



Town of Hamden

Planning and Zoning Department

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July 24, 2013, revised 10/4/13 per Commission review at the September 10, 2013 meeting

MINUTES: THE PLANNING & ZONING COMMISSION, Town of Hamden, will hold a Public Hearing and Regular Meeting on Tuesday, July 23, 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, Chairperson
Brack Poitier
Lee Campo
Michele Mastropetre
Myron W. Hul
Jennifer Cutrali
Peter Reynolds
Ryszard Szczypek
Bob Roscow
Rob Cocciaro, Alternate

Staff in attendance:

Leslie Creane, Town Planner
Dan Kops, Assistant Town Planner
Mr. Tim Lee, Assistant Town Attorney,
Stacy Shellard, Clerk
Genevieve Bertolini, Stenographer

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

Ms. Altman asked for a moment of silence for Commissioner Joe McDonagh's mother, who passed away Monday.

The clerk read the Public Hearing items into the record. Ms. Altman introduced the panel and reviewed the Public Hearing procedures.

A. Public Hearing

1. Special Permit & Site Plan 13-1216/WS

2300R,2308,2320 & 2330R Whitney Ave, T4/T5 zone
Hotel/Retail/Multi-Family/Office
NU Development, LLC, Applicant

Public Hearing continued from July 2, 2013 meeting

Mr. Bernard Pellegrino, Attorney, addressed the Commission and stated that the parcel for the proposed project is located in a T-4/T-5 split zone. During a recent meeting Planning Staff indicated that the proposed hotel was located in the T-4 portion of the site and that because of the height restriction the proposed hotel would not be in compliance. A revised site plan moving the proposed building forward on the lot was submitted, however, the applicant was unable to complete all the necessary detailed drawings. Mr. Pellegrino reviewed the proposed changes to the site plan. He asked that the Public Hearing be continued and feels that the revised plans would be ready by August 19, 2013. Mr. Pellegrino stated that he understands that many Commissioners and Town residents who would be interested in hearing this application travel in the month of August, but due to the project's contracts and financing he would like the Commission to consider holding a special meeting.

Ms. Altman stated that the Commissioners devote their time to the meetings during the year and make their plans with the assumption that there would be no meeting held in August. The Commission discussed their availability.

Mr. Hul asked if the Planning Staff had considered proposing to the Commission that the zoning line be adjusted so that it would not be a split zone. Ms. Leslie Creane, Town Planner, stated that the staff had not looked at this particular site. When the zoning map was being amended they tried to remove all split zoning, however, some were missed. The Planning Staff will at a later date submit an application to amend the zoning map for this parcel. Mr. Hul asked if this parcel could be done now. Ms. Creane advised that amending the zoning map for this parcel needed to be done prior to the application being submitted. Mr. Hul feels that the parcel being in a split zone is costing the applicant time and money. Mr. Pellegrino said that the applicant was aware of the split zone, but miscalculated where the zone line was set and thought that it was located further back to the south near the wetlands portion of the property. He stated that the applicant did consider requesting an amendment to the zoning map, but that would cause further delay to the project. After speaking with the Planning Staff it was determined that moving the building will increase the visibility of the hotel and provide breaks in the parking. It also moves the building farther away from the Hamden Housing Authority property.

Mr. Poitier stated that the Public Hearing had already been continued from the June 23, 2013 meeting to allow the applicant to revise the plans. He feels it is unfair of the applicant to ask for a Special meeting and that the Commission needs plans for the project that are complete.

Mr. Szczypek asked if there had been another change from the plans he received a week ago. Mr. Kops replied yes that a revised site plan C1.1 shows the proposed building being moved from the rear of the property in an easterly direction to approximately the middle of the driveway. Mr. Szczypek feels that enough time was not given to evaluate the plan submitted and would like the meeting to be held in September to allow for the Commission to receive a complete set of plans in August.

Ms. Altman continued the Public Hearing until the September 10, 2013 meeting.

2. Special Permit & Site Plan 13-1217/WS

135 & 145 Sanford St, T-4 zone

Multi-Family-Affordable Housing

New Haven Home Recovery, Applicant

Postponed until September 10, 2013 at the request of the Applicant

3. Special Permit & Site Plan 13-1214/CAM

2145 State St rear(aka 2155 State st), T-4 zone

Place of Worship

Evergreen Ministries International, Applicant

Mr. Kops stated that the plans that were submitted are incomplete and would like this public hearing to be opened and continued until the September 10, 2013 meeting.

Ms. Altman continued the Public Hearing until the September 10, 2013 meeting.

4. Special Permit & Site Plan 13-1220/WS

20 Columbus St, T-4 zone
Place of worship, Rental Hall
La Senda Milagnosa Christian Church, Applicant

Ms. Leslie Creane, Town Planner, stated that she has a close friendship with Ms. Catherine Johnson, agent for the applicant, and recused herself.

