



## Town of Hamden Planning and Zoning Department

**Hamden  
Government  
Center  
2750 Dixwell  
Avenue**

**Hamden, CT 06518  
Tel: (203) 287-7070  
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November 17, 2008

**MINUTES: THE PLANNING & ZONING COMMISSION**, Town of Hamden, held a Public Hearing and Regular Meeting on Wednesday, November 12, 2008 at 7:00 p.m. in the Legislative Council Chambers, 2372 Whitney Ave, Hamden, and the following was reviewed:

Commissioners in attendance:

Ann Altman, Acting Chairman  
Ralph Riccio  
Peter Reynolds  
Greg Tignor, sitting for Robert Roscow  
Ralph Marottoli, sitting for Lesley DeNardis

Staff in attendance:

Leslie Creane, Town Planner  
Dan Kops, Assistant Town Planner  
Tim Lee, Assistant Town Attorney  
Stacy Shellard, Commission Clerk  
Lisa Raccio, Stenographer

Ms. Altman called the meeting to order at 7:15 p.m. The Clerk read the Public Hearing items into the record. Ms. Altman introduced the panel and reviewed the Public Hearing procedures.

### **A. Public Hearing:**

#### **Public Hearing opened at 7:16 p.m.**

##### **1. Special Permit & Site Plan 08-1138/WS**

214 Skiff Street, CDD-1 Zone  
Parking area for motor vehicles  
Gregg Gallo, Applicant  
*Deadline to open public hearing 11/13/08*

Mr. Gallo, Attorney addressed the Commission and reviewed the application. He advised the members that the area is being used as an overflow for new vehicles, employee parking, and wholesale vehicles that are sent to auction. Mr. Gallo advised the Commission that vehicles being parked in the area will be examined for leaks and employees are expected to keep their vehicles maintained. Course gravel has been put down to keep delivery trucks and the employee's vehicles from sinking. He reviewed with the Commission photographs of the area. He advised the members that employees would park the farthest away from the river and a buffer was created as a condition of the IWC.

Mr. Dan Kops, Assistant Town Planner read his comments and recommendations. He recommended approval and the following changes: Item 2 corrected to read November 12, 2013, add to item 1d and vehicles owned by staff parked far away from the watercourse 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:
  - a. Revised plans containing:

1. The limits of both the 10 and 100-year flood plains.
  2. Removal of existing lease lines.
  3. Labeled contours.
  4. The live signature and seal of the appropriate professionals.
  5. All conditions of approval.
- b. A Development Permit for work within the Special Flood Hazard Area.
  - c. Provide a performance bond in an amount approved by the Town Engineer and Town Planner.
  - d. Storage is limited to new vehicles or used ones, that have been inspected and found to be in good condition .
2. All work must be completed by November 12, 2008.

Mr. Gallo stated that the conditions are acceptable. He advised the members that the vehicles are being parked on the southwest side of the property. Mr. Marottoli asked if work has been done. Mr. Gallo advised the members that the area has been cleared. The swales need to be completed as a condition of the IWC application.

Ms. Altman asked for public comments for or against the application and there were none.

The public hearing was closed.

- 2. Special Permit and Site Plan 08-1140/WS**  
55 West Woods Road, B-2 Zone  
Proposed Inn  
West Woods Properties, LLC, Applicant  
*Deadline to open public hearing 11/13/08*

Mr. Carl Porto, Attorney addressed the Commission and requested that the public hearing be opened and continued to the next regular meeting on December 9, 2008.

- 3. Special Permit & Site Plan 08-1142/WS**  
21 Hamden Park Dr Extension  
Manufacturing and Office  
Liboro & Lynn Campo, Applicants  
*Deadline to open public hearing 11/19/08*  
**Postponed at the request of the applicant**

- 4. Special Permit and Site Plan 08-1143/WS**  
2464 Dixwell Avenue, CDD-1 Zone  
Office/Medical Building  
2464 Dixwell Avenue/LLC, Applicant  
*Deadline to open public hearing 11/19/08*

Mr. Carl Porto, Attorney addressed the Commission and reviewed the application. CAMCO Manufacturing was previously located at this site between Shepard Avenue and Dixwell Avenue. He advised the members that the proposal is to construct a 39,600 square foot office building to be used as a medical and professional office building. He advised the members that the proposal meets or exceeds all the regulations for a CDD-1 Zone. They have received an approval from the IWC. A letter from RWA was received and the site will be reduced from 56 percent to 41 percent impervious service. He advised the commission that the lot was contaminated and remediation has been done and will continue with construction. The parking regulations is for 145 spaces and the plan calls for 153 spaces. He advised the members that the regulations permit 36 percent coverage and the proposal is for 7.1 percent coverage.

