flow of the discharge pipe and he said that it is approximately 250 feet long.

Ms. Altman noted that there have been 60 fire and police incidents at this address since 2003. She asked if they are related to the operation of the tire pond or vandals coming on to the site and if special security measures will be employed to make sure there are no future problems. Mr. Sacco was unaware of the incidents. Ms. Altman asked what kind of security and fencing will be placed around the site. Mr. Sacco explained that the facility has a perimeter fence and there will be a gated access which will control access to the operational part of the facility. There is a requirement to maintain access to the interior portion of site for the other occupants and to provide 24 hour a day gating is not practical.

Mr. Earl Tucker, President, Modern Materials, addressed the Commission and stated that he received the comments from the Police Department and was surprised to see the number of incidents at the site. He said that he is aware of some incidents where people have entered the site and taken small pieces of steel carried away. With the new configuration of the site a security camera will be installed to monitor the site. This will be made easier because there will only be one access road in that goes across the railroad tracks. Previously there were four or five ways to access the site.

Mr. McDonagh said that in the past there has been illegal dumping on Parcel A and he asked if access will be restricted. Mr. Sacco stated that the driveway going to Parcel A via the center of the site is blocked with concrete blocks. Presently the primary access now is entirely off the site between the railroad tracks and Parcel C. Mr. McDonagh asked if there is an easement to access the area and Mr. Sacco said no and reviewed the site with the Commission.

Mr. McDonagh asked what the common fill area is. Mr. Sacco explained that common fill is a mixed soil product used for general fill purposes. It is a material that will be screened and it is an end product and not a raw material product. Mr. McDonagh asked if it needs to be secured. Mr. Sacco replied that it is the least valued material. He reviewed the schematic diagram and noted that the material that comes into the site varies with the demand in the area. Mr. McDonagh said that this site has been problematic for the last 25 years and he is pleased to see the site will be properly permitted. He asked if the materials used by Empire Paving and other occupants of the site will not remain on the site now or in the future. Mr. Sacco is not aware of the past history of the site and it is not the intentions of Modern Materials to improperly use or store on the site.

Mr. McDonagh asked if there is public water and sewers on the site. Mr. Sacco explained that there is public water on the site but the records for this site are poor and unable to locate where the pipes are located. Mr. Tucker said that they have attempted to locate the pipes. The land owner and the previous occupant had an operating sewage system for one toilet facility in the building.

Mr. McDonagh asked how many employees will be on the site and how many parking spaces there will be. Mr. Tucker said that there will be 4 or 5 vehicles on the site daily. Mr. Sacco stated that there will be 9 parking spaces adjacent to the office building.

Mr. Dan Kops, Assistant Town Planner, read his comments which recommend approval with the conditions stated and based on the following plan.

“Relocation of Modern Materials, 2895 State Street – Parcel 'C', Hamden Connecticut,” Sheets X-01 thru X-02, S-1, S-2, E-1, D-1, dated November 15, 2011, revised December 15, 2011 prepared by the TPA Design Group

Ms. Altman asked Mr. Kops if the delineation of the special flood hazard area satisfies and brings the area into conformity with the Coastal Area Management Plan and Mr. Kops replied yes.

Mr. Roscow asked if Modern Materials is currently operating on the site and Mr. Sacco replied yes. Mr. Roscow asked about the fines that are currently owed for the site.

Ms. Leslie Creane, Town Planner, explained that the fines currently imposed on the site are not against Modern Materials. Modern Materials is operating on an area that straddles Parcel B & Parcel C that was part of a stipulated agreement issued in 1997 and are legally operating. The fines were imposed on Mr. Farricelli are in excess of \$400,000.00. Ms. Creane discussed the fines with the Commission and she explained that the fines are wetlands fines.

Ms. Creane advised the Commission that the area referred to as a parcel in the area of the boat launch is not a separate parcel but is part of Parcel C in its entirety. The boat launch exists with an easement to it. It is not considered to be a future boat launch and is somewhat operational whether it is used or not.

Ms. Creane asked Mr. Sacco to explain how the DEEP accesses parcel B. Mr. Sacco reviewed with the Commission using the site plan how the DEEP accesses the site. Ms. Creane reviewed how the site was accessed in the past and she recommends that the Commission as a conditional of approval add: The DEP must be comfortable with their level of access and egress to the site. She said the access to that portion of the site cannot be compromised.

