



## Town of Hamden Planning and Zoning Department

**Hamden Government  
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December 12, 2008, revised 12-19-08

**MINUTES: THE PLANNING & ZONING COMMISSION**, Town of Hamden, held a Public Hearing and Regular Meeting on Tuesday, December 9, 2008 at 7:00 p.m. in the Legislative Council Chambers, 2372 Whitney Ave, Hamden, and the following was reviewed:

Commissioners in attendance:

Ed Grant, Acting Chairman  
Ann Altman  
Ralph Riccio  
Peter Reynolds  
Ralph Marottoli, sitting for Joe McDonagh

Staff in attendance:

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

Mr. Grant called the meeting to order at 7:00p.m. The Clerk read the Public Hearing items into the record. Mr. Grant introduced the panel and reviewed the Public Hearing procedures.

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

**The Public Hearing opened at 7:02**

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

55 West Woods Road, B-2 Zone

Proposed Inn

West Woods Properties, LLC, Applicant

*Continued from the 11-12-08 meeting*

Mr. Carl Porto, Attorney addressed the Commission and reviewed the application. The inn will be a 3 story building with 90 rooms and 119 parking spaces. Twenty nine of the parking spaces will be interior spaces. He stated to the members that he had met with the West Woods Civic Association president, Mr. Al Dobie, and has discussed the plans with the Town Planner and the Assistant Town Planner. He advised the Commission that the plans meet or exceed all the current regulations. The Inland Wetland Commission has approved the application as an inn with conditions. Mr. Porto advised the members that Mr. Mike Guglianone from the RWA has recommendations for erosion control which if the application is approved are acceptable as conditions. The Fire Marshal has approved and signed off on the plan. Mr. Porto advised the members that the reports dated 5/13/08, 10/3/08, 10/14/08 and 10/31/08 from the Town Engineer's office concerns have been addressed. The Inn will be residential in nature and should fit in with the nature of the town.

Mr. John Milone, Professional Engineer addressed the Commission and reviewed the existing site conditions and the proposed plans. The inn will be located on 5.88 acres of land located in a B-2 zone. He showed the members an aerial view of the property and the surrounding properties. He reviewed the existing conditions map and advised the Commission that the property has a steep slope site from west to east. The highest point of elevation is 220 feet at the

southwest corner and the lowest point is 120 feet at the northeast corner of the property. The northern boundary of the property is formed by an intermittent stream and is located in a regulated wetland area. The stream has as a watershed area of approximately 78 acres which can carry a large amount of stormwater. There are steep slopes of 25, 40, and 50 percent, with some areas that are 1 to 1 that carry the site away from the southwestern high point and towards the eastern and northern boundaries along the Farmington Canal. In close proximity to the southeastern corner of the property is the rear of an existing building.

Mr. Milone advised the members that the property will be served by public utilities for gas, electric, and the sanitary sewer system. The building will be located closest to the western portion of the property. The proposal is to build into the property with 2 ½ stories to the east and 1 ½ stories of the building to the west. The objective is to minimize the visual impact on the surrounding properties and to minimize the impervious surface and the impact of water runoff to the Mill River watershed. They will be able to maintain a vegetated buffer along the trail which will be maintained. He advised the Commission that it is important to minimize the impact on the Rails to Trails Project. He reviewed with the Commission the storm water management structure and the existing site topography. Mr. Milone advised the members that the stormwater treatment plan will be for a 25 year, 100 and 200 year storm. He reviewed with the Commission the maintenance plan for the catch basins during and after construction. Mr. Milone reviewed with the Commission the traffic study of the area. He advised the members that State is improving the section at West Woods Road and Whitney Avenue. A stop sign is being installed and there should be minimal impact to the area. Ms. Altman asked Mr. Milone if there had been any serious accidents or fatalities in the area. Mr. Milone was unsure and none were mentioned in the traffic study.

Mr. Michael Stein, Professional Architect addressed the Commission and reviewed the proposed plans. He advised the members that the building would be 78,900 gross square feet which includes 29 interior parking spaces, 90 guest rooms which includes 4 that are suites, a 560 square foot bistro and a 900 square foot conference room. The 1<sup>st</sup> floor has a kitchen, storage and housekeeping rooms and administrative offices. The building will be positioned so there is a minimal visibility impact. The back of the building will have a retaining wall to separate the area from the West Woods neighborhood. He reviewed the site plan for visibility with the commission. The architecture is a simplified craftsman style, that was popular in the 1930's, and fits into the Hamden community. He reviewed with the members the materials and colors that will be used so that it will blend into the hillside. He reviewed with the members the architectural features. He explained that the roof scape and the tower are important elements of the design.

The Commission questioned whether an Inn is allowed a restaurant or a conference room. Mr. Porto stated to the members that his understanding of the regulation was that they were allowed 500 square feet for a restaurant and 1000 square feet for a conference room. The Commission asked how many tables would be in the bistro. Mr. Porto advised there would be 7 tables and reviewed the regulation 739.2. The Commission asked Mr. Milone the length of time needed for construction and if it would interfere with the D.O.T. project that is starting at the end of 2008. Mr. Milone advised the members that the project will not interfere with the D.O.T project and reviewed the plans with the members. The Commission asked what will stabilize the slope behind the building. Mr. Milone advised the site is red rock and it will be a stable slope. He advised the members that there is room to stabilize the slope if necessary. The members asked if the practices for LEED will be used. Mr. Stein advised that the State has a new law that requires this project to use LEED standards. There is discussion before the legislation regarding the language being used in the requirement for the building codes. He advised the members that they have LEED certified individuals on their staff, and will be meeting the necessary standards. The Commission asked what protection there would be against a washout at the southeast corner where Talbot's is. Mr. Milone explained that the existing grade and retaining wall is 10 feet at the highest and meets grade very quickly, and there would be a reduction in surface runoff going towards Talbot's. The Commission asked what the maximum stay would be for residents at the inn. Mr. Porto was unsure but did not feel there would be extended stays.

