



Town of Hamden
Planning and Zoning Department

**Hamden Government
Center
2750 Dixwell Avenue
Hamden, CT 06518
Tel: (203) 287-7070
Fax: (203) 287-7075**

May 18, 2021, Revised May 25, 2021

MINUTES: THE PLANNING & ZONING COMMISSION, Town of Hamden, held a Public Hearing and Regular Meeting via Zoom teleconferencing technology on Tuesday, May 11, 2021 at 7:00 p.m. with the following results:

Commissioners in attendance:

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

Staff in attendance:

Erik Johnson, Acting Town Planner
Tim Lee, Assistant Town Attorney
Genevieve Bertolini, Stenographer
Natalie Barletta, Clerk

A. Public Hearing

1. Special Permit and Site Plan #21-1337
2623 Dixwell Avenue, Town Green District
Hamden Middle School Expansion
Town of Hamden School Building Committee, Applicant

Ms. Masi reported that she received a message from a Town representative asking to postpone.

Mr. McDonagh moved to continue, Ms. Mastropetre seconded, and all were in favor. This application was postponed.

2. Special Permit and Site Plan #21-1340
275 Mount Carmel Avenue, R-2 Zone
Relocation of 6 Tennis Courts
Quinnipiac University, Applicant

Ms. Masi stated that the Applicant asked that this would be opened and continued. Mr. Filardi asked if it could be continued to the June 22, 2021 meeting. Attorney Lee asked for it to be opened and tabled.

Mr. McDonagh moved to table to June 22, 2021 meeting. Ms. Mastropetre seconded, and all were in favor. This application was tabled to the June 22, 2021 meeting.

3. Special Permit and Site Plan #00-903
275 Mount Carmel Avenue, R-2 Zone
Major Modification to allow construction of temporary modular labs
Quinnipiac University, Applicant

Bernard Pellegrino, Attorney at the Pellegrino Law Firm, addressed the Commission. There will be 6,400 square foot modular labs within the existing parking lot adjacent to the college of Arts and Sciences. It is not visible outside of the campus. In 2019, the Commission approved an amendment to allow temporary faculty offices in that same parking lot. This will be a temporary use until there is a permanent location for labs and offices. Attorney Pellegrino added that they are currently looking to find a permanent location on campus. He added that the University received a de minimis approval from the Hamden Inland Wetlands Commission, and has received a no comment letter from the Regional Water Authority.

Howard Pfrommer, Civil Engineer, shared the plans. It is a 6,400 square foot one-story modular building, and is directed on the existing pavement. He reported that there is no earthwork involved, and infiltration system will run into the parking lot.

Mr. Banks commented that it looks like there is going to be significant replacement of electrical feeds. Dennis Faga, Senior Architect at Amenta Emma Associates, said that there will be a new mechanical unit that will have the storage and run with the modular trailer themselves, and there will be a new transformer for electrical services. Mr. Banks then asked if it was for additional airflow. Mr. Faga answered yes.

Mr. McDonagh asked what kinds of these will be, and if they are already existing. Attorney Pellegrino stated that he is trying to configure the use of additional space.

Ms. Masi read a report written by Assistant Town Planner, Matthew Davis, recommending approval with the following conditions:

1. Prior to the issuance of a zoning permit, the applicant shall modify the final plans as follows:
 - a. Incorporate all conditions of approval
 - b. Include the conditions of the di minimis inland approval of 5/7/21
 - c. Attend a preconstruction meeting with Planning Department staff to review permit requirements, inspection procedures, protocols for field modifications, project close out requirements and other relevant matters.
2. The duration of the permit shall be for a maximum of two years from the date of the issuance of a certificate of occupancy.
3. The use of the structure shall be limited as approved herein.
4. Development shall comply with the comments of the GNWPCA staff dated 5/3/21.
5. In the event the temporary permit expires and is not extended, the structure shall be removed within 90 calendar days of the expiration and the site returned to its prior approved condition.
6. No field modifications shall be made without the prior review and approval of the Town Planner.
7. No certificate of occupancy shall be issued until a certificate of zoning compliance is approved.
8. No certificate of zoning compliance shall be issued without a post construction as built, certified by a CT licensed LS, being reviewed and approved by the Hamden Zoning Official.

Chairman Poitier asked if anyone wanted to speak in favor of this application.

Lise Thomas, 19-year resident, and chair of the department of Biological Science at Quinnipiac University, addressed the Commission. She stated this will impact students significantly in the department. She remarked that education is changing, and this poses a challenge with labs. She added that there is a lot of demand for lab rooms, as they are use from 8 a.m.-9:30 p.m., and this modular will relieve constraints to appropriate science that is appropriate for the 21st century.