Mr. McDonagh said that the access to the boat launch is restricted because of the location of a gate and it should be removed. He asked if there should be an addition to condition 1.c. should be reworded to read “ the fines should be resolved”.

Mr. Sacco said the fines that have been imposed are not relative to Modern Materials. Mr. McDonagh explained that an approval of this application would be to both Modern Materials and the landowner. The landowner to date has ignored the fines owed to the Town. Mr. Sacco said that there has not been a discussion of a performance bond and asked what part of the project it would be relative to. Mr. Kops explained that the State Statutes have changed and the only items that can be bonded initially are the sedimentation and erosion control measures.

Mr. McDonagh asked for comments in favor or against the application:

Ms. Marsha Walsh, 680 Hartford Turnpike, addressed the Commission and asked if Modern Materials is currently operating on the site and Mr. McDonagh replied yes. She asked if the operation taking place on the site is similar to that of Tilcon’s operation. Ms. Creane explained that Modern Materials is a recycling operation. Mr. Sacco reviewed the operation that is used on the site by Modern Materials and he explained how Tilcon operates. Ms. Walsh asked where the material to be recycled comes from, how many trucks will access the site and the roads they will travel. She also asked how clean the material being brought to the site and how it is known if the material is contaminated.

Mr. Sacco explained that the material that will be brought to the site is local in nature and generally confined to the New Haven County area. Taking material from farther areas would be cost prohibitive. He said there are approximately 20 trucks a day entering the site and they would access the site via the Interstate, State Street, Sackett Point Road, Universal Drive and Route 80. The trucks would not go through residential neighborhoods unless the source is located within a residential property. Before any building material is taken it is evaluated. Abatement occurs at the site prior to demolition and if it is designated as hazardous it must be taken to a managed facility that has the proper licenses. Mr. Sacco reviewed the sites and projects where material would be removed, and he noted that material would not be dropped off at the site or taken from uncontrolled sources.

Mr. McDonagh noted that Modern Materials has been operating on the site since 1997/1998, and that it is not a new operation and will be relocating on the existing site. Mr. McDonagh asked if some of the material will be coming in on barges from New Haven and Mr. Sacco replied no. Mr. McDonagh asked if 20 trucks per day would come to the site. Mr. Sacco said that the amount of trucks to the site can fluctuate depending on the nature of the projects delivering and removing material, but that 20 trucks a day is reasonable estimate. Ms. Creane confirmed that the material would be coming from the Greater New Haven area and Mr. Sacco replied yes.

Ms. Altman said that over the last 20 years there have been complaints about the site and she asked if Modern Materials was not the subject of the complaints and Mr. McDonagh said they were not. Mr. McDonagh explained that Modern Materials would not be burying hazardous or contaminated materials.

Mr. McDonagh closed the Public Hearing.

Regular Meeting

1. Special Permit & Site Plan 11-1189/CAM

2895 State Street, M Zone
Resource Recovery
Modern Materials, Applicant

Ms. Altman made the motion to approve Special Permit & Site Plan Application 11-1189 that is in conformity with the Coastal Area Management Plan and with the conditions stated by Mr. Kops, Assistant Town Planner and the addition to item 1.b which relates to the performance bond “ sedimentation & erosion control measures”. 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. Clearer delineation of the Special Flood Hazard Area on the survey and site plan sheets.
 - ii. Identification of DEEP's access to Parcel B, showing the specific location and route, on both the survey and site plan sheets, **confirmation from the DEEP that access to Parcel B is acceptable.**
 - iii. A note stating that the maximum height of the piles of materials is 35 feet.
 - iv. The Conditions of Approval imposed by the Inland Wetlands Commission.
 - v. **No restrictions to access to the boat launch.**
 - vi. **All conditions of approval.**
 - B. Provide a performance bond in an amount approved by the Town Engineer and Town Planner.
 - C. Ensure that all fines owed to the Town of Hamden **will be resolved.**
2. A Zoning Permit must be obtained prior to the commencement of any work on the site.
3. All work associated with the Special Permit must be completed by January 24, 2017.
4. The Hours of Operation are limited to between 7:00 AM and 5:30 PM, Monday through Friday, and from 8:30 AM to 4:00 PM on Saturday.

