



Town of Hamden
Planning and Zoning Department

**Hamden Government
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March 2, 2021

MINUTES: THE PLANNING & ZONING COMMISSION, Town of Hamden, held a Public Hearing and Regular Meeting via Zoom teleconferencing technology on Tuesday, February 23, 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
- Jay Cruikshank, Sitting for Vacancy

Staff in attendance:

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

Chairman Poitier opened the meeting at 7:06 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
 - Public Hearing Continued from the January 12, 2021 meeting***

Bernard Pellegrino, Attorney at the Pellegrino Law Firm, addressed the Commission. The parcel is 5.98 acres and has frontage on both Evergreen and Hamden Hills Drive, and is a spilt zone property of T-4 and R-4 zones. Under the current Zoning Regulations, the property can be developed with either designations. This is a permitted use with a special permit, and the applicant is looking to develop the property as a meditation center. This was approved for the same use for the property in 2001, but because of economic downturn, the property was never developed, and the applicant is seeking approval once again. They are proposing a new building, which will have three stories, and totals 20,000 square feet. It will have 32 guest rooms, as well as meditation rooms, and related dining space, and meeting spaces The proposal meets all of the requirements, and more than half of the site will remain heavily wooded.

Attorney Pellegrino commented that this is a place where people can come to meditate and is a quiet use. He noted that he is not sure if there is a less intense use, and added that there are many, if not all of uses in T-4 which are more intense than this proposed use. It will be quiet during the week, other than individual and

small group instructions taking place, but the bulk of the intensity will be on the weekends there will be retreats from Thursday to Sunday, where attendees will not be permitted to leave the site.

Attorney Pellegrino provided a traffic summary memo to address traffic concerns, and added that the driveway was designed so it's compatible for the driveway across the street. All of the traffic will be off-peak drive, unlike other commercial uses in the vicinity whose traffic is intense in morning or the afternoon rush. Typically, people would be coming in the middle of the day or later in the day on Thursday, and leaving on a Sunday.

James DiMeo, DiMeo Associates, demonstrated the plans. He pointed out that more than half will remain wooded, and showcased the zone line. He demonstrated the entrance of the opposing development. The site will have 35 parking spaces, which is enough for guests for the 32 rooms and staff members. The development itself is under the bulk requirements for either zone, including the setbacks. Most of the area will be grassy and will have concrete walkways. The maximum cuts and fills in terms of the driveway will only be two feet, and will have many test pits in the area, and there may be some removing of red rock, and catch basins. The residents are concerned about the site line, and this site line has the southwestern side of the road, as the road arcs away from it. There will not be any significant site line issues, and as of right now, Mr. DiMeo is waiting for the Town Engineer's comments. Mr. DiMeo then demonstrated the floor plans.

Attorney Pellegrino said he thinks this is an appropriate use for the site, and added that it is a substantial economic investment, and will have a positive impact on the town and commercial tax base. This use is far less intense than other uses that come to the site since multi-family housing complexes generally generate more traffic.

Ms. Mastropetre asked what abuts the rear of the property. Attorney Pellegrino said it abuts the back yards of Colony Street. Ms. Mastropetre asked if there will be any outdoor activities. Attorney Pellegrino said no. Ms. Mastropetre commented that the building looks nice. Attorney Pellegrino commented that it has a residential design to it, and he thinks it's going to be nice. Ms. Mastropetre asked if will there be mature trees in the property line, and Attorney Pellegrino answered yes, anything outside of the line remain as is. Mr. DiMeo added that they are holding the tree line at the setback line, and they will be getting a bit closer to the setback line.

Mr. Cocchiario asked if they had a landscape design to demonstrate layout. Mr. DiMeo said that the only landscape is in the parking lot. Mr. Cocchiario asked if there were any trees in the parking lot area. Mr. DiMeo answered no. Attorney Pellegrino stated that they can take a look at this, but reminded the Commission that more than half of the site is going to remain undisturbed, but they can look at plantings around the building. Mr. Cocchiario said that he loved the design and the idea of the building as a relaxation type setting, but would like to see more plantings around the building.