Donna Diaz, 525 Still Hill Road, addressed the Commission. She is the Skills and Lab Coordinator at Quinnipiac University. She said that the School of Nursing requires space for hands-on learning and for underclassman to move along in the nursing program to become successful in the program. There is a need for space for the current student body, will help the nursing department.

Debra Liebowitz, 144 Woodlawn Street, addressed the Commission. She is the provost at Quinnipiac University. She mentioned the need for a new academic building. This has become worse with the social distancing protocols, which has put additional pressures on what was already not enough space.

Bethany Zemba, 99 Sugar Hill Road, North Haven, addressed the Commission. She noted that the University has no plans to increase student body, and it will stay the same, if not decrease.

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

Sarah Health, 50 Ives Street, addressed the Commission. She is representing a neighborhood who has been impacted by the University, and have concerns on overall plan as to what it leads. She mentioned that the plans have not been visible to abutters, and while she knows that there is a ten year plan that is on the web, she wants to indicate concern on the possible expansion.

The clerk then read all comments submitted to the Commission by the group Neighbors of Quinnipiac University and Susan Patel opposing the project into the record (see file).

Mr. Stevens asked about the five year plan. Mr. Filardi answered that they submitted the Master Plan, and they believe that this project is keeping with the plan. He continued by stating that this is not a growth strategy, but a way to accommodate the demand for more hands on learning. He continued by stating the plans are on the website, and added the University is actually smaller than a few years ago, and not projecting growth.

Attorney Pellegrino added that when the letter was sent to him, he reached out to Miss Biller and sent an email with a link to the plan and asked if she had any questions. Ms. Zemba added that she is willing to meet with this group, and want the neighbors to know what the plan is. She then invited the group to sit down with them and go through the plans so they feel more informed.

Ms. Zemba repeated that she reached out the Blue Hills Association, Sleeping Giant and West Woods Civic Association.

Franz Douskey, 50 Ives Street, addressed the Commission. He said that he is unsure that he is talking to neighborhood groups, and the Master Plan Draft should have went before the Planning and Zoning Commission for discussion. Attorney Pellegrino responded that the plans were presented at the January 12, 2021 meeting, and then the Legislative Council soon after.

Chairman Poitier then closed the public hearing.

4.Special Permit and Site #21-1339
2100 Dixwell Avenue, T-5 Zone
Relocation of Starbucks with Projected Drive Through
National Shopping Centers, LLC, Applicants

Andrew Bermant, owner and managing agent of the Hamden Plaza, addressed the Commission. He introduced Lois, John Schmitz, and Marcello Grandquist, and gave a brief history of the project and the

Hamden Plaza. In summer of 2019, Starbucks approached them to open a new store that has a drive through and since the Plaza did not want to lose Starbucks, they worked together to create a plan that would work for both of them. . He mentioned parking issues, the desire for a patio area, and considered the different issues including the goal of designing better streets. The options included an out parcel, and one issue that they had was that there were tenants 650 feet way from the site, including Shop Rite, and Marshalls. The question became how to design a storefront where the building is turned perpendicular to the street. He did receive consent from all of the tenants, and in order to do so, they needed to prove that obstruction would be minimized. He said that he took the building and put it 90 degrees to the street, and had to cut the site with the goal to ensure that someone was to make sure that the goal that people can see the other sites. Furthermore, he is proposing to lower the site, and put a retaining wall, so it's at street level. By doing so, someone driving along the street would be able to see above the vehicles and see the sign band. This is critical to any development on the site. The south face of proposed building, and pretty small in terms of time that it's blocking the view. Mr. Bermant added that drainage, runoff and filtration as many of the significant issues, and wanted to make sure filtration and run off are reduced. The project was designed to ensure that the Zoning Regulations have been meet, and in the absence of a building façade, a street screen will be built. In this case, it's hedges. He added that Starbucks is great to work with.

John Schmitz, Senior Engineer, located at BL Companies 355 Research Parkway, Meriden addressed the Commission. He presented the plans and showcased where the site is versus where it is currently. The proposal is to put the building on the northeast corner of the site, and access to the site itself will be on the outparcel. The building is 2200 square feet, and will be creating 20 parking spaces as well as a drive through lane on the north part of the property. He added that the entire outparcel area is approximately 2500 square feet of green space. There is also an increase of the existing rain gardens, and there are two that are not working properly, because there was icing going there. He found that the soils in this area are silty and there was not a lot of infiltration going on today, and water will going into that area and then pond.

Mr. Banks asked if Mr. Schmitz could identify the plans on the existing rain garden for the Commission. Mr. Schmitz demonstrated them on the plans and noted that a good chunk of the rain goes into the storm drainage on Dixwell Avenue. There will be additional landscaping on the parking lot, which will provide more pedestrian access, and a proposed crosswalk in the Tesla charging stations as well. He wanted to highlight that all tenants will be open during construction.