Mr. John Milone, Professional Engineer addressed the Commission. He reviewed the existing conditions of the property and the proposed site plan. He advised the members that the existing bridge would have to be widened to allow traffic to enter from Shepard Avenue. The Dixwell Avenue entrance will be used for

emergency vehicles only. He reviewed with the Commission the planting plan, grading of the area and the storm water management and drainage system. He advised the Commission that the public utilities will be connected at Dixwell Avenue. Mr. Milone reviewed with the Commission the Traffic Study for this location at Dixwell Avenue and at Shepard Avenue. Ms. Altman questioned when the traffic pattern was the heaviest. Mr. Milone advised the members that the peak hours are between 8 a.m. to 9 a.m and 4:30 p.m. to 5:30 p.m. Mr. Riccio discussed the difficulty making a left hand turn from Shepard Avenue onto Dixwell Avenue, and asked if an advanced green light is necessary. Mr. Milone advised that they were not asked to modify the signal but could discuss it with the traffic department if the Commission would like. Mr. Tignor discussed with Mr. Milone the procedure that would be used to handle medical waste. Mr. Milone advised the members that the applicant would comply with the proper medical standards. Mr. Riccio asked who would be responsible for maintaining the stormwater management and would like to see it noted on the plans. Mr. Milone advised the members that a private firm would be hired and will provide the information on the plans.

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

TITLE SHEET REV. OCT. 17, 2008, TOPOGRAPHIC PLAN SHEET 1 OF 1  
MAY 31, 2007, EXISTING CONDITIONS SHEET EX REV. 10/15/08, SITE PLAN-LAYOUT &  
LANDSCAPING SHEET LA REV. 10/17/08, SITE PLAN-GRADING & UTILITIES SHEET UT  
REV. 10/17/08, SITE PLAN SEDIMENT & EROSION CONTROLS SHEET SE REV. 10/15/08,  
SEDIMENT AND EROSION CONTROL NOTES AND DETAILS SHEET D-1 REV. 8/26/08,  
SITE DETAILS SHEET D-2 REV. 10/15/08, SITE DETAILS SHEET D-3 REV. 10/17/08,  
PROPOSED STRUCTURAL ALTERATIONS SHEET S1 REV. 9/30/08,  
PHOTOMETRIC PLAN SHEET PH 10/17/08  
ENGINEERING REPORT July 15, 2008

with 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:
  - a. Revised plans containing:
    - i. A sworn statement disclosing the names of the equitable owners.
    - ii. A revised Table of Bulk Requirements that includes frontage and specific figures of both side yards.
    - iii. A stop sign and stop bar at the driveway exit.
    - iv. Individually numbered parking spaces.
    - v. Signage for compact car spaces.
    - vi. Elimination of two parking spaces and the addition of walks through the parking islands on the north and south sides of the property.
    - vii. Elimination of six spaces and replacement with landscaping or the use of a pervious material for the six spaces.
    - viii. Six foot wide sidewalks abutting parking or curb stops.
    - ix. Identification of the surface treatment for the traffic islands, the area surrounding the building and adjacent to the parking areas.
    - x. Identification of construction methods to be employed should the existing pipes to be used as part of the overflow system be found to be in poor condition or at an elevation lower than 78.
    - xi. Documentation showing that surface flow patterns from Shepard Avenue and along the existing driveway will be maintained.
    - xii. Identification of the origination of the 4" PVC located in the southerly portion of the site.
    - xiii. Relocation of the temporary de-watering basin south and east to a more level area, thereby improving sediment settling, and utilizing the existing stormwater flow path.
    - xiv. Removal or replacement of the southernmost outlet pipe.