Mr. Grant asked for public comment:

Ms. Velma Zilm, 217 Todd Street stated to the Commission that she is concerned with the increase in traffic. She asked what guarantee they would be given that the inn would not be used as overflow housing for Quinnipiac. Mr. Porto advised the Commission that Quinnipiac is building a dormitory to accommodate the students. His client has no intention of leasing or renting to students and has had no contact with Quinnipiac regarding this matter. He stated to the members that the inn was not intended to be used for students.

Mr. Allen Gold, 95 Todd Street asked if there could be a condition regarding the length of stay. Mr. Tim Lee, Assistant Town Attorney advised the Commission that they could not impose a condition for the length of a stay. He advised that there are regulations regarding student housing. The Commission discussed the economic cost of renting a room for any length of time. Mr. Lee explained that the regulations define how many rooms could be rented to students. Ms. Leslie Creane, Town Planner read the definition of a dormitory.

Ms. Cindy Civitello, 61 Berkeley Court asked the Commission what changes required the application to go before the ZBA Commission. Mr. Lee advised that there was a need for fill and excavation and under the regulations it is allowed under a special permit. The regulation requires that the applicant get consent from the abutting property owner. If they were unable to get the consent they would need a variance from the ZBA Commission. He advised that prior to the ZBA meeting consent was given and the request for a variance was withdrawn.

Mr. Grant asked for any further comment and there were none.

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

Title Sheet 1, Topographic Survey Sheet 2, Site Plan-Layout Sheet 3, Site Plan-Landscaping Sheet 4, Site Plan-Grading Sheet 5, Site Plan-Utilities Sheet 6, Site Plan-Sediment & Erosion Controls and Regulated Activities Sheet 7, Site Plan-Parking Drive Plan & Profile Sheet 8, Site Plan-Site Cross Sections Sheet 9 rev. 11/4/08, Sediment and Erosion Control Details and Site Details Sheets 10 & 11 rev. 07/29/08, Site Details Sheet 12 rev. 10/31/08, Sight Lines Profile Sheet 13 rev. 11/04/08, access way Profile Sheet 13 10/31/08, Photometric Plan Sheet 14 rev. 10/31/08

with the following conditions:

1. Prior to the Issuance of a Zoning Permit:

- a. The applicant must provide for approval by the Town Engineer and Town Planner:
  - i. Revised plans containing:
    - a. Emergency access pads and walks.
    - b. Horizontal geometry along the proposed driveway baseline and distance to the nearest property corner along the street line.
    - c. The surface treatment to be used in the areas surrounding the building, within the traffic islands and along the parking areas.
    - d. Each parking space numbered.
    - e. A revised photometric study that shows elimination of illumination going beyond the property to the southeast and west.
    - f. All conditions of approval.
  - b. The applicant must provide a copy of a Memorandum of Understanding (MOU) for Drinking Water Protection from Stormwater/Drainage Runoff with the Town of Hamden., approved by the Town Attorney.
  - c. The Inland Wetlands application plans must be approved by the IWC chairwoman.
  - d. A waiver allowing discharge of stormwater within 100 feet of the stream must be obtained from the Connecticut Department of Public Health.
  - e. The link on Town property to the Farmington Canal Trail must be approved by the Legislative Council, per C.G.S. 8-24.
  - f. The applicant must provide sufficient funds to permit the Town to hire its own clerk of the works to monitor the project.
  - g. A performance bond in an amount approved by the Town Planner and Town Engineer must be provided.

- h. A maintenance bond covering the continued operation of the detention basin and system, in an amount approved by the Town Planner and Town Engineer must be provided.
2. During the construction phase:
    - a. The RWA should be notified three days prior to the start of any construction activity.
    - b. All erosion controls should be installed prior to the commencement of construction activities.
    - c. Hours of operation are limited to between 7:00 am and 5:00 pm, Monday through Friday.
    - d. Public roads traveled by project trucks and equipment should be inspected regularly and cleaned whenever necessary.
    - e. All stockpiles of excavated material remaining on-site for more than a month should be temporarily seeded or covered.
    - f. Erosion controls should be inspected regularly and immediately after each rainfall, as well as maintained and modified as necessary.
    - g. 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.
    - h. If fuel for construction equipment is stored on-site it should be placed in a secondary containment system in a secured area.
    - i. Any on-site fueling and repairs should be conducted over a portable spill containment system.
    - j. A supply of absorbent spill response material should be kept on-site to clean up any spills of hazardous materials.
    - k. The RWA should be notified of any spills of hazardous materials.
  3. After the completion of construction:
    - a. The applicant must adhere to the stormwater management plan listed in the plans.
    - b. No waste water should be dumped outside the building.
    - c. There should be no cleaning of floor mats and kitchen equipment outside of the building, as stated on the plans.
    - d. The dumpsters should be plugged and covered at all times.
    - e. Special care should be taken with any grease dumpsters to prevent spills. The pick-up of waste grease should be carefully monitored and spills should be promptly and properly remediated.
    - f. RWA inspectors should be granted access to the site to conduct routine inspections.
    - g. The vegetation along West Woods Road must be maintained to ensure adequate visibility.
  4. All work must be completed by December 9, 2013.

Mr. Porto advised the Commission that the conditions were acceptable except for condition 1d. The applicant had gone before the IWC and received approval and would like condition 1d to read the same as the IWC condition number 3.

The public hearing was closed.

**2. Special Permit & Site Plan 08-1141/APZ**

660 New Road, R-2 Zone

Upgrade existing stairs

Quinnipiac University, Applicant

*Deadline to open Public Hearing 12/18/08*

Mr. Bernie Pellegrino, Attorney addressed the Commission and reviewed the application. He advised the members that the building was part of the Albert Schweitzer Institute. He submitted to the Commission a packet that provided information about the institute. Mr. Pellegrino advised the Commission that there would be interior changes so that the second floor could be used and that they are required to have the outside staircase be code compliant. He told the members that the application for a variance was approved by the ZBA. Mr. Pellegrino advised the Commission that if the septic system needs to be replaced in the future, a plan was approved by QVHD.