Mr. McDonagh feels that the additional wording does not need to be added to the condition 1.b. Ms. Altman said that it could be helpful to the applicant as clarification. Mr. McDonagh said that it should be identified as a performance bond. Ms. Altman removed "sedimentation & erosion control measures" from the motion.

Mr. McDonagh asked that condition 1.c. should read: Ensure that all fines owed to the Town of Hamden be resolved" .

Mr. Kops recommended that the commission add to condition 1.a.ii: , confirmation from the DEEP that access to Parcel B is acceptable.

Ms. Altman accepted the amendment to her motion and modified her motion to read the recommendation made by Mr. Kops.

Mr. McDonagh said that 1.a.v should read: No restrictions to access to the boat launch. And 1.a.vi will read: All Conditions of approval.

Ms. Altman accepted the amendments made to the motion. Mr. Grant seconded the motion. The motion passed unanimously.

Ms. Altman made the motion that the Application is consistent with the goals and policies of the Coastal Area Management Act. Mr. Grant seconded the motion the motion passed unanimously.

2. Minor Amendment to Special Permit 05-1042

2475 Whitney Avenue, T-4 Zone
Retention of Curb cut and other site changes
Lou Panuzio, Applicant

Mr. McDonagh stated that item 2 and item 3 would be heard together.

Mr. Dan Kops, Assistant Town Planner, read the staff comments which recommend approval with the conditions as stated.

Mr. McDonagh asked Mr. Panuzio, Applicant, if he had any objections to the conditions stated and Mr. Panuzio replied that he had none.

Ms. Altman made the motion to approve the Minor Amendment to Special Permit 05-1042 as recommended by Mr. Dan Kops, Assistant Town Planner and the following conditions:

1. Submission of a revised site plan showing:
 - A. The number of parking required and provided.
 - B. An explanation of how the curb cut will be utilized, given the display of vehicles for sale.
2. All hazardous materials and waste chemicals should be stored inside the building on an impervious floor with some form of secondary containment.
3. Non-hazardous materials must also be stored inside the building.
4. Any interior floor drains must be capped.
5. Waste material should be disposed of by a licensed waste hauler in accordance with all applicable federal, state and local regulations and all material should be stored inside.
6. Waste oil tanks should be stored inside, above ground on a bermed impervious surface capable of containing at least 110% of the volume of the tanks.
7. Solid waste material should be stored in an appropriately sized, covered, solid waste dumpster inside the building.
8. All vehicle washing should be conducted indoors.
9. All servicing of vehicles should be conducted indoors on an impervious surface.
10. There should be absolutely no discharges of motor vehicle fluids or detergent chemicals to the environment.
11. All vehicles being repaired should be stored inside the garage.
12. Scrap metal or other parts in contact with lubricant should be stored in a watertight container to prevent the accumulation and contamination of stormwater.
13. All Conditions of Approval should be placed on the survey submitted to the Connecticut department of Motor Vehicles.
14. RWA inspectors should continue to be granted access to this property during the annual inspection program.
15. No repair work should be conducted in the accessory structures.

3. Location Approval 12-025

2475 Whitney Avenue
Used Car/General Repair
Lou Panuzio, Applicant

Mr. Dan Kops, Assistant Town Planner, read the staff comments which recommend approval with the conditions as stated.

Mr. McDonagh asked Mr. Panuzio, Applicant, if he any objections to the conditions stated and Mr. Panuzio replied that he had none.

Ms. Altman made the motion to approve Location Approval 11-024 as recommended by Mr. Dan Kops, Assistant Town Planner, with the following conditions:

1. Submission of a revised site plan showing:
 - A. The number of parking required and provided.
 - B. An explanation of how the curb cut will be utilized, given the display of vehicles for sale.
2. All hazardous materials and waste chemicals should be stored inside the building on an impervious floor with some form of secondary containment.
3. Non-hazardous materials must also be stored inside the building.

