



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

July 11, 2013

MINUTES: THE PLANNING & ZONING COMMISSION, Town of Hamden, held a Public Hearing and Regular Meeting on Tuesday, July 9, 2013 at 7:00 pm. in the Thornton Wilder Hall, Miller Memorial Library Complex, 2901 Dixwell Avenue, Hamden with the following results:

Commissioners in attendance:

Ann Altman, Chairper
 Brack Poitier
 Michele Mastropetre
 Myron W. Hul
 Peter Reynolds
 Bob Roscow
 Lee Campo
 Ralph Marottoli, Alternate sitting for
 Jennifer Cutrali

Staff in attendance:

Leslie Creane, Town Planner
 Dan Kops, Assistant Town Planner
 Tim Lee, Assistant Town Planner, arrived
 at 7:19 p.m.
 Stacy Shellard, Clerk
 Lisa Raccio, Stenographer

Ms. Altman called the meeting to order at 7:00 p.m.

Ms. Altman introduced the panel and reviewed the meeting procedures.

A. Public Hearing

1. Special Permit & Site Plan 13-1218/APZ

4135 Whitney Ave(aka 0 Willow St), R-2 zone
 Solar Panels
 Robert Miller, Applicant
Deadline to open public hearing 8/1/13

Mr. Robert Miller, Solar City, addressed the Commission the Commission and reviewed the application to install 4,000 solar panels over five acres of land, the site and the placement of the solar panels. A buffer zone will be

cleared around the solar panels and a roadway will be installed to access the electrical panel. Mr. Miller reviewed the location of the electrical fence. An eight foot fence will be installed around the area to protect against unauthorized access. The solar panels will be made of galvanized steel. Mr. Miller reviewed the planting plan.

Ms. Altman asked how many trees will be cut down to clear the area for the solar panels. Mr. Miller stated that he was unsure of the number of trees to be taken down.

Ms. Mastropetre asked if the solar panels would be mounted on galvanized steel and then cement. Mr. Miller explained that the galvanized steel solar panels will be screwed into the ground to an appropriate depth that would withstand the weather. The only concrete will be under the electronics. When the system is dismantled the screws will be removed.

Mr. Hul asked if the total project is five acres or just the coverage of the solar panels is five acres. Mr. Miller replied just the solar panels will be over five acres. Mr. Hul asked how the vegetation and the wildlife in the area will be affected. Mr. Miller explained if the habitat in the area requires trees then they will move to another area of the 146 acres of forested area. Mr. Hul asked if when the trees are disturbed and solar panels will this kill off vegetation. He also asked what the S&E control plan would be. Mr. Miller said the plantings under the panels will grow and grass will grow between panels in the open space.

Mr. Ron Walters, RWA, addressed the Commission and said that erosion control measures will be installed. He does not feel there will be any issues because the area is level and sandy. The RWA will be doing site visits.

Mr. Reynolds asked Mr. Miller to describe how the relationship between the RWA and Solar City will work. Mr. Miller explained that there will be a power purchase agreement and Solar City is leasing the land from the RWA to install the solar panels. The RWA will use the solar power and any extra solar power that is not used will go back to the grid. Mr. Reynolds asked who will get access RWA or Solar City. Mr. Miller replied that the contract will be for the RWA to buy all the solar power or sell it back to the utility.

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

“Solar City 4135 Whitney Avenue Site Improvement Plans,” sheet CS-0001, 1001 and 6001, prepared prepared by Pennoni Associates, Inc., dated 5/14/13.

Ms. Altman asked if condition 3.d should read “after heavy rain fall”. Mr. Kops said that condition 3.d is a standard RWA comment.

Mr. Hul asked if the solar panels would be visible from the street and Mr. Kops replied no. Mr. Hul asked if there would be any federal financing because there would be lower energy cost associated with public drinking water.

Mr. Walters explained that saving money will be dependent on the cost of natural gas which is a relevant cost to producing energy. The electric rates is where the money will be saved. The transmission charges is where money will be saved or may only break even. He explained that the electricity will be used to operate the Sleeping Giant Well.

Mr. Hul asked if there may not be any financial gain then why is the project being done. Mr. Walters said it may not be a financial gain but there will be benefits to the environment because the electrical supply will be non-polluting. It will also be an additional source of power.

Mr. Poitier asked what the estimated cost will be to install the solar panels and Mr. Miller replied approximately two million dollars. Mr. Poitier asked if there would be an area to store the electricity and Mr. Miller replied no. Mr. Poitier asked how the electricity would be generated when there are storms and no sunlight. Mr. Miller

explained if a storm knocks out the utilities the solar panels will not operate as a safety factor for the grid and back up generators will be used.