Mr. Dan Kops read his comments and recommendations based on the following plans:

Title Sheet c0.0, Existing Conditions Plan and Site Plan c1.0, Stormwater Pollution Control Notes c2.0, Notes C-3.1, Details c3.0, Abutters Map am 1.0, Boundary Survey p1.0, Floor Plans a1.0, Elevations a2.0  
September 5, 2008, revised November 7, 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 all conditions of approval.
  - b. A bond in an amount approved by the Town Engineer and Town Planner.
2. Prior to the start of construction the sedimentation and erosion control measures should be installed.
3. Erosion and sedimentation controls should be inspected weekly and after each rainfall.
4. Additional controls should be stored on-site for any necessary repairs.
5. Excavated material stored on-site for any length of time should be stabilized.
6. During construction all oil, paint, and other hazardous materials should be stored in a secondary container and placed in a locked indoor area.
7. All work should be completed by December 9, 2013.

Mr. Grant asked for public comment for or against the application and there were none.

The public hearing was closed.

### **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 1/21/09*  
***Postponed at the request of the applicants***

### **4. 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 12/18/08*

Ms. Gail Sims, Attorney at Pellegrino Law Firm, addressed the Commission and reviewed the application for additional parking in the northern area of the property. She advised the members that the parking would be used for employees. They are requested an additional 19 compact parking spaces. She noted that they have received approval from the IWC.

Mr. Victor Benni, Civil Engineer addressed the Commission and gave an overview of the project. He stated there are 85 existing parking spaces and the additional 19 spaces would be 2 less than what is required by the current regulations. He reviewed with the Commission the planting plan and advised them that they have received IWC

approval. There would be a minimal amount of grading. There will be a swale for the runoff of the water around the parking area. The proposal is for 2 drywells outside the limits of the existing swale. He advised the Commission that they have reviewed the application with Town Engineer. Mr. Benni described the construction equipment storage area, stock pile area, and the sediment and erosion control plan during construction.

The Commission asked if the proposed regulations would require more parking spaces. Mr. Dan Kops, Assistant Town Planner advised the site does not have enough parking and is limited because the parking is located on 2 sides of the building and must access both lots by going onto Whitney Avenue. The proposal makes the site more conforming. The Commission asked if it was necessary to create additional wetland area for the area that was being removed. Mr. Kops stated it was not necessary because there is an extensive planting plan for the adjacent upland area.

Mr. Grant asked for public comment for or against the application:

Ms. Cindy Civitello, 61 Berkley court addressed the Commission and advised the members that there is a need for additional parking at the facility. In the past they have used the parking lot at Our Lady of Mt. Carmel, but are no longer allowed to. She advised the Commission that when the families are invited to events at the facility they must park on Whitney Avenue.

Mr. Grant asked for any further comments and there were none.

Mr. Kops, Assistant Town Planner advised the Commission that in May of 2007 it approved an amendment to the original application for additional parking. He read and comments and recommended approval based on the following plans:

Property & Topographic Survey Sheet 1 of 4 08-23-06, Site Development Plan Sheet 2 of 4 04-24-08, Grading, Utility & Erosion Control Plan Sheet 3 of 4 04-24-08, Detail Sheet 4 of 4 04-24-08, rev. 10/24/08

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. All changes as approved by the Inland Wetlands Commission.
    - ii. A photometric study of the area and identification of all new light poles.
    - iii. Two interior islands containing a tree and landscaping.
    - iv. Counterclockwise, one-way traffic circulation in the rear lot, with appropriate signage.
    - v. Reduction in the width of the the driving aisles at each end.
    - vi. Individually numbered parking spaces.
    - vii. The radius of all proposed curves.
    - viii. The dimension of the southerly limits of the proposed parking area.
    - ix. Signs denoting compact car parking only.
      - x. The proposed location of “Existing Light pole to be displaced” and associated underground electric lines.
    - xi. A note stating that the contractor is responsible for the replacing any boundary monumentation disturbed during construction and that the boundary monumentation shall be replaced under the supervision of a licensed land surveyor. The monumentation should be reset at an appropriate point along the boundary.
    - xii. The existing entrance drive on Dixwell Avenue widened in accordance with DOT standards to accommodate vehicles entering the site from the north.

- xiii. To the extent possible, the trash compactor screened from view, placed on a cement pad and surrounded by curbing that will retain any leaks or spills.
  - b. An explanation of what will happen to the existing parking during construction.
  - c. A performance bond in an amount approved by the Town Planner and Town Engineer.
- 2. Erosion and sedimentation controls should be installed prior to any site work.
- 3. RWA representatives of the RWA should be allowed on-site to inspect the sedimentation and erosion controls.
- 4. Sedimentation and erosion controls should be inspected weekly and after each rainfall.
- 5. Additional controls should be stored on-site for any necessary repairs.
- 6. Excavated material stored on-site for any length of time should be stabilized.
- 7. During construction all oil, paint, and other hazardous materials should be stored in a secondary container and placed in a locked indoor area.
- 8. After construction has been completed:
  - a. The applicant should follow the stormwater management plan listed on the plans.
  - b. A copy of the maintenance log should be submitted to the RWA on an annual basis, as noted on the plans.
- 9. All work must be completed by December 9, 2013.

Mr. Benni advised the Commission that concerning item 1b for existing parking during construction that they would be eliminating 11 parking spaces briefly for approximately 1 to 2 weeks. The employees will park in the parking area to the north. With regard to Condition 1a12 the existing layout is for employees only and the existing entry has not been a problem. The existing driveway is 24 feet wide and is adequate. Mr. Benni advised the plans will be updated to show the conditions necessary for the IWC approval.

The public hearing was closed.

