



Town of Hamden
Planning and Zoning Department

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January 19, 2021

MINUTES: THE PLANNING & ZONING COMMISSION, Town of Hamden, held a Public Hearing and Regular Meeting via Zoom teleconferencing technology on Tuesday, January 12, 2021 at 7:00 p.m. with the following results:

Commissioners in attendance:

- Brack Poitier, Chair
- Joseph McDonagh
- Michele Mastropetre
- Joseph Banks
- Paul Begemann
- Robert Cocchiaro
- Ted Stevens, Sitting for Vacancy
- Shanae Draughn, Sitting for Vacancy

Staff in attendance:

- Matt Davis, Assistant Town Planner
- Tim Lee, Assistant Town Attorney
- Genevieve Bertolini, Stenographer
- Natalie Barletta, Clerk

Chairman Poitier opened the meeting at 7:00 p.m. The clerk read the Public Hearing items into the record. The Commission and staff introduced themselves. Chairman Poitier then reviewed the meeting procedures.

A. Public Hearing

- 1. Special Permit and Site Plan #20-1329
10 Hamden Hills Drive, T-4/R-4 Zone
Meditation Center
Brahmananda Saraswati Foundation, Applicant
Continued from the December 8, 2020 Meeting

Attorney Bernard Pellegrino, Attorney at the Pellegrino Law Firm, addressed the Commission. Attorney Pellegrino asked if the Public Hearing for this item could be continued to the February 9, 2021 meeting.

Mr. McDonagh moved to continue this to the February 9th, 2021 Public Hearing. It was seconded by Mr. Banks, and all were in favor. The Public Hearing was continued to the February 9th, 2021 Public Hearing.

- 2. Zoning Regulation Amendment #20-0978
Application to Amend the Zoning Regulations COVID-19 Business Recovery Amendment for outdoor cafes and temporary signage to extend the expiration date to December 31, 2021
Hamden Planning and Zoning Commission, Applicant

Mr. Davis read his report recommending approval of the application.

Chairman Poitier asked if anyone wanted to speak in favor of the application. No one spoke in favor of the application.

Chairman Poitier asked if anyone wanted to speak against the application. No one spoke against the application.

The public hearing was then closed.

B. Regular meeting

1. Special Permit and Site Plan #20-1329
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Continued to the February 9, 2021 Public Hearing.

2. Zoning Regulation Amendment #20-0978
Application to Amend the Zoning Regulations COVID-19 Business Recovery Amendment for outdoor cafes and temporary signage to extend the expiration date to December 31, 2021
Hamden Planning and Zoning Commission, Applicant

Mr. McDonagh made a motion to approve the Continuation of the COVID-19 Business Recovery Amendment with an effective date of February 1, 2021. It was seconded by Mr. Banks, and unanimous in favor. This application was approved.

3. Presentation from Attorney Pellegrino of Quinnipiac University's draft Master Plan

Salvatore Filardi, Vice President of Facilities and Capital Planning at Quinnipiac University, addressed the Commission. He said that the University is trying to accomplish reinforcement of student residential experiences to create an experience that students want to be a part of as an incentive to live on campus. Mr. Filardi said that the University is renovating almost every residential hall in the effort to add more beds.

Tom Ellet, Chief Experience Officer at Quinnipiac University, addressed the Commission. He said that the University is trying to create a dynamic experience for students with the goal of trying to embed life outside the classroom with students, staff and alumni. Mr. Ellet said that one way the University is doing this is by creating a living learning community, where students in different majors live and take courses together. The University also wants to introduce interest based housing, as well as a commitment to multi-culturalism and diversity, and wants to include faculty members in this program, as well as inviting alumni to serve as mentors for students. Furthermore, Mr. Ellett said that the University wants to make sure that there isn't a divide between classrooms. One of the things that the University is looking to do is to have a three year housing requirement, which was implemented with the incoming freshman class of Fall 2020.

Ms. Mastropetre commented that this is encouraging to hear, as she's asked Quinnipiac University to raise the residency requirements, and added that it looks like a lot of thought and effort went into putting this into effect. Ms. Mastropetre thanked the University for putting this together, and added that this is a great improvement.