Ms. Catherine Johnson, Architect and town planner, from Middletown, addressed the Commission and reviewed the existing place of worship that is currently located in New Haven.

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

Undated and untitled site plan and floor planned, prepared by Catherine Johnson, received June 25, 2013, revised version received July 22, 2013.

Mr. Kops said that condition III.E has been met and he recommended it be removed. Ms. Johnson stated that she accepts Mr. Kops' recommended conditions.

Mr. Roscow stated that the architect's name with his/her signature and seal should be on the plan.

Ms. Cutrali asked where the dumpster would be located. Mr. Kops said that it was not specified on the proposed plan and the architect can propose an appropriate location. Ms. Cutrali discussed with Ms. Johnson the area near the entry to the property.

Ms. Mastropetre said that the revised plans were not received until July 22, 2013 and should be in the Planning Office and then sent out to the Commission in a timely fashion.

Mr. Szczypek asked if any improvements were being made to the site. Ms. Johnson replied that there would be no improvements to the site, but aesthetically the building will be improved.

Ms. Altman feels that a place of worship will be a good use for the building.

Ms. Altman asked for comments in favor of the application:

Mr. Christopher O'Connor, 96 Columbus Street, addressed the Commission and stated that his business has been at 96 Columbus Street for 22 years. Mr. O'Connor stated that the building has been vacant and neglected. He welcomes the building being used as a place of worship.

Ms. Celia Cordero, Pastor, addressed the Commission and stated that many members of the church are homeowners in Hamden, so the church would not reflect negatively towards the real estate. Many members of the church who do not currently reside in Hamden are willing to move to Hamden.

Ms. Altman asked if there are any comments against the application. There was none.

Ms. Altman closed the Public Hearing.

B. Regular Meeting

1. Special Permit & Site Plan 13-1216/WS

2300R,2308,2320 & 2330R Whitney Ave, T4/T5 zone

Hotel/Retail/Multi-Family/Office
 NU Development, LLC, Applicant

This item was tabled

2. Special Permit & Site Plan 13-1217/WS

135 & 145 Sanford St, T-4 zone
 Multi-Family-Affordable Housing
 New Haven Home Recovery, Applicant

This item was tabled

3. Special Permit & Site Plan 13-1214/CAM

2145 State St rear(aka 2155 State st), T-4 zone
 Place of Worship
 Evergreen Ministries International, Applicant

This item was tabled

4. Special Permit & Site Plan 13-1220/WS

20 Columbus St, T-4 zone
 Place of worship, Rental Hall
 La Senda Milagnosa Christian Church, Applicant

Mr. Campo made the motion to approve Application #13-1220 as recommended by Mr. Dan Kops, Assistant Town Planner, and the following conditions:

- I. A Zoning Permit must be obtained.
- II. The Zoning Permit must be signed by the GNHWPCA and QVHD.
- III. Prior to the Issuance of a Zoning Permit, the applicant must submit a revised site plan for approval by Town Planner and Town Engineer, containing:
 - A) The correct zoning district (M).
 - B) A dumpster, screened from view, placed on a concrete pad and bermed on three sides by six inches of asphalt curbing.
 - C) A note indicating that the non-handicapped parking spaces are 9 x 18 feet.
 - D) A note stating that all parking spaces will be striped.
 - E) **Signature and Seal of architect**
 - F) A bicycle rack.
 - G) All Conditions of Approval.
- IV. All work must be completed by July 23, 2018.
- V. Occupancy of the building is limited to three people per approved parking space – currently 168 people.

Mr. Kops stated that the motion should be amended to replace III.e to read: Signature and Seal of architect.

Ms. Mastropetre made the motion to amend the original motion as recommended by Mr. Kops. Mr. Campo seconded the motion. The motion passed unanimously.

The motion passed unanimously as amended.

5. Major Amendment to Site Plan 77-476

1942 & 1952 Whitney Ave, T-4 Zone
 Renovate existing parking area

Fusco Associates, Applicant

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

“Proposed Parking Lot Remodel 1942 & 1952 Whitney Avenue,” prepared by the BL Companies, dated June 17, 2013, sheets EX-1, SP-0, SP-1, GN-1, GD-1, EC-1, 2 & 3, LL-1 & 2, LP-1, DN-1,2 & 3

Mr. Kops recommended that condition 2.c be appended as follows: or approval by the Town Planner or Town Engineer of a lot line revision combining the parcels 1942 & 1952 Whitney Avenue. Mr. Kops also recommended that condition 2.b.2 be removed.

Mr. John Schmitz, Civil Engineer, addressed the Commission and stated that he agrees with the conditions of approval recommended by Mr. Kops. He reviewed the site, location of the medical building, and the Stormwater Management Plan. Mr. Schmitz said that the proposed renovation is to provide a drop off area at the rear of the building. He explained that the dumpster will be moved over one bay to the east because it is currently located in the special flood hazard area. Mr. Schmitz accepts the comments made by the RWA.