##### **5. Special Permit & Site Plan 08-1144/WS**

61 Overlook Drive, M-1 Zone  
 Automotive Towing/Storage  
 Lombard Motors, Applicant  
*Deadline to Open Public Hearing 1/16/09*

Mr. Anthony Monaco addressed the Commission and stated the purpose of his building is for towing and storage only. The sign that said service and towing was incorrect and has been replaced. It now says Lombard Motors Automotive Towing and Storage. He advised the members that he only stores a vehicle at this location for 30 days. He submitted to the Commission an updated statement of use.

Mr. Hem Khona, Engineer reviewed the application and the revised plan, pollution control plan and the photometric plan, He advised the Commission there is a gallery system adequate for a 25, 50, and 100 year storm. He told the members that the existing building will be used as storage for vehicles.

The Commission asked what is being done with the fluid from damaged cars and engines. Mr. Monaco told the Commission that the vehicles that are leaking are brought into the shop. He stated that no service is being performed in the building. The Commission asked Mr. Monaco what the present use of the shop at this time, and how long has the business been operating at this site. Mr. Monaco said that the business has been operating for six to eight months and the site is being used to tow and store vehicles. He has place the application for a special permit and site plan so that he will be in compliance with the regulations. Mr. Monaco advised the members that the previous owner used the building to store vehicles. He advised the Commission that he has the vehicles towed to his New Haven site when they are a considered a total loss. The Commission asked how many cars can be stored in the building. Mr. Monaco advised the members that he stores four to five vehicles, but in the future there could be ten to 12 vehicles. He reviewed with the Commission the hours of operation. He said that the maximum vehicles delivered during the night would be normally one. The Commission asked if the rear lot is being paved. Mr. Khona advised the members that the rear lot is being paved with the 4 x 4 galleries underneath. He stated that there is an existing oil separator and 2

drywells. There is no retaining wall but there is an existing fence. The slope will have stone and fabric laid down. The Commission asked where the vehicles that were towed would be parked. Mr. Monico advised the members that the vehicles would be stored in the rear of the building. The employees vehicles and 2 wreckers would be parked in the front of the building. He advised the Commission that he has a contract with the Hamden Police Department to tow vehicles.

Mr. Grant asked for public comment in favor or against:

Mr. Carlo Ferri, 51 Overlook Dr, addressed the Commission and advised them that Mr. Monaco has no easement and has placed two feet of dirt on his property. He showed pictures of the area to the members. Mr. Ferri was irate and was advised by Mr. Grant, Acting Chairperson that the public meeting would be closed if he did not calm down. Mr. Ferri continued to be irate.

Mr. Dan Kops, Assistant Town Planner advised there is no objection for using the property for towing and storage, but the environment needs to be protected. Mr. Kops read his comments and recommendations based on the following:

If the risk of leakage is considered significant the application will meet the Special Permit Threshold Decision Criteria specified in Section 826 **only with the following conditions of approval**,. The approval of Special Permit 08-1144/WS, should be based on the following plans:

Site, Grading and Utility Plan rev. 12/4/08 and Drainage Computations rev. 11/28/08:

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. Improved delineation of the existing and proposed topography.
    - ii. Delineation of the vehicle storage area.
    - iii. Striping of parking and storage spaces.
    - iv. Clarification of the existing stormwater system structures and piping, including pipe sizes, types and inverts where applicable.
    - v. Floor plan showing where vehicles are to be parked in the building and the location of any floor drains. Any existing floor drains must be connected to the oil/water separator.
    - vi. Stabilization of the rear slope, noting the means and methods of stabilizing it.
    - vii. Underground piping of water coming from the roof drain located at the northeasterly corner of the building.
    - viii. Existing conditions and proposed site improvements along the fence.
    - ix. Existing conditions and proposed site improvements on the slope in a cross-section drawn to scale.
    - x. All proposed surface treatments.
    - xi. Reinforcement of the eastern end of the parking area.
    - xii. A coherent method of assuring water quality, including:
      - a. Replacement of drywells with catch-basins connected directly to an oil-water separator.
      - b. A re-directed flow from an oil-water separator to the galley
      - c. The existing "overflow pipe" changed to run from the galley instead of the oil-water separator.
    - xiii. Corrections of any survey discrepancies, including the missing catch basin and pipe, and identification of the sediment separator, as determined in the field.
    - xiv. Details of the pole mounted light fixtures.

- xv. A modified stormwater maintenance plan containing the following text: Catch basins with sumps or drywells should be inspected at least 3 times per year. Sediment and debris should be removed at least twice per year or as soon as the deposits are within 6 inches of the outlet. The oil-grit separator should also be inspected 3 times per year. Deposits should be removed immediately after a contaminant spill, or when the sediment is 1-foot deep, but at least once per year.
  - xvi. A revised photometric study indicating that illumination is reduced to zero at the property boundary.
  - xvii. All conditions of approval.
- b. A performance bond in an amount approved by the Town Engineer and Town Planner.
2. Vehicles stored outside the building may be placed only in storage spaces shown on the final approved plans.
  3. No towed vehicles may be stored in the front yard.
  4. Storage of damaged or old vehicles likely to leak fluids outside the building should be minimized.
  5. No individual vehicle may be stored on-site for more than ten days.
  6. No vehicle repairs may occur on the property.
  7. All hazardous materials and waste chemicals including, but not limited to, waste oil, antifreeze, transmission oil, lead acid batteries, and solvents should be stored indoors on an impervious surface with a containment berm or other means of secondary containment.
  8. Waste material should be disposed of by a licensed waste transporter in accordance with all applicable federal, state and local regulations.
  9. Scrap metal or other parts in contact with lubricant should be stored in a watertight container or some other structure..
  10. No vehicle washing may occur on the property.
  11. The storm-water management plan must be strictly followed.
  12. RWA inspectors must be allowed on the property to conduct annual inspections.
  13. All work must be completed by December 9, 2013.