4. Any interior floor drains must be capped.
5. Waste material should be disposed of by a licensed waste hauler in accordance with all applicable federal, state and local regulations and all material should be stored inside.
6. Waste oil tanks should be stored inside, above ground on a bermed impervious surface capable of containing at least 110% of the volume of the tanks.
7. Solid waste material should be stored in an appropriately sized, covered, solid waste dumpster inside the building.
8. All vehicle washing should be conducted indoors.
9. All servicing of vehicles should be conducted indoors on an impervious surface.
10. There should be absolutely no discharges of motor vehicle fluids or detergent chemicals to the environment.
11. All vehicles being repaired should be stored inside the garage.
12. Scrap metal or other parts in contact with lubricant should be stored in a watertight container to prevent the accumulation and contamination of stormwater.
13. All Conditions of Approval should be placed on the survey submitted to the Connecticut department of Motor Vehicles.
14. RWA inspectors should continue to be granted access to this property during the annual inspection program.
15. No repair work should be conducted in the accessory structures.

4. Minor Amendment to Site Plan 00-1282

1842 Whitney Avenue, T-3.5 Zone

Consumption of wine/beer as an accessory use

Hank Paper, Applicant

Mr. Dan Kops, Assistant Town Planner, read his comments which recommend approval.

Mr. McDonagh read letters that were received from Ms. Mary Mitchell, 1753 Whitney Avenue and Ms. Christine Esposito 1742 Whitney Avenue, which were in opposition to the proposed Minor Amendment.

Mr. Hank Paper, Applicant, addressed the Commission and stated that he has been at this site for 27 years and understands the residents concerns. There are three establishments located in Spring Glen that sell wine and beer, and one of them sells hard liquor. Mr. Paper stated that he is not a bar and is only adding wine and beer to the menu offerings. His staff is reliable and they have broad food service experience which includes working where wine and beer is sold. Mr. Paper's noted that his establishment is not one that people will sit at all afternoon, nor would he allow it. He explained that he is the only video store left in the the New Haven area. The store has been struggling with the economic times. His location is embedded within the community and last year a coffee bar was opened with a performance space which is booked through June. There have been request for beer and wine to be offered and it would add to the relevance of his establishment. It will help Mr. Paper's bottom line and allow his business to remain in Spring Glen.

Ms. Altman asked if Mr. Paper will need to go to the CT Liquor Board and the residents can take their concerns to the board. Mr. Paper said that the Liquor Board requires the P&Z and QVHD approvals.

Mr. Reynolds asked if the application is approved could another owner be grandfathered in or would it be a new application. Mr. Kops said that the use would be grandfathered in as an accessory use and not as a bar. A bar would require a Special Permit to be approved.

Ms. Altman made the motion to approve the Minor Amendment to Site Plan 00-1281 as recommended by Mr. Kops, Assistant Town Planner with the following conditions:

1. Store hours should remain unchanged.
2. Seating should be limited to 15 chairs.

3. The wine and beer must be consumed inside the store.
4. A permit from the State of Connecticut Liquor Control Board is required.

Mr. Grant seconded the motion. Ms. Altman, Mr. Grant, Mr. Roscow, Mr. Reynolds, Mr. Poitier, Mr. Szczypek and Mr. Campo voted in favor of the motion. Mr. Cesare voted against the motion. Therefore the motion passes 7-1-0.

5. Special Permit & Site Plan 07-1106

785 Sherman Avenue
Request to release bond in the amount of \$12,650.00
Joseph Moruzzi, Applicant

Mr. McDonagh reviewed the request to release the bond in the amount of \$12,650.00. He advised the Commission that Ms. Holly Masi, Zoning Enforcement Officer, recommends that the request be approved.

Mr. Roscow made the motion to approve the request to release the bond in the amount of \$12,650 .00 as recommended by Ms. Holly Masi, Zoning Enforcement Officer. Ms. Altman seconded the motion. The motion passed unanimously.

6. Special Permit & Site Plan 05-1040

1717 Dixwell Avenue
Request to release bond in the amount of \$40,000.00
S. Gordon Demetre, Applicant

Mr. Grant made the motion to add to the agenda the request for a bond release for Special Permit & Site Plan 05-1040. Ms. Altman seconded the motion. The motion passed unanimously.

Mr. McDonagh reviewed the request to release the bond in the amount of \$40,000.00. He advised the Commission that Ms. Holly Masi, Zoning Enforcement Officer, recommends that the request be denied.

Ms. Altman made the motion to deny the request to release the bond in the amount of \$40,000.00 as recommended by Ms. Holly Masi, Zoning Enforcement Officer. Mr. Grant seconded the motion. The motion passed unanimously.