Ms. Cutrali asked why a smoking shelter was being provided. Mr. Schmitz explained that currently the smokers smoke under the canopy and the applicant is providing a separate shelter so that they will move away from the entrance area. He reviewed the location of the smoking shelter with the Commission. Ms. Cutrali asked if the canopy will be completely covered. Mr. Schmitz replied it would be completely covered with a clear material.

Mr. Szczypek asked if there would be receptacles placed in the smokers shelter to reduce the amount of litter and Mr. Schmitz replied yes. Mr. Szczypek said that the shelter will be located near the front of the building and feels it would be unfortunate if it were to become unsightly. Mr. Schmitz explained that the shelter will be three sided and there are existing plantings providing screening. He stated that additional plantings can be done.

Ms. Mastropetre said she works at Yale New Haven Hospital and there is a smoking shelter that people do not use. She asked if the applicant has considered making the building a non-smoking building. Mr. Schmitz stated he has not discussed it with the applicant.

Mr. Hul reviewed the location of the smoking shelter and noted that the Spring Glen School Kindergarten playground will be adjacent to the shelter. He is concerned that the children and staff will smell the smoke and be in direct sight of the smoking area. The Commission discussed with Mr. Schmitz and Mr. Kops the location of the smoking shelter and the need to relocate it. Ms. Cutrali would like to see no smoking signage put near the entry door.

Mr. Campo made the motion to approve the Major Amendment to Application #77-476 as recommended by Mr. Dan Kops, Assistant Town Planner, and modified during discussion to include: The Town Planner will work with the Applicant to relocate the smoking shelter. Also, 2.c be appended as follows: or approval by the Town Planner or Town Engineer of a lot line revision combining the parcels 1942 & 1952 Whitney Avenue and condition 2.B.2 be removed, 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) A Drainage Report for approval by the Town Engineer and Town Planner.
 - B) Revised plans for approval by the Town Engineer and Town Planner, containing:
 1. Elimination of the superfluous handicapped ramp at the eastern end of the central parking bay.
 2. Additional directional arrows and signage direction drivers around the new oval as well as at the west end of the entrance driveway to indicate one-way traffic.

3. A note on the plans regarding the sequence of steps to be taken during to keep the building operational. construction
 4. Placement of the dumpster outside the Special Flood Hazard Area. The dumpster must be surrounded on three sides by a six inch high asphalt curb.
 5. A stormwater inspection and maintenance schedule.
 6. Identification of the person responsible for inspection and maintenance of the stormwater management system.
 7. All Conditions of Approval.
 - 8. Placement of the smoking shelter behind the building.**
- C) A lease agreement or easement governing use and maintenance of the parking lot, for approval by the Assistant Town Attorney, **or approval by the Town Planner or Town Engineer of a lot line revision combining the parcels 1942 & 1952 Whitney Avenue, filed at the Town Clerk's Office.**
- D) A performance bond in an amount approved the Town Engineer and Town Planner.
3. During construction 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. Maintenance of construction equipment should take place off-site.
 4. All work should be completed by July 23, 2018.
 5. Inspections of the stormwater management system infrastructure should be carried out at least twice a year and cleaned as necessary.

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

C. Old Business/ New Business

Mr. Poitier made the motion to cancel the August 13, 2013 meeting. Mr. Campo seconded the motion. The motion passed unanimously.

The Commission discussed with the Planning Staff the information that they receive prior to the meeting and the need to receive it in a timely manner to allow them to review it prior to the meeting.

1. Review minutes of July 2, 2013

Ms. Mastropetre asked that the minutes be amended on page 2, paragraph 4, the word “phase” should be “phrase” and was spelled incorrectly twice.

Ms. Mastropetre made the motion to approve the minutes of July 2, 2013 as amended. Mr. Szczypek seconded the motion. Mr. Poitier, Mr. Szczypek, Ms. Mastropetre, Mr. Hul, Mr. Reynolds, Mr. Roscow and Ms. Cutrali voted in favor of the motion. The motion passed unanimously.

2. Review minutes of July 9, 2013

Ms. Mastropetre asked that the minutes be amended as follows: Page one, last paragraph, first sentence, one “the Commission” should be removed. Page six, paragraph two, “RealEsate Representative” should read “Real Estate Representative”. Page six third paragraph “Prohibition” should read “Prohibition”.

Mr. Campo made the motion to approve the minutes of July 2, 2013 as amended. Ms. Mastropetre seconded the motion. Ms. Altman, Mr. Poitier, Ms. Mastropetre, Mr. Hul, Mr. Reynolds, Mr. Roscow and Mr. Campo voted in favor of the motion. Therefore, the motion passed.

D. Adjournment

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

The meeting adjourned at 8:30 p.m.

Submitted by: _____
Stacy Shellard, Clerk of the Commission