If the Commission is satisfied that no leaking vehicles will be stored outside then the application meets the Special Permit Threshold Decision Criteria specified in Section 826 and should not have an adverse impact on the health, safety and welfare of the public, with the following conditions of approval. The approval of Special Permit 08-1144/WS, is based on the following plans:

Site, Grading and Utility Plan rev. 12/4/08 and Drainage Computations rev. 11/28/08:

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. Improved delineation of the existing and proposed topography.
    - ii. Delineation of the vehicle storage area.
    - iii. Striping of parking and storage spaces.
    - iv. Clarification of the existing stormwater system structures and piping, including pipe sizes, types and inverts where applicable.
    - v. Floor plan showing where vehicles are to be parked in the building and the location of any floor drains. Any existing floor drains must be connected to the oil/water separator.
    - vi. Stabilization of the rear slope, noting the means and methods of stabilizing it.
    - vii. Underground piping of water coming from the roof drain located at the northeasterly corner of the building.

- viii.Existing conditions and proposed site improvements along the fence.
- ix.Existing conditions and proposed site improvements on the slope in a cross-section drawn to scale.
- x.All proposed surface treatments.
- xi.Reinforcement of the eastern end of the parking area.
- xii.Elimination of erosion.
- xiii.Corrections of any survey discrepancies, including the missing catch basin and pipe, and identification of the sediment separator, as determined in the field.
- xiv.Details of the pole mounted light fixtures.
- xv.A modified stormwater maintenance plan containing the following text: Catch basins with sumps or drywells should be inspected at least 3 times per year. Sediment and debris should be removed at least twice per year or as soon as the deposits are within 6 inches of the outlet. The oil-grit separator should also be inspected 3 times per year. Deposits should be removed immediately after a contaminant spill, or when the sediment is 1-foot deep, but at least once per year.
- xvi.A revised photometric study indicating that illumination is reduced to zero at the property boundary.
- xvii.All conditions of approval.

b.A performance bond in an amount approved by the Town Engineer and Town Planner.

- 2.Vehicles stored outside the building may be placed only in storage spaces shown on the final approved plans.
- 3.No damaged or old vehicles likely to leak fluids may be stored outside the building.
- 4.No towed vehicles may be stored in the front yard.
- 5.No individual vehicle may be stored on-site for more than ten days.
- 6.No vehicle repairs may occur on the property.
- 7.All hazardous materials and waste chemicals including, but not limited to, waste oil, antifreeze, transmission oil, lead acid batteries, and solvents should be stored indoors on an impervious surface with a containment berm or other means of secondary containment.
8. Waste material should be disposed of by a licensed waste transporter in accordance with all applicable federal, state and local regulations.
9. Scrap metal or other parts in contact with lubricant should be stored in a watertight container or some other structure..
- 10.No vehicle washing may occur on the property.
- 11.The storm-water management plan must be strictly followed.
- 12.RWA inspectors must be allowed on the property to conduct annual inspections.
- 13.All work must be completed by December 9, 2013.

The Commission discussed the current plan showing the oil/water separator on site. Mr. Kops advised the members that the plans approved back in the 1990's show a sediment separator and not an oil/water separator. He was unable to locate any plans that show an oil/water separator being installed. The Commission discussed that there are many conditions needed to make the lot conforming and there would be a need for stringent monitoring. Mr. Kops advised the members that vehicles that are leaking and stored outside have a need for a pre treatment system. The Commission discussed the lack of detail for the oil/water separator. Mr. Khona stated that the proposed plan shows the oil would go into the galleries and drywells, then going to the oil/water separator. Mr. Kops observed that the oil/water separator should be the first before the water goes into another structure, because there could be absorption into the soil.

The Commission discussed with the applicant a need for more detail and clarification on the plans. Mr. Lee, Assistant Town Attorney advised that the public hearing can be continued for additional information. The Commission asked Mr. Monaco and Mr. Khona if they understood what information the members need to make a decision on the application. Mr. Monaco advised the Commission that they understood.

***Ms. Altman made the motion to continue the public hearing on 1/13/08. Mr. Marottoli seconded the motion. The motion passed unanimously.***

**6. Major Amendment to Special Permit & Site Plan 06-1096/WS/APZ**  
 305 Sherman Avenue, R-3 Zone  
 York Hill Campus expansion

Quinnipiac University, Applicant  
*Deadline to open Public Hearing 1/16/09*

Mr. Bernie Pellegrino, Attorney addressed the Commission and reviewed the application. He advised the members that the University proposes to extend footprint of the crescent shaped dormitory. There are 2 pod residential buildings that have been removed. At the end of parking lot A there were another four pod buildings that had been approved and have been removed from the plan. Also, added to the plans are a wind turbine court yard and the use of solar panels. He noted that there would be an increase in the parking plans to add a total of 39 parking spaces. Sidewalk locations and elevations for retaining walls have also been changed from the original plans. The plan was revised to add a recreation area, and exterior stairways to be relocated.

Mr. Howard Pfrommer addressed the Commission and reviewed the application. He advised the members that the plan would eliminate some dormitories, add a floor to the crescent shaped dormitory, and extend the building as well. The plans has been revised to add a wind turbine court yard that would provide lighting for the site. He reviewed the proposed plans for sidewalk and elevation changes, and adding a recreation area..

The Commission discussed with Mr. Pfrommer the wind terrace and the amount of electricity produced. He advised the members that approximately 85,000 kilowatt hours annually and would be enough to power the site lights. On the roof of the crescent building there will be flat solar panels that will generate enough power for the lights in the dormitory. The panels will lie flat because they need to have maximum orientation and be angled to the south. They will be mounted on a rack and will not be a problem for drainage.

Mr. Kraffjack addressed the Commission. The wind turbine noise will be 12 decibel. In a 10 mile wind there would be no increase. In a 50 mile wind there would be an increase of 8 decibels. He advised the members that 44 turbines are approximately 35 ½ decibels which is no more then wind going through the trees. The turbine is called a vertical axis turbine. The topography shows there should be about 44 turbines, about 12 feet apart. The maximum diameter of the hoop is 4 feet across in diameter. The Commission asked if there were other locations in Connecticut that is using wind turbines. Mr. Kraffjack told the members there is a farm in Connecticut that uses turbines and receives enough wind to work. The Commission asked what the danger is to birds. Mr. Kraffjack stated that the residential turbines appear solid to birds and there have been no studies regarding bird fatalities. The Commission asked if the area will not be blocked off to students. Mr. Kraffjack stated that it would not be blocked off and the students will be able to enjoy the area. The bottom of the turbine is 20 feet off the ground and security cameras are in place. The Commission asked if there was a snow retention system and Mr. Kraffjack advised that snow guards will be in place to keep from snow and ice from falling off. Mr. Pellegrino noted that information regarding the wind turbines was submitted to Mr. Al Dobie and the West Woods Association.