Ms. Altman asked for public comments in favor and against the application. There were none.

Ms. Altman closed the Public Hearing.

B. Regular Meeting

1. Special Permit & Site Plan 13-1218/APZ

4135 Whitney Ave(aka 0 Willow St), R-2 zone

Solar Panels

Robert Miller, Applicant

Mr. Campo made the motion to approve Application #13-1218 as recommended by Mr. Dan Kops, Assistant Town Planner, and the following conditions:

1. Prior to the Issuance of a Zoning Permit the applicant must provide for approval by the Town Engineer and Town Planner with revised plans containing all Conditions of Approval.
2. Prior to the start of construction the applicant must obtain a Zoning Permit
3. During the construction phase:
 - (a) The applicant must follow the RWA Oil and Chemical Spill Prevention Plan.
 - (b) All erosion controls shall be installed prior to the commencement of construction activities.
 - (c) All stockpiles of excavated material remaining on-site for more than a month should be temporarily seeded or covered.
 - (d) Erosion controls should be inspected regularly and immediately after each rainfall, as well as maintained and modified as necessary.
 - (e) All fuel, oil, paint and other hazardous materials stored on-site should be placed in a secondary container and kept in a locked indoor area with an impervious floor when not being used.
 - (f) Any on-site fueling and repairs should be conducted over a portable spill containment system.
 - (g) A supply of absorbent spill response material should be kept on-site to clean up any spills of hazardous materials.
4. All work must be completed by July 9, 2018.

Mr. Reynolds seconded the motion

Ms. Mastropetre stated that she thought that when panels generate power from the sun there was a storage system with power. If it is a sunny day the power goes from the panel and she asked what happens to the excess power.

Mr. Kops said his knowledge of solar power is limited, but that he believes it is sold back to the power company.

Mr. Roscow explained that the domestic solar panels use batteries to store the energy, but at this location it will be straight generation or none at all.

Mr. Roscow, Mr. Campo, Mr. Reynolds and Mr. Marottoli voted in favor of the motion. Mr. Poitier, Mr. Hul and Ms. Mastropetre voted against the motion. Therefore, the motion passed 4-3-0

2. Site Plan 13-1482/WS

1015 Dixwell Ave, T-4 zone

Cosmetology School/Barber Shop

Michael Knight, Applicant

Mr. Dan Kops read his comments which recommend approval with conditions as stated and based on plans received June 26, 2013.

Mr. Michael Knight, Owner, addressed the Commission and reviewed the application. He explained that P & Z approval is necessary before he can receive approvals from the State and QVHD. Mr. Knight said he has had a barbershop at this site for six years and the expansion will not be taking up additional parking spaces.

Mr. Hul asked if the application is a request to reuse of the existing space and the footprint of the barbershop is getting smaller to allow space for the school. Mr. Knight explained that 1,300 square feet will be the designated area for six students, but would hold ten students. There have been no changes internally since 2008. Mr. Hul asked if the expansion of the barbershop shop is to include the cosmetology school. Mr. Knight stated that is goal is to hire two instructors, currently there will be him and one instructor. His goal is to expand the cosmetology school, but he would need a separate location. Mr. Kops stated in his comments that the applicant would need to lease two parking spaces and there could be four students at a time on the premises. Mr. Hul asked if the maximum number of students is six or four students at one time. Mr. Kops replied the maximum number of students is four students at one time. Mr. Knight said there is existing parking on the street and additional parking at night because of the hours of the surrounding businesses. Mr. Hull asked Mr. Knight if he had the lease from the landlord where he will have the additional parking spaces. Mr. Knight replied he did not have a lease, but the spaces would be those from the surrounding businesses and would be used at night. Mr. Kops explained that there is a need for two additional parking spaces. Mr. Knight replied he will speak with the landlord to get the lease.

Ms. Mastropetre asked if all the students drive or because the school is on a bus line can that be considered. Mr. Kops explained that the parking requirement is one parking space for every two students. Ms. Mastropetre asked how many chairs are in the store. Mr. Knight said there is space for six but only using two.

Ms. Mastropetre made the motion to approve Application #13-1482 as recommended by Mr. Dan Kops, Assistant Town Planner, and the following conditions:

1. A Zoning Permit must be obtained.
2. Prior to the Issuance of a Zoning Permit the applicant must submit a revised plan for approval by the Town Engineer and Town Planner, with the following:
 - (a) A plan showing the two spaces available at 1025 Dixwell Avenue.
 - (b) All Conditions of Approval.
3. Prior to the issuance of the Zoning Permit the applicant must obtain approval of the school from the State department of Public Health.
4. The Zoning Permit must include approval by QVHD..
5. All work should be completed by July 9, 2018
6. The maximum number of students at any given time is four unless a modification is approved by the Commission.
7. No additional instructors are allowed unless a modification is approved by the Commission.