7. Special Permit & Site Plan 07-1119

200 Leeder Hill Drive
Request to release bond in the amount of \$205,262.00
Michael B. Rambarose, Applicant

Mr. Grant made the motion to add to the agenda he request for a bond release for Special Permit & Site Plan 07-1119. Ms. Altman seconded the motion. The motion passed unanimously.

Mr. McDonagh reviewed the request to release the bond in the amount of \$205,262.00. He advised the Commission that Ms. Holly Masi, Zoning Enforcement Officer, recommends that the request be approved.

Ms. Altman made the motion to approve the request to release the bond in the amount of \$205,262.00 as recommended by Ms. Holly Masi, Zoning Enforcement Officer. Mr. Roscow seconded the motion. The motion passed unanimously.

6. 2011 Parking Plan-Quinnipiac University: Annual Review

Mr. Dan Kops, Assistant Town Planner read his comments and recommendations.

Mr. Bernard Pellegrino, Attorney, addressed the Commission and stated that majority of beds that are vacant are on the main campus, with only a few being at the York Hill Campus. The goal is to fill all the beds with the major target is to have the senior class come back onto the campus. There has been some success with bringing approximately 1/3 of the senior class back on to campus. When interviewing the students many of them wanted the use of their vehicles on campus. So an additional incentive was introduced which allowed on campus seniors to have a parking pass that allows them to use their cars on campus. There are 282 seniors who have requested the parking passes that allow them to park on the main campus prior to 3:30 p.m. The majority of the seniors are from the York Hill Campus.

Ms. Altman asked if the seniors were already driving to the main campus. Mr. Pellegrino replied yes but if the Commission does not approve the plan the seniors will have to stop.

Mr. Pellegrino reviewed the changes to the bus ridership policy and the parking rules that have been implemented. He explained that a bus ridership count was conducted during the week of November 30, 2011. A fourth bus has been added and Mr. Pellegrino stated that the ridership is significant and that it is working. Mr. Pellegrino submitted a bus ridership study and reviewed it with the Commission. He stated that when the new rules and regulations were implemented a red sticker was issued to the seniors that allowed them to park in the north lot, main lot and Hogan Road lot. He explained the process that was used for the traffic study.

Mr. Jim Bubaris, Professional Engineer, Bubaris Traffic Associates, addressed the Commission and reviewed the results of the traffic study. He explained the locations where the study had taken place and the methodology of the traffic study. The Commission discussed with Mr. Bubaris the results of the traffic study.

Mr. Pellegrino discussed with the Commission the number of students that attend classes at the Main Campus and the North Haven Campus. The Commission discussed with Mr. Pellegrino the need for a five year plan going forward for student population, housing and the parking plan.

Ms. Altman made a motion that a letter be sent to Quinnipiac University requesting the information recommended by Mr. Kops be received within 30 days. Mr. Campo seconded the motion. The motion passed unanimously.

Mr. Szczypek said that if the University cannot produce the five year plan within 30 days it may suggest that there is not one in place. Mr. Pellegrino said that the last time a five year plan was published was in 2006.

The Commission discussed with the Planning Staff actions that can be taken by the Commission if the University is in violation of the conditions of approval when the applications were approved and the zoning permits issued. Mr. Pellegrino advised the Commission of his request for an extension of the time to complete the dormitories. He explained that the State Statute allows for an automatic extension. Mr. Tim Lee, Assistant Town Attorney, advised the Commission that the total time allowed to complete a project is now 14 years.

Mr. Pellegrino will respond within 30 days to the request as outlined in Mr. Kops' recommendations. If additional time is needed he will include a time line that he feels will be needed to provide the information being requested.

Mr. Kops said that he had received a call from a student who is a junior who is taking classes at both the North Haven and the Hamden Campus. The student is having difficulties because she cannot park in the main campus parking lot and is having trouble getting between the two campuses in a timely manner. She was also unaware of the policy changes. Mr. Kops said that there may be other students having the same difficulty commuting between the campuses and he would like this issue to be addressed by the University. Mr. Pellegrino said the University is looking into this issue.

7. Public Input Session regarding Off Campus Student Housing Issues

Mr. Dan Kops, Assistant Town Planner, summarized his comments for the student housing issues and the recommendations of the sub-committee of the Planning and Zoning Commission and the Planning & Zoning Department Staff.