Mr. Schmitz then addressed staff comments, construction timeline, and went over safety issues. He added that the project will have site lines, which is crucial.

Paul Tephper, Studio Architects, addressed the commission. The building will be a small standalone building with a walk up window, patio space and drive through. The drive through is located at north side, and walkup window is located on the east side, and the public part of the building is on the east side. He added that the building will blend in more with the shopping center, and then went over the lighting.

Mike Dion, Senior Traffic Engineer, addressed the Commission. He looked at all of the entrances of the plaza, and added that the project will need approval with the Traffic Department. The Police Department did not have any comments. Mr. Bermant added that the existing Starbucks site can be reused by another café without needing approval of the Commission.

Chairman Poitier then asked how traffic would be managed at Mix Avenue entrance. Mr. Bermant answered there is no proposal for work to be done at Mix Avenue for this project.

Mr. Cruikshank said he had some concerns about traffic, as Dixwell Avenue has failing traffic grades already, and the drive through are going to bring it to 41 cars at peak. He added that he is concerned that there would be traffic that would back up to the high school. He is interested in what the state has to say.

Chairman Poitier asked about the construction timeline. Mr. Bermant answered start at summer, and complete at Christmas if possible.

Mr. McDonagh said that there was no entrance to the lane, and it's going to put pressure on traffic going further north. He then asked if there was concern for Wood N' Tap and Panera Bread. Mr. Bermant said there is no proposed change between Dixwell Avenue. He said that he will be adding a curb gutter and those two lanes, but indicated that was to show new pavement on the area and added that access to the property is important. There was a brief discussion on the lighting plan.

Mr. Bermant then added that there will be a day or two closure of the exiting lanes on the closure.

Ms. Mastropetre asked what type of fences in the drive lane and the fence. She also mentioned that she had speeding and safety concerns. She then asked to see where the patio was on the site. Mr. Schmitz demonstrated where the patio was, and added that there would be a fence. There was a brief discussion on the car stops and the retaining wall. Mr. Schmitz added that students from the high school park there, and they will realign the spots so that there wouldn't be any loss of spaces for students to park.

Ms. Draughn asked the crosswalks, and Mr. Stevens asked about the grading plan. Mr. Banks also asked about the grading plan.

Ms. Masi read the report prepared by Assistant Town Planner, Matthew Davis recommending approval of the application 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) Revise architectural plans if applicable to show any roof top units and screening of same.
 - (c) No occupancy of the vacated current Starbucks space shall be approved by the Zoning Official until a written confirmation from the STC has been secured that no related changes to the center's existing operational certificate are required to allow such occupancy.
 - (d) Eliminate the "potential patio extension area."
 - (e) The applicant's contractor shall provide a specific construction sequence and related plan at the required preconstruction meetings.
 - (f) Interior landscaping shall not impeded interior sight lines.
 - (g) Revise the dumpster location (shift west) to comply with the T zone standards.
 - (h) Indicate how compost containers are to be secured.
 - (i) Provide a detail of the proposed streetscreen wall.
 - (j) Revise proposed work area security fencing to better align with the adjacent parking and access drives to remain in use by patrons during construction.
 - (k) Address all comments of the Town Engineer's review memo.
 - (l) Loading/delivery and refuse removal hours and operations shall be designed to minimize conflicts with on site and abutting residential uses.
 - (m) Business signage shall be excluded from this approval and approval of same shall require a separate subsequent zoning permit application.
 - (n) Building mounted or any other lighting details not shown shall be indicated on revised plans.
 - (o) Demo debris shall be removed on a daily basis and the site shall be secured at all times during demolition and construction, to prohibit unauthorized access.
 - (p) No changes shall be made to the approved design without the express prior approval of the Hamden Town Planner.

- (q) Prior to the issuance of a Zoning Permit, the general contractor, owner and project engineer shall attend a preconstruction meeting with Hamden staff to review the approved plans, applicable permit and inspection procedures, contacts and other related information.
- (r) 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.

Mr. McDonagh said he has some questions from the Assistant Town Planner's report, as well as parking. He added that the Commission did not receive the report from the Town Engineer.

The Clerk read Mr. Austin's report into the record, which was received late afternoon on Tuesday, May 11, 2021. Mr. Schmitz res it would make the most sense to extend and the trade the landscaping, would lose green space, and would provide additional calculations. He added that he met with United Illuminating and Frontier, and underground power will not be needed. He will provide the Commission a revised plan where that pole would be.