Mr. Poitier seconded the motion.

Mr. Hul asked if changing from four to six students changed the viability of the school. Mr. Knight said that many students are waiting for the zoning process to be complete. He added that he will have accelerated courses available.

Mr. Marottoli asked Mr. Kops if the applicant finds additional parking spaces can he have six students. Mr. Kops replied yes.

The motion passed unanimously.

3. Site Plan 13-1484/WS

90, 100, 101&111 Overlook Dr, M zone
 Building Expansion
 Burt Processing Equipment, Applicant

Mr. Jim Rotondo, Professional Engineer, addressed the Commission and reviewed the application, the products made by Burt Processing Equipment, the site plan and the existing building. Also reviewed was the lighting plan, the planting plan and the stormwater management plan.

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

“Site Development Plan,” sheets 1 of 1, C-1.0, C-2.0, C-3.0, C-3.1, C-4.0 dated May, 15, 2013, revised June 26, 2013. prepared by Godfrey Hoffman Associates, LLC.

Mr. Rotondo stated that he accepts the conditions as stated by Mr. Kops. He asked if he could defer the parking spaces by prepping them, but not completing them, because with the expansion there will not be an increase in the amount of employees. Mr. Kops explained that a variance would be needed because the Commission does not have the authority to modify the parking regulations.

Mr. Roscow asked if the addition would be a metal panel building or concrete.

Mr. Dave DeMayo, Unger Construction, addressed the Commission and stated that it would be painted steel. Mr. Roscow asked who would be the architect. Mr. Unger stated that the architectural plans are being done in house and will meet all design and building codes.

Mr. Marottoli made the motion to approve Application 13-1484 as recommended by Mr. Dan Kops, Assistant Town Planner, and the following conditions:

1. Prior to the Issuance of a Zoning Permit the applicant must:
 - (a) Provide revised plans containing the following, for approval by the Town Engineer and Town Planner:
 - i. A six inch asphalt berm on three sides of the dumpster pad.
 - ii. The Percentage Build-out information in the Bulk Requirements Table.
 - iii. A landscaped island containing a tree in the middle of the proposed 18 space parking bay.
 - iv. Proper identification, signature and seal of the person who prepared the architectural plans.
 - v. The amount of grading, expressed in cubic yards.
 - vi. Proposed site lighting, details of lighting fixtures and a photometric study.
 - vii. A stormwater inspection and maintenance schedule.
 - viii. Identification of the person responsible for inspection and maintenance of the stormwater management system.
 - ix. All conditions of approval.
 - (b) Submit a performance bond in an amount approved by the Town Engineer and Town Planner.
2. The Zoning Permit must include a sign-off by the GNHWPCA.
3. During construction all fuel, oil, paint and other hazardous materials stored on-site should be placed in secondary container and kept in a locked indoor area with an impervious floor when not being used. a
4. All work must be completed by July 9, 2018.
5. Inspections of the stormwater management system should be carried out at least twice a year and maintenance should be conducted at least once a year.

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

4. Discussion of LED billboards

Mr. Kops explained that the Planning Office was approached by CBS Outdoor with regards to the potential replacement of the existing billboards with LED billboards. Mr. Kops said that there are potential problems with the regulations and the representative from CBS Outdoor is before the Commission to seek their opinion.

Mr. Joseph Esparo, Real Estate Representative for CBS Outdoor, addressed the Commission and stated that they have billboards within the Town of Hamden and would like the Commission's interpretation of the zoning regulations for billboards and the possibility of changing the existing billboards to LED billboards.

Mr. Kops read the Sign Regulation, Billboard Prohibition and Roof-top Signs, Section 550.2.10

Mr. Esparo had a lengthy discussion with the Commission & Planning Staff, explaining how a LED billboard would work and the size of the billboard. The billboard proposed to be changed is currently located at the Mobil Gas Station on Whitney Avenue in the West Woods area.

The Commission has concerns with regard to the size of the sign, the location of the sign, and the need for public input.

The Commission asked Mr. Esparo to provide additional information to them about LED billboards. It was suggested that a small version of an LED billboard may be helpful in the Commission's understanding how it would work.

C. Old Business/ New Business

1. Review minutes of July 2, 2013

Tabled until the July 23, 2013 meeting

The Commission discussed the zoning regulations for parking with the Planning Staff.

D. Adjournment

Ms. Mastropetre made the motion to adjourn. Mr. Campo seconded the motion. The motion passed unanimously.

The meeting adjourned at 8:34 p.m.

Submitted by: _____
Stacy Shellard, Clerk of the Commission