Ms. Altman reviewed the recommendations of the Sub-Committee of the Planning and Zoning Commission that was formed to evaluate the issues with student housing. If the recommendations of the Sub-Committee are adopted it will apply to everyone needing a student housing permit and no one will be grandfathered.

Mr. McDonagh asked for comments from the public.

Mr. George Mudry, Austin Road, addressed the Commission and stated that when the zoning regulations or the Town ordinances are violated no action is taken. He reviewed the research with respect to student regulations that are in place across the United States. Mr. Mudry feels if student housing is spaced out it would not saturate the neighborhoods and help with property values. Currently Mr. Mudry has students living next door to him and across the street and he said that one would have been enough. Mr. Mudry would also like to see a requirement that a sign be located inside the house that would indicate the students permitted to live in the home. It should also include the owner's name and a 24 hour contact number. He said the student permits have this information which is filed in the Planning Office, but that the Police Department when called do not know which students are permitted to live in the house.

Mr. McDonagh said that the recommendation is that anyone within 200 feet of the house being rented to students will receive the property owner's information. Mr. Mudry said if the information is posted on a wall within the home would provide the information for the Police Department and let them know if the house is properly permitted. Mr. Mudry stated that if Mr. Bernard Pellegrino's suggestion for the sign were illegal he would not recommend it because as an attorney he knows the laws.

Ms. Altman stated that the Commission is trying to be proactive and that the amounts of student housing permits issued have decreased. If there are students living in the home and there is no permit the residents should call the Planning Office. If the student housing regulations are changed a house that currently has a permit would be grandfathered in.

Mr. Mudry reviewed an article that appeared in the New York Times back in 2001 and 2006 regarding the problems with the student housing in Hamden. Mr. Mudry feels that the current zoning regulations are not working, and informing the students and the University will solve the problem and the responsibility still falls on the residents of Hamden. Mr. Mudry said there is a noise ordinance in Hamden. He reviewed the ordinance with the Commission and feels it should be changed to how far away the noise can be heard and not the decibals of the noise. Ms. Altman advised Mr. Mudry he would need to bring his suggestions of the changes he would like to the noise ordinance to the Mayor and the Legislative Council.

Mr. Mudry reviewed parking regulations with the Planning Staff and the Commission. Ms. Leslie Creane, Assistant Town Planner explained that the Planning Office and the Commission are limited by the State Statutes. She explained that the zoning regulations cannot control behavior and she understands the frustrations of the residents.

Mr. Les Faiman, 29 Deerfield Drive, addressed the Commission and stated that there is student living in his neighborhood and that they have not created any problems, but that he is a concerned citizen and the residents of Hamden do not want students in their neighborhoods. He said that Quinnipiac University had asked the residents for time to complete the new campus. The York Hill Campus is not completed and there are still students living in the residential neighborhoods. There are 192 houses with students and this is creating additional traffic in neighborhoods and the students are bad drivers. Mr. Faiman said Quinnipiac has not done enough to get the students out of the neighborhood and the Town officials need to make sure that Quinnipiac University does what they said they would do.

Ms. Altman stated that she understands Mr. Faiman's frustrations, but the Commission can not restrict what homeowners do with their homes. She said that Quinnipiac is losing money because of the empty beds and they cannot force the students to live on the Campus. Mr. Faiman discussed further with the Commission what he feels Quinnipiac needs to do to remove the students from the residential neighborhoods.

Mr. Jeremy Stull, 67 New Road, addressed the Commission and stated that he is offended by the comments made at this meeting with regard to students and being stereotyped. He is a student at Quinnipiac University student who is active within the community and a registered voter in the Town of Hamden. He also feels that he puts a lot of money into the community. Mr. Stull stated that he has lived on the York Hill Campus and did not care for it and regulations preventing driving to and from the main campus added to his dislike for living on campus. There are many students who have classes on the Hamden and North Haven Campus and need the use of their vehicles.

Ms. Elaine Dove, Santa Fe Avenue, addressed the Commission and stated that the problems at Quinnipiac University have been a long standing problem and she feels that they will continue to be a problem. She feels it will continue to be a problem because of Quinnipiac's financial needs. Ms. Dove reviewed the research that she has done and the need for Quinnipiac to continue to add students. Quinnipiac University has continued to take properties off the Hamden tax roll. Ms. Dove feels that the residents continue to be upset and asked the Commission to continue to be proactive. She thanked the Commission for the work they have done to come up with the recommendations to try and resolve the issues within the neighborhoods and the students.