Mr. McDonagh said that he wanted to echo with what Ms. Mastropetre said, but added that he had some questions. He mentioned that when the Commission did the Plan of Conversation and Development, there is no college experience and the University needs to create a college atmosphere in that area so that students

wouldn't need to drive to get to places for dining and shopping. Furthermore, he appreciates raising the residential requirements, and asked what a legacy building was.

Attorney Pellegrino asked if it may make sense if they can just continue on and take questions at the end of the presentation. Mr. Filardi answered that legacy buildings are basically an adjective of older buildings that wouldn't be built today.

Mr. Filardi continued by saying that the second key strategy is to enhance the student academic experience, as there is more hands on experiential versus lecture learning in modern classrooms, so there needs to be more surface area per student. Therefore, the University plans to build more buildings to create the classrooms and labs to satisfy the need of the current population, instead of growing it.

Mr. Filardi then added that third strategy is to enhance open spaces, greenways and pathways on campus. The idea of this is to create an environment that promotes an active outdoor lifestyle, to help students learn the importance of health and wellness, and to take care of themselves by giving them an area to move around. There are proposals to create new quads, more greenways and pathways on campus for walking and hiking, and when new resident halls are built, there will be space for students to be outside on nice days if they wish.

Mr. Filardi added that the fourth item is to improve the pedestrian experience throughout campus. A sidewalk study was done by the master planners where they marked an orange lines on some sidewalks. The ideas is to create a better pedestrian experience through campus, onto Whitney Avenue.

Mr. Filardi then said that this leads into the fifth and final strategy, which is to Improve Connections between Campus and the Community, by giving students more access to Whitney Avenue for shopping and dining. This will also allow members of the community to attend campus events such as lectures and sporting events. Mr. Filardi commented that the University sees the community as an extension of the community, so the idea is to break down the physical barriers to allow that to happen.

Mr. Filardi continued that those five strategies lead to a flexible framework. The Comprehensive Plan that the University has showcases all of the building sites that the university has. The University has compiled a list of prioritized projects, categorized as "near-term projects." The items on the list include an expansion of the existing recreation and wellness center, renovations to the complex residential hall, and the initial scoping stages for a new academic building or residential hall. Mr. Filardi commented that the renovations completed last summer were well received by students, and a few more residential halls will be renovated over the summer so that students have an updated space. Furthermore, Mr. Filardi said that the University is looking into having faculty apartments on campus.

Bethany Zemba, Vice President and Chief of Staff, addressed the Commission. Ms. Zemba said that she met with Mayor Leng and other community members such as former Town Planner, Dan Kops, for input on this. She added that she plans to meet with the Sleeping Giant Association, West Woods Association, and Blue Hills Association on Wednesday, January 13, 2021 to give them an update. Ms. Zemba is also planning to present this plan to the Hamden Legislative Council at the Tuesday, January 19, 2021 meeting. Ms. Zemba added that the University has a sustainability plan, and is based a lot of the same principals, living, learning, and community. Furthermore, there will be an environmental studies program that will be implemented as well.

Chairman Poitier asked what time those meetings are. Ms. Zemba said that the Blue Hills meeting is at 9:00 a.m., and the West Woods Association and the Blue Hills Association will be at 10:00 a.m.

Attorney Pellegrino asked if Daryl Richard, Vice President of Marketing and Communications at Quinnipiac University, had anything further to add. Mr. Richard said that he did not.

Attorney Pellegrino continued by saying that the University appreciates the opportunity to work with the Commission, and he thinks that this plan will provide a good foundation to move forward and increases transparency of what their plans and goals are. Attorney Pellegrino said that this plan offers flexibility, which will allow the University to adopt in the future.

Chairman Poitier asked when the final plan will be done. Mr. Filardi said he doesn't have a date on that, but it will be soon. All of the general information is completed, but all of the backup information is still needed.