- xv. Sedimentation and erosion controls along Dixwell Avenue.
  - xvi. The locations of temporary swales and berms indicated in the Engineering Report.
  - xvii. Any frontage improvements along Shepard Avenue and Dixwell Avenue required by the Engineering Department or DOT.
  - xviii. A properly certified boundary map having an "A-2" horizontal accuracy and showing monumentation found or to be set should be submitted.
  - xix. Indication where delivery vehicles will park.
  - xx. The fire lane requested by the Fire Marshall.
  - xxi. A revised photometric study that contains illumination between 0.5 and 1.5 foot candles, and avoids illumination escaping off-site.
  - xxii. Curbing on three sides of the dumpster pad and a note stating that the dumpsters will be plugged and covered at all times.
  - xxiii. Clear delineation of the Special Flood Hazard Area.
  - xxiv. Demonstrated compliance with the others Section 630-637 of the Zoning Regulations, governing construction within that zone.
  - xxv. Clarification of the storm event that will trigger on-site flooding.
  - xxvi. A bike rack.
  - xxvii. Pedestrian access to the site via an entrance next to or in the Dixwell Avenue emergency access gate, or its equivalent.
  - xxviii. A note stating that any sidewalk along Dixwell Avenue that is damaged
  - xxix. All Conditions of Approval.
- b. Obtain a waiver from the Connecticut Department of Public Health or a letter stating no waiver is necessary.
  - c. Obtain approval from DOT.
  - d. Submit a performance bond in an amount approved by the Town Engineer and Town Planner.
2. All erosion controls should be installed prior to the commencement of construction activities.
  3. The RWA should be notified three days prior to the start of any construction activity.
  4. During construction:
    - a. If any of the existing outlet pipes are found to need replacement, the number of pipes should be consolidated for easier maintenance.
    - b. All sources of contamination in and around the buildings should be removed and disposed of by a licensed waste transporter in a proper manner prior to razing the building and starting any site work. All stockpiles of excavated material remaining on-site for more than a month should be temporarily seeded or covered.
    - c. Erosion controls should be inspected regularly and immediately after each rainfall, as well as maintained and modified as necessary.
    - d. Hay bales proposed for use on paved surfaces should be replaced with a combination of filter fabric, concrete blocks and gravel, or by silt sack inserts.
    - e. All fuel, oil, paint and other hazardous materials stored on-site should be placed in a secondary contained and kept in a locked indoor area with an impervious floor when not being used.
    - f. If fuel for construction equipment is stored on-site it should be placed in a secondary containment system in a secured area.
    - g. Any on-site fueling and repairs should be conducted over a portable spill containment system.
    - h. A supply of absorbent spill response material should be kept on-site to clean up any spills of hazardous materials.
    - i. The RWA should be notified of any spills of hazardous materials.
  5. After completion of the project:
    - a. Catch basins should be inspected at least three times a year.
    - b. Sediment and debris should be removed at least twice a year or as soon as deposits are within six inches of the outlet.
    - c. Deposits should be removed immediately after a contaminant spill, when sediment is a foot deep, or at least once a year.

- d. RWA inspectors should be granted access to the site to conduct routine inspections.
- e. Vegetation, especially at the southern corner of the Shepard Avenue driveway should be kept trimmed or cleared, to provide adequate visit.

Ms. Altman advised the members that item 1.a.xii should read 4" pvc pipe, xxiv should read other sections. Numbering on page 4 of 5 should be corrected, on page 5 4.e should read visibility.

Mr. Reynolds asked Mr. Kops why the Police Department changed their comments to none. Mr. Kops advised the members that the original concerns raised by the Chief of Police had been addressed. Mr. Riccio asked if the exit on Dixwell Avenue is shown on the plans as an emergency exit only and if the plan shows that there is a gate. Mr. Kops advised the members that the emergency exit and gate are on the plan. Mr. Reynolds asked about the sworn statement disclosing the equitable owners. Mr. Kops advised that they should be listed when it is a LLC. Mr. Porto advised the members that he has an affidavit stating that the property is owned by a trust. The LLC is owned by the Abrams Trust and he can supply the names of who created the trust.

Ms. Altman asked for public comments for or against the application and there were none.

Mr. Porto advised the Commission that he would prefer not to eliminate parking spaces. Mr. Kops advised the members and Mr. Porto that he is recommending to only eliminate two spaces because an island is need for pedestrian access.

The public hearing was closed.