Ms. Draughn said she had a few questions. As she understands it, there are 35 spaces for staff and attendees. She asked where attendees would park if those spaces are full. Attorney Pellegrino stated that they designed parking to meet the requirement. Mr. DiMeo added that it's for a retreat, so one space per guest room, which meet the requirements and the odds of there being full capacity at this facility are very slim. He added that even at that case, it's designed for maximum occupancy. Attorney Pellegrino said he guessed that it would be on the island or the driveway in the unlikely event that all spaces are full. Ms. Draughn then asked how many employees there will be. Attorney Pellegrino answered two to three. Ms. Draughn then asked if the driveway is sufficient for cars to park. Attorney Pellegrino answered that it is 24 feet. Mr. DiMeo answered that the driveway is designed for 2 way traffic. Ms. Draughn then asked about where the test pits were. Mr. DiMeo then demonstrated the test pits throughout the plans. Ms. Draughn then asked if the test pits revealed that it's a material that doesn't drain easily, would that affect any of the slopes on the site. Mr. DiMeo said no,

because they already have the results. Ms. Draughn apologized because she wasn't aware that was complete already.

Mr. Begemann commented that he thought that it looked at the hotel, and asked if the only people who are staying on the premises are attending events. Attorney Pellegrino answered no, unless it's the people who are attending a retreat.

Mr. Begemann asked if there were any day events. Attorney Pellegrino answered yes, there will be many sessions throughout the week. Mr. Begemann asked if it was limited to meditation events. Attorney Pellegrino explained that there will be educational conferences, and guest speakers.

Mr. Begemann asked how the specific criteria for the spilt zones were done. Attorney Pellegrino answered fencing and vegetated buffers. Mr. Begemann asked what the purpose of that fence was. Attorney Pellegrino answered it was to provide buffering from the building to anyone outside the property.

Ms. Draughn said that there will not be a six foot fence. Gail Dalby, Co-Director of the Transcendental Meditation Program, explained that it's a decorative six foot fence. Ms. Draughn wanted to confirm that it was decorative fencing and suggested taking a look at it in another decorative way. Ms. Dalby said that she didn't want to put any tall trees in the event of a hurricane. Ms. Draughn said that there are a number of facilities in Hamden with parking overflow, and added that she is concerned about parking at this area. Ms. Dalby said she and her husband run the retreats, and she has noticed that there are a lot of couples who come in one car, and there are a lot of people who use public transportation to attend.

Mr. McDonagh said as he understands it, it will be Thursday to Sunday. Ms. Dalby corrected that they will be there Friday to Sunday. Mr. McDonagh asked if there needs to be more staff. Ms. Dalby said that there are retreats that are run with her along with her husband, a chef, and an assistant. Mr. McDonagh asked about a maid share. Ms. Dalby said that it won't be until the attendees leave.

Mr. Stevens said he is not concerned about traffic, but wanted to know if the construction had already begun. Attorney Pellegrino said that as part of the initial review, the Town Engineer had requested the test pits get done to make sure that drainage designs work. Mr. Stevens said he was concerned about the slopes around Colony Street and asked about sedimentation control. Mr. DiMeo said that the water flows down to Hamden Hills, but there will be silk fence placed to help with any potential, but there is minimal chance it goes to the properties.

Mr. Banks asked about the large retention area, and the parking area. Mr. DiMeo explained that this retention system is designed to handle all of the runoff from the proposed building, as well as the parking lot up to the start of the driveway, and due to elevations, they need to reach a certain grade. Mr. Banks asked if there was a site logistics plan. Mr. DiMeo said that there was a basic one in the original, but not the submittal, but will prepare one.

Chairman Poitier asked if Mr. Davis could read his report. Mr. Davis said that he did not prepare a report, as the client mentioned, they are still waiting for comments from the Town Engineer, and they have confirmed that they will need a wetland permit. He added that he wanted to move forward with the public hearing tonight, and then will come back with a report later on.