Chairman Poitier added that a few years ago, it was discussed with Commissions that a committee will be created, but hasn't heard anything further about it. Mr. Filardi answered that there was a lot of community meetings. Ms. Zemba said that the people who attended those meetings include former Town Planner of Hamden Daniel Kops, North Haven First Selectman Mike Frieda, the North Haven Town Planner, Hamden Legislative Council President Mick McGarry, Julie Smith, and Lou Panzo. She's added that they've had engagement with the towns of Hamden and North Haven. Attorney Pellegrino added that the University is happy to meet with a subcommittee if the Commission wishes to go through any of the details. Chairman Poitier said that he thinks that the Commission will wait until further details are released.

Ms. Draughn said she's happy to hear that Quinnipiac University is connecting with the community, and she knows that a lot of discussion went into the plan. She added that there was a large discussion with the partnerships with the Hamden Police Department, and she was expecting more information on those topics. She also added that she thought that there was supposed to be someone on the Commission involved on those meetings.

Attorney Lee said that to address Ms. Draughn's last point, he would be concerned if a member of the Commission was involved with in the sub-committees because if it would raise an issue when an application went before the Commission. This is why Mr. Kops served as a liaison.

Mr. Filardi said that this is more a facilities based master plan.

Ms. Zemba said that there are two groups that have been formed, which are the off-campus housing task force, and the community engagement partnership council. The off-campus housing task force has Hamden Police Chief Sullivan, Hamden Fire Chief Merwede, Public Safety Chief, Tom Ellet, Dean of Students, a student representative, Mick McGarry, and a couple of landlords. Ms. Zemba said that Mr. Kops has attended the meetings as well.

Ms. Zemba said that the University has been working with them to resolve the issues, such as garbage, parties, and any other complaints. She added that the University takes all of these concerns seriously, and finding themselves to be aligned and greater partnerships. Daniel Kops, former Town Planner, said that Ms. Zemba did a great job describing these efforts.

Mr. Ellet commented that he's had the opportunity to join Ms. Zemba at one of these meetings, as well as the Zoom meetings for the community partnership. He has been able to respond to complaints within 24 hours, and then has reached out to those students immediately. Once the students have responded, he said that he shared them with the person who has filed the complaint. He added that the University works closely with the parking departments to identify who the student is by using license plate numbers. All meetings with students are done through Zoom meetings, which Mr. Ellet reminds them the importance of being a good community member.

Ms. Zemba said the other group is the Community Engagement Partnership Council, which has a goal of community engagement. The University is trying to professionalize how the students perceive themselves. The University also has the goal of making the campus a welcoming place, and there are a lot of ideas to move forward, despite the COVID-19. Furthermore, Ms. Zemba said that this initiative has had many community events, including an electronics recycling event.

Ms. Draughn commented that she loves what she's hearing, and asked the University to be mindful of the advertising of these events to make sure that they are promoted properly. Ms. Draughn asked if there is discussion in this plan in offsite components.

Mr. Filardi answered that there is a component on Whitney Avenue consistent with the POCD, which is a mixed-use housing development, and it is in the Executive Summary. However, it's farther away, so the University is not focusing on this at this time, but is one of the long-term plans. The goal is to create a very vibrant community.

Attorney Pellegrino added that this plan may be one of the greatest opportunity for collaboration, and to allow the Commission and the University to work together.

C. Old Business

1. Review minutes of the December 8th, 2020 meeting

Mr. McDonagh made a motion to accept the minutes of the December 8th, 2020 meeting. It was seconded by Mr. Cocchiaro, and unanimous in favor. The minutes from the December 8th, 2020 were approved.

2. Discussion: Draft Amendments to Home Occupation Regulations

Mr. Davis read his memo.

Ms. Mastropetre commented that she is very concerned about adding words to the proposed changes and this needs to be observed closely. She added that there needs to be a line of what is and is not allowed. She added that the term manufacturing is very broad, as there could be noise and odors, and the Commission needs to be careful about this since it's difficult to monitor. She added that she feels that this is going to need a lot more work to avoid further problems.