- 5. Major Amendment to Special Permit & Site Plan 97-809**  
2798 Whitney Avenue, R-4 Zone  
Additional Parking  
Bernard Pellegrino, Attorney for the applicant  
*Deadline to open public hearing 11/19/08*  
**Postponed at the request of the applicant**

## **B. Regular Meeting:**

- 1. Special Permit & Site Plan 08-1138/WS**  
214 Skiff Street, CDD-1 Zone  
Parking area for motor vehicles  
Gregg Gallo, Applicant

***Mr. Marottoli made the motion to approve 08-1138/WS with the conditions recommended by the Assistant Town Planner:***

- 1. Prior to the Issuance of a Zoning Permit the applicant must provide for approval by the Town Engineer and Town Planner:
  - a. Revised plans containing:
    - 1. The limits of both the 10 and 100-year flood plains.
    - 2. Removal of existing lease lines.
    - 3. Labeled contours.
    - 4. The live signature and seal of the appropriate professionals.
    - 5. All conditions of approval.
  - b. A Development Permit for work within the Special Flood Hazard Area.
  - c. Provide a performance bond in an amount approved by the Town Engineer and Town Planner.
  - d. Storage is limited to new vehicles or used ones, that have been inspected and found to be in good condition and vehicles owned by staff parked far away from the watercourse

2. All work must be completed by November 12, 2013.

***Mr. Tignor seconded the motion. The motion passed unanimously.***

**2. Special Permit and Site Plan 08-1140/WS**

55 West Woods Road, B-2, Zone  
Proposed Inn  
West Woods Properties, LLC, Applicant

Tabled at the request of the applicant until the December 9, 2009 meeting

**3. Special Permit and Site Plan 08-1143/WS**

2464 Dixwell Avenue, CDD-1 Zone  
Office/Medical Building  
2464 Dixwell Avenue, LLC, Applicant

***Mr. Reynolds made the motion to approve 08-1143/WS with the following change: remove condition 1.a.vii and the following conditions as recommended by the Assistant Town Planner:***

1. Prior to the Issuance of a Zoning Permit the applicant must provide for approval by the Town Engineer and Town Planner:

a. Revised plans containing:

- i. A sworn statement disclosing the names of the equitable owners.
- ii. A revised Table of Bulk Requirements that includes frontage and specific figures of both side yards.
- iii. A stop sign and stop bar at the driveway exit.
- iv. Individually numbered parking spaces.
- v. Signage for compact car spaces.
- vi. Elimination of two parking spaces and the addition of walks through the parking islands on the north and south sides of the property.
- vii. Elimination of six spaces and replacement with landscaping or the use of a pervious material for the six spaces.
- viii. Six foot wide sidewalks abutting parking or curb stops.
- ix. Identification of the surface treatment for the traffic islands, the area surrounding the building and adjacent to the parking areas.
- x. Identification of construction methods to be employed should the existing pipes to be used as part of the overflow system be found to be in poor condition or at an elevation lower than 78.
- xi. Documentation showing that surface flow patterns from Shepard Avenue and along the existing driveway will be maintained.
- xii. Identification of the origination of the 4" PVC pipe located in the southerly portion of the site.
- xiii. Relocation of the temporary de-watering basin south and east to a more level area, thereby improving sediment settling, and utilizing the existing stormwater flow path.
- xiv. Removal or replacement of the southernmost outlet pipe.
- xv. Sedimentation and erosion controls along Dixwell Avenue.
- xvi. The locations of temporary swales and berms indicated in the Engineering Report.
- xvii. Any frontage improvements along Shepard Avenue and Dixwell Avenue required by the Engineering Department or DOT.
- xviii. A properly certified boundary map having an "A-2" horizontal accuracy and showing monumentation found or to be set should be submitted.
- xix. Indication where delivery vehicles will park.
- xx. The fire lane requested by the Fire Marshall.

- xxi. A revised photometric study that contains illumination between 0.5 and 1.5 foot candles, and avoids illumination escaping off-site.
- xxii. Curbing on three sides of the dumpster pad and a note stating that the dumpsters will be plugged and covered at all times.
- xxiii. Clear delineation of the Special Flood Hazard Area.
- xxiv. Demonstrated compliance with the other Sections 630-637 of the Zoning Regulations, governing construction within that zone.
- xxv. Clarification of the storm event that will trigger on-site flooding.
- xxvi. A bike rack.
- xxvii. Pedestrian access to the site via an entrance next to or in the Dixwell Avenue emergency access gate, or its equivalent.
- xxviii. A note stating that any sidewalk along Dixwell Avenue that is damaged
- xxix. All Conditions of Approval.