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

Chairman Poitier then asked if anyone wanted to speak against the application.

Joyce Tan, 40 Aspen Circle, addressed the Commission. Her house is closest to the proposed building, and she is concerned about her children's safety as it will bring a lot of strangers to the neighborhood, and doesn't want the debris to affect her vegetable gardens. She submitted a petition of neighbors who were against the application, and added that she has been frustrated that she wasn't able to speak at past meetings. She is also afraid that her home may lose value, and added she would welcome a housing complex, but not a business.

Stephen Tan, 40 Aspen Circle, addressed the Commission. Mr. Tan said he objects the application and has concerns about their children's safety. He brought up noise concerns, and added that construction will disrupt him to the point where he can't work. He also added that the reason why he purchased his home was because it was in a residential area.

Attorney Jeremiah Mortyko, attorney representing the Tans, addressed the Commission. He is asking the Commission to deny this application. He said that as the Commission is aware, this is a spilt zone property, and under certain circumstances, this lot can be developed. Attorney Mortyko added that the Tans are affected most by this development. He also wanted to point out that while this a permitted use, it the entire construction is on the R-4 zone, which is closer to the residential properties that border the west. He added that there are traffic concerns that will make it difficult for residents, and added that this is already a densely populated area. Attorney Mortyko added that the parking is inadequate as well, and continued that the location of the size of the proposed use is inappropriate. He added that the application cannot be approved by the Commission, and mentioned the Town Engineer's concerns about the lighting, and the parking. He also noted that there was work completed on the property, as well.

Aleric Gee, 30 Aspen Circle, addressed the Commission. He agreed with the comments Mr. Mortyko said. He was also concerned about construction noise, as he works and teaches from home, as well as the site line. His deck is pretty high up and doesn't want to walk out and see a three story building. He added that he doesn't think that the trees are sufficient enough for the 3-story building, and added that anyone who is in favor of the application does not live in the area.

Elicia Spearman raised her hand to speak, but was having trouble with Zoom, and wasn't able to speak.

Attorney Pellegrino said that he disagrees, and added that the proposed traffic statement is inaccurate, especially since most of the traffic will be off peak, but will look at the buffering along the Aspen Glen Circle to see can be done. Since the application has to come back to the Commission next month, maybe they can take a look at the issues that were raised collectively.

Attorney Pellegrino requested an extension for the next meeting where the reports would be completed, and any other issues would be addressed.

Ms. Mastropetre asked if there would be a landscaping plan at this point. Mr. McDonagh also asked about fencing surrounding the building. Attorney Pellegrino said he gather the information.

Ms. Draughn asked if there will be a lighting plan. Attorney Pellegrino said that he will look into it.

Ms. Dalby said she had two points to bring up. The first is that the neighbors have been encroaching on the property for many years, and the targeted clientele is those who are looking for inner peace. She added that this is the type of application that the neighbors would want to have.

Ms. Mastropetre made a motion to continue the public hearing until the March 9, 2021 meeting. It was seconded by Mr. McDonagh. All were in favor.

2.Special Permit and Site Plan #21-1336
275 Mount Carmel Avenue, R-2 Zone
Health and Wellness Center
Quinnipiac University, Applicant

Attorney Pellegrino addressed the Commission, and introduced the staff members from Quinnipiac University. Attorney Pellegrino said that this project was mentioned in the University's Master Plan, and will be an expansion and addition for the recreation center, and will be near the Mount Carmel entrance. It will be within the central area of campus, and will meet all of the bulk requirements. Furthermore, the University received approval on this project from the Inland Wetlands Commission in September 2020.

Salvatore Filardi, Vice President Facilities and Capital Planning at Quinnipiac University, addressed the Commission. He said that the University wants to make sure that the health and wellness center is one of the first key projects under the Master Plan that will continue to attract students. It will put all health and wellness services in one building. This will create an incentive for students to live on campus. This building is part of the campus' sustainability incentive, which will produce renewable energy.