Chairman Poitier said that this is something the Commission can continue looking into.

Mr. McDonagh said he agrees with Ms. Mastropetre. He added that he has a friend who doesn't live in Hamden, who makes and sells golf trinkets, and while one could call it manufacturing, he would hate to say that it's prohibited in Hamden. He added that the term manufacturing is broad, and he thinks that it's appropriate to do investigations to see what other communities have done.

Mr. Stevens said he had the same concerns, but added that it all that would be subject to nuisance laws, and there's no prohibition on sound and fume levels. Mr. Davis deferred to Attorney Lee, and added that it depends on the issues, as noise is handled in a particularly way, which is often deferred by the Police Department. Mr. Davis added that the Police Department faces the same limitations, and Zoning isn't the most effective way to enforce this. Attorney Lee said he thinks the gist of what is said is that nuisance laws can be applied, and this becomes a Zoning Violation, which is hard to enforce and more research needs to be done on this. Mr. Stevens asked what the definition building is. Mr. Davis answered that it is any place that a human can occupy.

Mr. Davis added that the Department will make an attempt to try to enforce this, but it can be time consuming if someone doesn't comply. He added that the Commission needs to be careful about what is written, but is happy to do research to keep going forward.

Mr. Banks commented that he appreciates what everyone is saying, and if these are unenforceable, he would rather remove it from home manufacturing, and he supports removing it entirely. Mr. Davis said that this is a reference to the different tiers, and there are people already doing it.

Mr. Begemann said that the most important thing is to remove things done online, which is absurd by today's standards. He added that home office/business can focus on these things Mr. Davis discussed, and make it unrelated to internet businesses.

Ms. Mastropetre said she is not worried about Internet businesses, but is concerned that some people will stretch the limits. She added that the Commission will need to take a close look at this since the Police Department doesn't have the means to monitor. She added that she wants the Commission to be very thoughtful of this so neighborhoods aren't ruined by bringing manufacturing into them.

Chairman Poitier said that one thing that the Commission shouldn't forget that people are out of work because of COVID-19, and the Commission needs to find a means and language to do so since there are many people out of work. Ms. Mastropetre said that she doesn't have a problem with some of it, but they are going to have to draw a line somewhere. Chairman Poitier repeated that the Commission needs to keep in mind that there is another side of this and asked to brainstorm some ideas.

Mr. Davis commented that more information is available, and can consult groups such as CCM and other towns in Connecticut. Mr. Stevens commented that the line about not including any other manufacturing, artists would not be allowed to not do any work outside and doesn't want to lose that exception. Ms. Mastropetre commented that she agrees with that, but needs to be careful how it's completed. Mr. Banks said he would rather get a better noise policy, and it's physically impossible to avoid. He added that addressing some of these issues are great, but needs to be looked at carefully.

D. New Business

3. Discussion: Eliminating Applicability of Certain T Zone Standards to M Zone Developments
4. Discussion: Eliminating/Reducing Split Zones
5. Discussion: Reducing Special Permit Applicability

Mr. Davis read a memo that includes all three of these topics. Mr. McDonagh thanked Mr. Davis. He commented that in regards to the memo regarding eliminating the applicability of certain T Zones Standards to M Zone Developments, he didn't know that this was done and thinks that this is a terrific fix. He continued by saying that he was concerned about the spilt zones for a long time, and added that whenever there are multiple applications coming to deal with something that is in the regulations, then that means that there is something wrong with the regulations themselves. Mr. McDonagh said he agrees that in terms of the special permit that is something that needs to be figured out, the intention was to make things expedited to find ways to avoid special permit requirements and agrees with Mr. Davis on all of these.

Mr. Banks said he agrees and is grateful for the effort. Chairman Poitier commented that he also appreciates the effort Mr. Davis put into this. Mr. Davis said that he is happy that he is hearing this, as it's been a source of frustration while staffing the Zoning Board of Appeals, and they are meaningful to those who come in with applications. Mr. Davis will give the Commission an assessment in terms of the M-Zone/T-Zones, and thinks that the Commission will be surprised on how many of those aren't standard side yard setbacks, which is why the Commission needs to take a look at this.