Mr. Grant asked for public comment for or against and there were none.

Mr. Dan Kops, Assistant Town Planner read his comments recommending that approval be subject to the same conditions of approval currently in effect.

The public hearing was closed.

**The public hearing was closed at 9:40**

**B. Regular Meeting:**

The regular meeting opened at 9:42

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

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

The Commission discussed the tower on the building and if it should be significantly reduced in height or removed. Ms. Creane, Town Planner advised the members that she had seen the plans with and without the tower. She stated to the members that it was her professional opinion the tower should remain on the plans.

***Ms. Altman made the motion to approve 08-1140/WS as recommended by the Assistant Town Planner with the following change: Condition 1.D should read- If the DPH does not grant a waiver to the required one hundred (100) foot setback from storm water drain pipe discharge to the intermittent water course, the alternate design submitted as Detention Basin Outlet Revisions by Milone & MacBroom dated March 8, 2007 is to be followed, and the following conditions as recommended by the Assistant Town Planner:***

1. Prior to the Issuance of a Zoning Permit:
  - a. The applicant must provide for approval by the Town Engineer and Town Planner:
    - i. Revised plans containing:
      - a. Emergency access pads and walks.
      - b. Horizontal geometry along the proposed driveway baseline and distance to the nearest property corner along the street line.
      - c. The surface treatment to be used in the areas surrounding the building, within the traffic islands and along the parking areas.
      - d. Each parking space numbered.
      - e. A revised photometric study that shows elimination of illumination going beyond the property to the southeast and west.
      - f. All conditions of approval.
    - b. The applicant must provide a copy of a Memorandum of Understanding (MOU) for Drinking Water Protection from Stormwater/Drainage Runoff with the Town of Hamden., approved by the Town Attorney.
    - c. The Inland Wetlands application plans must be approved by the IWC chairwoman.
    - d. If the DPH does not grant a waiver to the required one hundred (100) foot setback from storm water drain pipe discharge to the intermittent water course, the alternate design submitted as Detention Basin Outlet Revisions by Milone & MacBroom dated March 8, 2007 is to be followed.
    - e. The link on Town property to the Farmington Canal Trail must be approved by the Legislative Council, per C.G.S. 8-24.
    - f. The applicant must provide sufficient funds to permit the Town to hire its own clerk of the works to monitor the project.
    - g. A performance bond in an amount approved by the Town Planner and Town Engineer must be provided.
    - h. A maintenance bond covering the continued operation of the detention basin and system, in an amount approved by the Town Planner and Town Engineer must be provided.
2. During the construction phase:
  - a. The RWA should be notified three days prior to the start of any construction activity.
  - b. All erosion controls should be installed prior to the commencement of construction activities.
  - c. Hours of operation are limited to between 7:00 am and 5:00 pm, Monday through Friday.
  - d. Public roads traveled by project trucks and equipment should be inspected regularly and cleaned whenever necessary.

- e. All stockpiles of excavated material remaining on-site for more than a month should be temporarily seeded or covered.
  - f. Erosion controls should be inspected regularly and immediately after each rainfall, as well as maintained and modified as necessary.
  - g. 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.
  - h. If fuel for construction equipment is stored on-site it should be placed in a secondary containment system in a secured area.
  - i. Any on-site fueling and repairs should be conducted over a portable spill containment system.
  - j. A supply of absorbent spill response material should be kept on-site to clean up any spills of hazardous materials.
  - k. The RWA should be notified of any spills of hazardous materials.
3. After the completion of construction:
- a. The applicant must adhere to the stormwater management plan listed in the plans.
  - b. No waste water should be dumped outside the building.
  - c. There should be no cleaning of floor mats and kitchen equipment outside of the building, as stated on the plans.
  - d. The dumpsters should be plugged and covered at all times.
  - e. Special care should be taken with any grease dumpsters to prevent spills. The pick-up of waste grease should be carefully monitored and spills should be promptly and properly remediated.
  - f. RWA inspectors should be granted access to the site to conduct routine inspections.
  - g. The vegetation along West Woods Road must be maintained to ensure adequate visibility.
4. All work must be completed by December 9, 2013.

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

**2. Special Permit & Site Plan 08-1141/APZ**

660 New Road, R-2 Zone  
 Upgrade existing stairs  
 Quinnipiac University, Applicant

***Mr. Riccio made the motion to approve 08-1141/APZ as recommended by the Assistant Town Planner 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 all conditions of approval.
  - b. A bond in an amount approved by the Town Engineer and Town Planner.
2. Prior to the start of construction the sedimentation and erosion control measures should be installed.
3. Erosion and sedimentation controls should be inspected weekly and after each rainfall.
4. Additional controls should be stored on-site for any necessary repairs.
5. Excavated material stored on-site for any length of time should be stabilized.
6. During construction all oil, paint, and other hazardous materials should be stored in a secondary container and placed in a locked indoor area.
7. ***All work should be completed by December 9, 2013.***