Howard Phrommer, Engineer, demonstrated the site plan to showcase the addition. The addition will be on the west and south side of the recreation center. He showcased the existing conditions, and compared it to the proposed layout plan. The proposed addition is shaped like the letter L, and there is an open air courtyard in the middle. A series of walkways will be installed where the existing tennis courts are, and it's located 380 feet away from the nearest property line. There is no parking with this project, but reconfigured the walking projects, and the tennis courts will be removed. The addition will be served by the same underground water facilities that are already existing. There are site lights that are being proposed. Mr. Phrommer added that they meet all bulk zoning requirements. He added that he has checked with the CT DEEP Database, and this falls outside of an area of concern. He also filed items with the Connecticut Department of Public Health, and received no response, as well as receiving a letter that the University needs to respond to from the Town Engineer. Furthermore, they have received approval from the Regional Water Authority, and are working with Southern Connecticut Gas and Greater New Haven Water Pollution Authority.

Sam Batchelor, DesignLAB Architects, addressed the Commission. He said that this is an L-shaped two story building, and will create a central courtyard in the middle of the building. It will create stone cladding and wood glazing, and is a consolidation of existing services on campus to provide an integrated approach for health and wellness.

Chairman Poitier asked what activities the building will have. Mr. Filardi said that the addition won't change any existing activities, but they will provide existing programs that exist a better facility. Chairman Poitier asked if that meant more D-1 sports. Mr. Filardi answered no they are not adding anything additional, but there might be an expansion of recreational sports, but the same students will be here today. Chairman Poitier expressed concerns about any additional traffic. Mr. Filardi said he does not anticipate any traffic that is not here today.

Mr. McDonagh asked the construction team how much fill is going to be removed from the University. Mr. Phrommer answered only 300 cubic yards. Mr. McDonagh mentioned that he heard 3,000 cubic yards. Mr. Phrommer said a lot of that is going to be fill on the south side. There was a brief discussion about the courtyard.

Mr. Cocchiaro asked about the landscape plans for this proposal. Mr. Filardi answered said that one of the important things in the entire design is that the University is trying to be nature oriented. He added that the tennis courts are relocated and more trees will be added as well. Mr. Batchelor added that they are working

with Stimson Studio Architects, and the strategy is working towards restoring the nature landscapes. Mr. Cocchairo commented that he was impressed with the design and the layout.

Ms. Draughn asked what the excess stock piling was meant for. Mr. Phrommer said that there is a permanent landform on the other side of the building, and from a civil engineering standpoint, it is being reduced. Ms. Draughn asked if the total height is 8 feet. Mr. Phrommer answered yes from the former tennis courts, and the slope is very gentle on the sides. Mr. Batchelor stated that is a heavily wooded area, and the purpose is to create a buffer. Attorney Pellegrino said that is the lay down area, and the side area. Mr. Phrommer said yes, and they are planning to use the tennis courts as long as possible for staging, and eventually the pile will be moved.

Mr. Phrommer said there is a tracking pad, and believes that sand is involved, and there will be a tire wash in the area. Ms. Draughn asked if there will be any employment opportunities for Hamden residents for construction work. Ms. Draughn said she wanted to understand that this will give Hamden residents for construction there, and wants to understand what that looks like for Quinnipiac University.

Mr. Filardi said that they are beginning conversations about local employment, but will begin to document that, and in the very near future, they will put together a policy, as it's a goal to increase local employment in the Town of Hamden.

Chairman Poitier asked about the construction manager. Mr. Filardi answered it's FIP Construction in Farmington.

Mr. Filardi commented that the university is excited about the project, and would be more than happy to discuss the programs.

Ms. Mastropetre asked if any programs will be moving, and wanted them to expand on what is going to be included. Mr. Filardi answered that the north part of the building will be the health center, and the second floor will be the counseling services.