Ms. Mastropetre asked in terms of the spilt zone properties, would those applications have to go before the Commission to determine what zone it's in, and then a map would be created. Mr. Davis answered that Mr. Kops worked with a consultant to find all of the parcels that have this information, but it's just deciding which zone the Commission would want to use. There will be an application and an 8 ½ by 11 inch map for each zone, which will be posted online and at the Town Clerk's office, and will have to be distributed. Mr. Davis suggested doing this in phases so the Commission doesn't have to do it all at once. Chairman Poitier asked if Mr. Davis can give this to the Commission in piecemeal.

Mr. McDonagh said that he applauded the Assistant Town Planner for taking on so many projects. Ms. Mastropetre commented that this is really an excellent start and all of these are really important things to resolve as soon as possible.

6. Discussion: FY 21/22 Budget and Department Operations

Mr. Davis said that the takeaway is that on a Legislative Council meeting on December 21, 2020, the Mayor discussed a proposed initiative that would put the Planning and Zoning, Building, and Engineering Departments under one department to be supervised under one person. Mr. Davis said that he's been involved in this type of work for many years and has a specific view on what the Commission's role should be, which is not always consistent with the Town. He commented that the Mayor is in his rights to reorganize all of the different pieces, and things that he said at that meeting. Mr. Davis continued by saying that if you watch the Zoom meeting, it affects the operations of the department, and added that he hopes to have conversations with the Mayor about this. He added that it's fair to say that the Commission has a vested interest in this, so Mr. Davis wanted the Commission to be aware if this, so they can decide how much they want to be involved. Furthermore, Mr. Davis said that this was given to all of the Commissions that the Planning Department staffs, as well the Department Staff.

Mr. McDonagh commented that this proposal was made last year, and added that both the Town Planner position and the Planning and Zoning Department are part of the Town Charter, but doesn't know if there were any changes made to it. Mr. Davis answered that this is different than the proposal last year was to eliminate department and some staff members will be under economic development and other will be in engineering, but this proposal will keep the departments intact and create a single managerial position. Mr. Davis added that he agrees with Mr. McDonagh. Mr. Davis said that this proposal has caused him some concern.

Ms. Mastropetre commented that as a land use commission, the Commission doesn't know what applications come before them, so it's important that the administration needs to make sure that the department is properly staffed. She added that she would like to know if there are any statutory concerns, and is concerned that the Commission may be in a bind. She asked what the Commission should do.

Mr. McDonagh said that he doesn't think that the Commission has a voice and this is just a conversation since the Mayor hasn't made a presentation. Mr. McDonagh said that if the Mayor's budget demonstrated some disruptions to the Planning Office, he doesn't think that it's inappropriate to communicate to the Mayor. Attorney Lee agrees with that there are going to be deliberations that are going to affect the office, and is not familiar with the proposal, so he can't offer any comments. Attorney Lee said that at this point, there's nothing that they can do, but if positions are cut or changed, the Commission has every right to voice their concerns. Mr. Davis said that he will know within a week, as he will need to put together a budget, or if the Town Engineer will need to put together the budget. There was a discussion about the proposal that was proposed last year.

Chairman Poitier said that he thinks that Mr. Davis will be doing the budget. Mr. Davis reminded Chairman Poitier that he has not accepted the Town Planner position, and he is perfectly happy to help out within reason, and can't put together a budget without all of the details he needs. Ms. Mastropetre said that the Commission went through the POCD, Zoning Regulations updates, and the items Mr. Davis brought up tonight, which is why the Commission needs to make sure that these things are being done, and the Mayor knows that the importance of this. She added that a letter needs to be written, and there is a lot of work that needs to be done by this body, which requires the support by the staff to get things done.

E. Adjournment

Mr. McDonagh moved to adjourn. It was seconded by Ms. Mastropetre, and unanimous in favor. The meeting was adjourned at 9:01 p.m.

Submitted by: _____
Natalie Barletta, Clerk of the Commission