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

**3. Special Permit & Site Plan 08-1142/WS**

21 Hamden Park Dr Extension, M-1 Zone  
Manufacturing and Office  
Liboro & Lynn Campo, Applicants

*Postponed at the request of the applicant s*

**4. Major Amendment to Special Permit & Site Plan 97-809**

2798 Whitney Avenue, R-4 Zone  
Additional Parking  
Bernard Pellegrino, Attorney for the applicant

*Ms. Altman made the motion to approve the major amendment to 97-809 as recommended by the Assistant Town Planner 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. All changes as approved by the Inland Wetlands Commission.
    - ii. A photometric study of the area and identification of all new light poles.
    - iii. Two interior islands containing a tree and landscaping.
    - iv. Counterclockwise, one-way traffic circulation in the rear lot, with appropriate signage.
    - v. Reduction in the width of the the driving aisles at each end.
    - vi. Individually numbered parking spaces.
    - vii. The radius of all proposed curves.
    - viii. The dimension of the southerly limits of the proposed parking area.
    - ix. Signs denoting compact car parking only.
    - x. The proposed location of “Existing Light pole to be displaced” and associated underground electric lines.
    - xi. A note stating that the contractor is responsible for the replacing any boundary monumentation disturbed during construction and that the boundary monumentation shall be replaced under the supervision of a licensed land surveyor. The monumentation should be reset at an appropriate point along the boundary.
    - xii. The existing entrance drive on Dixwell Avenue widened in accordance with DOT standards to accommodate vehicles entering the site from the north.
    - xiii. To the extent possible, the trash compactor screened from view, placed on a cement pad and surrounded by curbing that will retain any leaks or spills.
  - b. An explanation of what will happen to the existing parking during construction.
  - c. A performance bond in an amount approved by the Town Planner and Town Engineer.
2. Erosion and sedimentation controls should be installed prior to any site work.
3. RWA representatives of the RWA should be allowed on-site to inspect the sedimentation and erosion controls.
4. Sedimentation and erosion controls should be inspected weekly and after each rainfall.
5. Additional controls should be stored on-site for any necessary repairs.
6. Excavated material stored on-site for any length of time should be stabilized.

7. During construction all oil, paint, and other hazardous materials should be stored in a secondary container and placed in a locked indoor area.
8. After construction has been completed:
  - a. The applicant should follow the stormwater management plan listed on the plans.
  - b. A copy of the maintenance log should be submitted to the RWA on an annual basis, as noted on the plans.
9. All work must be completed by December 9, 2013.

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

**5. Special Permit & Site Plan 08-1144/WS**

61 Overlook Drive, M-1 Zone  
Automotive Towing/Storage  
Lombard Motors, Applicant

*Public Hearing continued until the January 13, 2009 meeting.*

**6. Major Amendment to Special Permit & Site Plan 06-1096/WS/APZ**

305 Sherman Avenue, R-3 Zone  
York Hill Campus expansion  
Quinnipiac University, Applicant

*Ms. Altman made the motion to approve the major amendment to 06-1096/WS/APZ with the recommended conditions imposed on the original permit approved April 10, 2007:*

1. Prior to the issuance of a Zoning Permit, the applicant must:
  - a. Submit a signoff from the Fire Marshall stating that emergency access to the site is adequate or listing corrective measures to be taken.
  - b. Submit revised plans for approval by Town Planner, containing:
    - i. Any changes required by the Fire Marshall to ensure that emergency access to the site is adequate.
    - ii. A note indicating that the emergency access gate on Kimberly Avenue will provide keyless access to emergency vehicles.
    - iii. A plan detailing the traffic flow for the entire site on one sheet.
    - iv. Signage indicating one-way traffic, where appropriate.
    - v. Verification of access to potentially problematic parking spaces in the circular parking lot in front of the Health Services Building, and any necessary revisions to parking layout and calculations.
    - vi. Elimination of the discrepancies between the Site Lighting Photometric Plan and the site plan.
    - vii. Re-grading and repaving of:
      1. Kimberly Road at a grade approved by the Fire Department
      2. Sherman Avenue from Whitney Avenue to the entrance to the campus.
      3. West Woods Road from Whitney Avenue to Kimberly Road, if not undertaken as part of the State DOT West Woods Road Relocation project; in the event that the State sponsored repaving is delayed, the applicant must permanently patch the affected area per Town standards.
    - viii. Any appropriate measures that reduce the visibility of rip-rap in swales and on slopes.
    - ix. Incorporate the detailed plans for planting of evergreens along a portion of the Farmington Canal Greenway Sherman Avenue parking lot, submitted at the Public Hearing on March, 2007, with any modifications recommended by the Farmington Canal Commission and/or required by the Legislative Council.
    - x. All conditions of approval.

- xi. Any changes required in order to comply with requirements of the reviewing agencies noted in section 1.d.
  - c. Submit for review by the Town Engineer and Town Planner a video inventory depicting current conditions of all the Town streets in the vicinity that will be utilized by construction traffic.
  - d. Obtain:
    - i. A blasting permit from the Fire Marshall.
    - ii. Approval by the Legislative Council per C.G.S 8-24 for work within Town rights of way and other Town property.
    - iii. A DEP Stormwater General Permit for Construction Activities.
    - iv. A new or amended STC Traffic Generator Permit.
    - v. Approval from the Greater New Haven Water Pollution Control Authority for the proposed sewer extension and replacement.
    - vi. Approval from DOT for the proposed sewer extension and replacement.
    - vii. A food service permit from QVHD.
  - e. Submit a performance bond in an amount approved by the Town Engineer and Town Planner.
- 2. Prior to commencing any blasting activity, install vibration monitoring systems at appropriate neighboring properties as determined by the Fire Marshall. The systems will be monitored by both the contractor and property owners. Blasting should be restricted to between the hours of 8:00 a.m. and 4:00 p.m. Monday thru Friday.
- 3. Prior to the start of any site work designate a project manager
- 4. During construction:
  - a. Provide monthly reports to both the Planning and Zoning Department and Engineering Department.
  - b. Employ a combination of fencing, security guards and other measures as necessary, to keep unauthorized individuals out of construction areas.
  - c. Once the first dormitories have been completed and opened, the applicant should submit to the Commission on an annual basis an assessment of the parking and traffic circulation that takes into account both students living on the campus and people coming to sporting events, until two years after the completion of the final dormitories.
  - d. Construction activities be limited to between the hours of 7:00 a.m. and 5:00 p.m. Monday thru Friday and between the hours of 9:00 a.m. and 3:00 p.m. Saturday.
  - e. Construction vehicles only access the site from primary roads.
- 5. A Zoning Permit must be obtained within two years.
- 6. After site construction:
  - a. Develop a comprehensive security plan, including staffing and location of services, in conjunction with the Hamden Police Department.
  - b. Reconstruct the following roads affected by the sanitary sewer extension/replacement project:
    - i. Sherman Avenue from Whitney Avenue to the property entrance road.
    - ii. Kimberly Road.
    - iii. West Woods Road from Kimberly Road to Whitney Avenue if not covered by the State DOT West Woods Road Relocation project. In the event that the State sponsored repaving is delayed, the applicant must permanently patch the affected area per Town standards
  - c. Wetland buffers should remain in their natural state.
  - d. No lawn care chemicals should be used in the wetland buffers.
  - e. The University shall guarantee its full-time undergraduate students four years of on-campus housing by providing sufficient dormitories to accommodate the full-time undergraduate population on-campus.
  - f. The University will provide the Planning and Zoning Commission the following data twice annually -- at the beginning of the fall term by September 30, and the spring term by February 15:
    - 1. Total number of beds in university dormitories.
    - 2. Number of full-time undergraduate students living in university dormitories.