Tami Reilly, Director of Health and Well-Being, went over the health and wellness center responsibilities, and goals the University had for the students.

Mr. Davis read his report recommending approval of the project with the following conditions:

1. Prior to the issuance of a zoning permit, the applicant shall:
 - (a) Submit revised plans containing:
 - i. All Conditions of Approval
 - (b) No changes shall be made to the approved design without the express prior approval of the Hamden Town Planner.
 - (c) Prior to initiation of any site work, the general contractor, project engineer and appropriate QU staff shall attend a preconstruction meeting with Hamden staff to review the approved plans, applicable permit and inspection procedures, contacts and other related information.
 - (d) No certificate of occupancy shall be issued until either a temporary conditional or final certificate of zoning compliance has been issued by the Hamden Zoning Official.
 - (e) Approval shall not in any respect be construed as implied approval of tennis court relocation or any other collateral changes not explicitly identified and approved as part of this special permit.
 - (f) The scope of this permit shall be limited to use of the facility by QU students and staff and changes to the approved user group shall require approval of a modification to this special permit by the Planning and Zoning Commission.

- (g) All improvements shall be completed by February 23, 2026.

He added that he wanted to include that prior to the issuance of a Zoning Permit, a photometric plan would be required. Mr. Phrommer said that he had it and showcased it.

Elicia Spearman, employee at Quinnipiac University, addressed the Commission. She said that the University is putting focus and effort on the health and wellness.

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

Public hearing is closed.

B. Regular meeting

- 1. Special Permit and Site Plan #20-1329
10 Hamden Hills Drive, T-4/R-4 Zone
Change of Use to a Meditation Center
Brahmananda Saraswati Foundation, Applicant
Public Hearing Continued from the January 12, 2021 meeting

Continued to the March 9, 2021 Public Hearing

- 2. Special Permit and Site Plan #21-1336
275 Mount Carmel Avenue, R-2 Zone
Health and Wellness Center
Quinnipiac University, Applicant

Mr. McDonagh made a motion to approve the application with the conditions. It was seconded by Mr. Cocchiaro, and all were in favor. The application was approved with the following conditions:

- 1. Prior to the issuance of a zoning permit, the applicant shall:
 - (a) Submit revised plans containing:
 - i. All Conditions of Approval
 - (b) No changes shall be made to the approved design without the express prior approval of the Hamden Town Planner.
 - (c) Prior to initiation of any site work, the general contractor, project engineer and appropriate QU staff shall attend a preconstruction meeting with Hamden staff to review the approved plans, applicable permit and inspection procedures, contacts and other related information.
 - (d) No certificate of occupancy shall be issued until either a temporary conditional or final certificate of zoning compliance has been issued by the Hamden Zoning Official.
 - (e) Approval shall not in any respect be construed as implied approval of tennis court relocation or any other collateral changes not explicitly identified and approved as part of this special permit.
 - (f) The scope of this permit shall be limited to use of the facility by QU students and staff and changes to the approved user group shall require approval of a modification to this special permit by the Planning and Zoning Commission.
 - (g) All improvements shall be completed by February 23, 2026.

C. Old Business

1. Review minutes of the January 12, 2021 meeting

Ms. Mastropetre commented that she had a few small changes. Ms. Mastropetre pointed out that on page six on the fourth paragraph to change “police” to “planning,” page seven on the second to last paragraph to fix “can not” and “statutory,” and page seven on the second paragraph to change “as a land use commission it is important that the administration properly staffs the department.”

Mr. McDonagh moved to accept the minutes as amended, Ms. Mastropetre seconded, and all were in favor. The minutes were accepted as amended.

2. Discussion: Draft Amendments to Home Occupation Regulations
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
6. Discussion: FY 21/22 Budget and Department Operations

D. Adjournment

Mr. McDonagh made a motion to adjourn. It was seconded by Ms. Mastropetre, and all were in favor. The meeting was adjourned at 9:25 p.m.

Submitted by: _____
Natalie Barletta, Clerk of the Commission