Mr. Gus Spohn, 4032 Whitney Avenue, addressed the Commission and commended them for the work that they have done which resulted in good recommendations. Mr. Spohn reviewed with the Commission and the Planning Staff the process for the initial Student Housing permits and the guidelines for renewing the permits. Mr. Spohn discussed with the Commission and the Planning Staff the possibility of basing the renewals on past performance of the students and landlords. He discussed with the Commission outstanding fines for violations and was told that a future permit would be denied if there were any outstanding fines. Mr. Spohn would like both the property owner and his/her agent to be on the contact list. He would also like the notification to property owners living within 200 feet of a house with students be extended farther because of the noise. Mr. Kops explained that extending beyond 200 feet could be considered unreasonable. Mr. Spohn would like a list of all property owners who house students to be made available to the public. Mr. Kops advised Mr. Spohn that it can be requested under the Freedom of Information Act. Mr. Spohn reviewed with the Commission the landlord's responsibility form and asked if the Planning Office will follow up if it is not returned and Mr. Kops replied yes. Mr. Spohn asked if Quinnipiac could require all their students to live on the campus and he was advised that this was not possible.

Ms. Marsha Walsh, 680 Hartford Turnpike, addressed the Commission and stated that Hamden as a community has not benefited from Quinnipiac University. She feels there are many angry residents and that Quinnipiac has not been forthright with giving the requested information. She discussed with the Commission the property owned by the University and that it has resulted in 69 million dollars not being on the tax roll. She stated that other colleges and universities around the nation have remedied similar situations.

Ms. Renni Stansyck, Sherman Avenue Extension, addressed the Commission and discussed with the Commission the traffic change that allows only a right hand turn onto New Road. She stated that she is not aware of any problems on New Road relating to student behavior, but that it is a transient community and behavior can change from year to year. She feels that Quinnipiac University has a responsibility to the community to teach students how to be well behaved and neighbors.

Mr. Pellegrino submitted a copy of the letter that was delivered this week to all the students reminding them of their responsibilities and behavior when in residential neighborhoods and at off campus gatherings. The letter also advised the students of disciplinary actions that would be taken by the University if the student is cited by the local enforcement officials. Mr. Pellegrino stated that the University has met with the local officials and the Police Department. He would like the letters that are sent to the abutting neighbors to explain that if an anonymous complaint is received or a complaint statement is not signed that no action can be taken. Mr. Pellegrino reviewed the recommendations made by the Commission.

Mr. Pellegrino explained that there are a number of reasons not to require students to live on campus. He said that many students find it more economical to live off campus and that many live with their parents or a relative. He also said that if students were required to live on the campus it would not allow the University to be competitive. Mr. Pellegrino said that when the campus was approved it was guaranteed when the dorms were completed there would be a bed for every student.

Ms. Altman asked that “anonymous complaints and the absence of a signed statement could result in the Police Department being unable to take any type of action” be added to the information provided to the neighbors.

Mr. McDonagh asked for a consensus from the Commission if the recommendations by the Sub-Committee should be accepted. The consensus of the Commission was to accept the recommendations was unanimous.

Mr. Poitier asked if a student housing permit follows the property if it is sold. Mr. Kops said that it would be a continuation of use with a special fee. Mr. Poitier reviewed with Mr. Kops the zoning regulations and the issues that could arise if they were changed for new student housing permits only.

C. Old Business/ New Business

1. Review minutes of January 10, 2012

Ms. Altman made the motion to approve the minutes of the January 10, 2012 meeting as written. Mr. Poitier seconded the motion. Mr. McDonagh, Ms. Altman, Mr. Grant, Mr. Campo, Mr. Reynolds, Mr. Poitier and Mr. Cesare voted in favor of the motion. The motion passed.

Ms. Creane advised the Commission that Mr. McDonagh and Mr. Grant would no longer be on the Commission. She thanked them for their time and dedication to the Commission. Ms. Creane welcomed Ms. Michelle Mastropetre to the Commission.

D. Adjournment

Mr. Poitier made the motion to adjourn. Mr. Reynolds seconded the motion. There was no further discussion.

The meeting adjourned at 10:49 p.m.

Submitted by: _____
Stacy Shellard, Clerk of the Commission