3. Number of full-time undergraduate students living off campus.
4. Number of part-time undergraduate students.
5. Number of graduate students.

Full-time undergraduate student shall be defined as a student seeking a bachelor level degree with a minimum course load of 12 credits.

- g. Use of the proposed Facility Service Area is restricted as follows:
- i. All servicing and cleaning of equipment or vehicles should be conducted indoors.
  - ii. No discharges of motor vehicle fluids or detergent chemicals to the environment are permitted.
  - iii. Waste chemicals, including oil, antifreeze, transmission oil, lead acid batteries and solvents should be stored indoors or outside on an impervious surface with a covered containment berm or other means of secondary containment.
  - iv. Waste chemicals should be disposed of by a licensed waste hauler in accordance with applicable federal, state and local regulations.
  - v. Vehicle washings should be conducted in accordance with DEP requirements and no wash-water should be discharged into the environment.
  - vi. Chemicals should be stored indoors in an area that prevents spillages from discharging the environment.
7. *All work must be completed within five years.*

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

7. **Special Permit & Site Plan 03-997/APZ**  
 3594 Whitney Avenue, R-2 Zone  
 Office/Retail  
 Request to extend Zoning Permit from 12/9/2008  
 until 12/9/2013  
 Ravenswood Construction LLC, Applicant

*Ms. Altman made the motion approve the request to extend the Zoning Permit from 12/9/2008 until 12/9/2013. Mr. Reynolds seconded the motion. The motion passed unanimously.*

8. **Special Permit & Site Plan 03-999/APZ**  
 20 & 36 Todd Street , R-2 Zone  
 Assisted Living, 55 & Older  
 Request to extend Zoning Permit from 1/13/2009  
 until 1/13/2014  
 Ravenswood Construction LLC, Applicant

*Ms. Altman made the motion to approve the request to extend the Zoning Permit from 1/13/2009 until 1/13/2014. Mr. Reynolds seconded the motion. The motion passed unanimously.*

### C. Old Business/ New Business

#### 1. Review of Minutes

October 14, 2008 - Regular Meeting

*Mr. Marottoli made the motion to accept the minutes as written. Ms. Altman seconded the motion. Mr. Riccio, Mr. Grant, Ms. Altman and Mr. Marottoli voted in favor of the motion. The motion passed.*

October 15, 2008 – Special Meeting

*Ms. Altman made the motion to accept the minutes as written. Mr. Marottoli seconded the motion. Mr. Riccio, Mr. Grant, Ms. Altman, Mr. Reynolds and Mr. Marottoli voted in favor of the motion. The motion passed.*

November 12, 2008 – Regular Meeting

*Mr. Marottoli made the motion to accept the minutes as written. Mr. Riccio seconded the motion. Ms. Altman, Mr. Marottoli, Mr. Reynolds and Mr. Riccio voted in favor of the motion. The motion passed.*

2. Approval of Planning Section Schedule for 2009

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

3. Special Permit 04-1020/WS – Review of Performance Bond for 380 Mather Street

Ms. Creane, Town Planner advised the Commission that the developer had placed a bond for the project which is not going forward at this time. The developer would like the bond reduced until such time as they are ready to continue with the project. Ms. Creane advised the members that a portion of the bond is being retained so any stabilization needed near the area of the Farmington Canal will be done. Ms. Altman asked if there should be a public notice before approving a reduction in the bond. Mr. Lee, Assistant Town Attorney advised the Commission that a public notice is not necessary. Mr. Kops, Assistant Town Planner advised the Commission that the Developer had obtained a zoning permit to abolish the building and do grading on the lot, but can not do any building without obtaining another zoning permit. Mr. Kops recommended reducing the bond from \$2,181,850.00 to \$200,000.00.

*Ms. Altman made the motion to reduce the bond for Special Permit 04-1020/WS from \$2,181,850.00 to \$200,000.00 as recommended by Mr. Kops, Assistant Town Planner. Mr. Riccio seconded the motion. The motion passed unanimously.*

4. Endorsement of a grant application under Housing for Economic Growth Program; and consideration of creation of housing incentive zones.

Ms. Creane, Town Planner, advised the Commission that the endorsement of the grant application would allow applying for up to \$50,000.00 for a technical assistance grant. The Planning and Zoning Commission must vote to endorse the grant application. Ms. Creane stated to the members that the grant is for a market study for portable housing of 1 or more sites.

*Mr. Marottoli made the motion to approve the resolution requesting the grant. Mr. Reynolds seconded the motion. The motion passed unanimously.*

**D. Adjournment**

*Ms. Altman made the motion to adjourn. Mr. Marottoli seconded the motion. There was no further discussion. The motion passed unanimously.*

The meeting adjourned at 10:00 p.m.

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