- b. Obtain a waiver from the Connecticut Department of Public Health or a letter stating no waiver is necessary.
  - c. Obtain approval from DOT.
  - d. Submit a performance bond in an amount approved by the Town Engineer and Town Planner.
2. All erosion controls should be installed prior to the commencement of construction activities.
  3. The RWA should be notified three days prior to the start of any construction activity.
  4. During construction:
    - a. If any of the existing outlet pipes are found to need replacement, the number of pipes should be consolidated for easier maintenance.
    - b. All sources of contamination in and around the buildings should be removed and disposed of by a licensed waste transporter in a proper manner prior to razing the building and starting any site work. All stockpiles of excavated material remaining on-site for more than a month should be temporarily seeded or covered.
    - c. Erosion controls should be inspected regularly and immediately after each rainfall, as well as maintained and modified as necessary.
    - d. Hay bales proposed for use on paved surfaces should be replaced with a combination of filter fabric, concrete blocks and gravel, or by silt sack inserts.
    - e. All fuel, oil, paint and other hazardous materials stored on-site should be placed in a secondary contained and kept in a locked indoor area with an impervious floor when not being used.
    - f. If fuel for construction equipment is stored on-site it should be placed in a secondary containment system in a secured area.
    - g. Any on-site fueling and repairs should be conducted over a portable spill containment system.
    - h. A supply of absorbent spill response material should be kept on-site to clean up any spills of hazardous materials.
    - i. The RWA should be notified of any spills of hazardous materials.
  5. After completion of the project:
    - a. Catch basins should be inspected at least three times a year.
    - b. Sediment and debris should be removed at least twice a year or as soon as deposits are within six inches of the outlet.
    - c. Deposits should be removed immediately after a contaminant spill, when sediment is a foot deep, or at least once a year.
    - d. RWA inspectors should be granted access to the site to conduct routine inspections.
    - e. Vegetation, especially at the southern corner of the Shepard Avenue driveway should be kept trimmed or cleared, to provide adequate visibility

*Mr. Tignor seconded the motion. The motion passed unanimously.*

#### **4. Special Permit & Site Plan 06-1082**

2906-2950 State Street  
 Hamden Farms  
 Request for Bond Reduction from \$484,817.00 to \$274,027.00  
 State Street Holdings, L.L.C., Applicant  
*Tabled at October 14, 2008 meeting*

Mr. Carl Porto, Attorney addressed the Commission and reviewed the bond reduction request. Mr. Kops, Assistant Town Planner advised the members that the staff recommends the bond reduction. Ms. Altman read the comments from Elliott Fuller, Town Engineer. Mr. Porto verified the amount the bond will be reduced by is \$210,790.00. Mr. Kops advised the Commission that this is a Bond Reduction and not a Request for Release.

*Mr. Riccio moved to approve the Bond Reduction for Special Permit & Site Plan 06-1082 from \$484,817.00 to \$274,027.00 as recommended by Holly Masi, Zoning Enforcement Officer. Mr. Tignor seconded the motion. The motion passed unanimously.*

- 5. Special Permit & Site Plan 06-1086  
 29 & 37 Washington Avenue**  
 Request for Bond Release, Current Bond \$15,000.00  
 Washington Park Commons, LLC, applicant

*Mr. Tignor made the motion to release the bond in the amount of \$15,000.00 as recommended by Holly Masi, Zoning Enforcement Officer. The motion was seconded by Mr. Reynolds. The motion passed unanimously.*

- C. Old Business/ New Business**  
**1. Report on Minor Amendments:**  
**06-1082** 2556 and 2566 Dixwell Avenue

Ms. Creane, Town Planner advised the Commission the minor amendment was for minor changes to the topography in the parking lot.

- 2. Review of Minutes**  
 October 14, 2008 - Regular Meeting

The review of minutes was postponed until the December 9, 2008 meeting

October 15, 2008 – Special Meeting

The review of minutes was postponed until the December 9, 2008 meeting

- 3. Approval of Meeting Schedule for 2009**

*Mr. Marottoli made the motion to approve the Meeting Schedule for 2009. Mr. Riccio seconded the motion. The motion passed unanimously.*

**D. Adjournment**

*Mr. Riccio made the motion to adjourn. Mr. Reynolds seconded the motion. There was no further discussion. The motion passed unanimously.*

The meeting adjourned at 7:54 p.m.

Submitted by: \_\_\_\_\_  
 Stacy Shellard, Clerk of Commissions