Mr. Bermant then addressed Ms. Draughn's concerns about site access. Mr. Schmitz said that sounds like the Town Engineer wants us to look at those plans, and as well as add a new sidewalk westward and to the Tesla charging stations, and westward. He added that he will take a little closer of a look on how to accommodate the questions raised on the Town Engineer's report.

Chairman Poitier asked when the revised plans can be ready. Mr. Schmitz said that they could have it ready for the May 25.

Ms. Draughn said she was concerned about the crosswalk into the parking area in terms of mitigating risk, and congestions She asked if there would be mechanicals on this roof. Mr. Schmitz answered yes.

Chairman Poitier asked if they are requesting a continuance. Mr. Bermant answered that they would like to go through the letter from the Engineering Department and possibly meet with the Town Engineer. Therefore, a continuance makes the most sense. He hopes to be before the Commission with the updated plans on May 25, 2021. Mr. McDonagh agreed. Mr. Cruikshank mentioned he wants to see a plan in place to be address the environmental work, some of the BOC disturbances, and suggested a special report, and he would like to see a plan in place in construction for the next meeting. Mr. Bermant said there is a report from the environmental engineers, which will get submitted to the town. Mr. Stevens then brought up traffic and safety concerns. Mr. Bermant said he will take a look at adding pedestrian access to the shopping center, and bring it to the building to connect it with the northwest corner of the building. There was a brief discussion on traffic and safety issues.

Mr. McDonagh moved to continue the Public Hearing to May 25, 2021. Ms. Mastropetre seconded and all were in favor. The Public Hearing was continued to May 25, 2021.

B. Regular Meeting

1. Special Permit and Site Plan #21-1337
2623 Dixwell Avenue, Town Green District
Hamden Middle School Expansion
Town of Hamden School Building Committee, Applicant

This application will be continued.

2. Special Permit and Site Plan #21-1340

275 Mount Carmel Avenue, R-2 Zone
Relocation of 6 Tennis Courts
Quinnipiac University, Applicant

This application will be continued to the June 22, 2021 meeting.

3. Special Permit and Site Plan #00-903
275 Mount Carmel Avenue, R-2 Zone
Major Modification to allow construction of temporary modular labs
Quinnipiac University, Applicant

Mr. McDonagh moved to approve, Mr. Banks seconded, 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 modify the final plans as follows:
 - a. Incorporate all conditions of approval
 - b. Include the conditions of the di minimis inland approval of 5/7/21
 - c. Attend a preconstruction meeting with Planning Department staff to review permit requirements, inspection procedures, protocols for field modifications, project close out requirements and other relevant matters.
2. The duration of the permit shall be for a maximum of two years from the date of the issuance of a certificate of occupancy.
3. The use of the structure shall be limited as approved herein.
4. Development shall comply with the comments of the GNWPCA staff dated 5/3/21.
5. In the event the temporary permit expires and is not extended, the structure shall be removed within 90 calendar days of the expiration and the site returned to its prior approved condition.
6. No field modifications shall be made without the prior review and approval of the Town Planner.
7. No certificate of occupancy shall be issued until a certificate of zoning compliance is approved.
8. No certificate of zoning compliance shall be issued without a post construction as built, certified by a CT licensed LS, being reviewed and approved by the Hamden Zoning Official.

d. Special Permit and Site #21-1339
2100 Dixwell Avenue, T-5 Zone
Relocation of Starbucks with Projected Drive Through
National Shopping Centers, LLC, Applicants

This application will be continued to the May 25, 2021 meeting.

e. Site Plan #16-1297
82-92 Crestway, M Zone
Major Amendment to note change in topography of the site, change of the mafia block bins located in the North, adding fencing, removal of curbing on the North and Eastern side of the detention basin, a change up to 30 feet in a westerly direction of the edge of the slope on the Western edge, a rock fall catchment area at the base of the slope on the Western edge, and elimination of the loading zone in front of the building.
Eighty Two-Ninety Two Crestway, Applicant

Attorney Lee asked for this application to be tabled to the next meeting.

Mr. McDonagh moved to table this application, Mr. Banks seconded, and all were in favor.

C. Old Business

1. Review minutes of the April 27, 2021 meeting

Ms. Mastropetre moved to table to the next meeting, Mr. McDonagh seconded, and all were in favor. The minutes were tabled.

2. Discussion: Eliminating Applicability of Certain T Zone Standards to M Zone Developments

Mr. Johnson reported that there were no further updates on this.

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

Mr. Johnson reported that the Planning and Zoning budget was approved with an additional \$50,000 in professional and technical services line. He also reported a potential merger with the Planning and Zoning and Economic Development departments. It is currently not approved, but the Mayor has sent a proposal merging the two departments. A decision should be made at the end of the week. There was a brief discussion of the logistics of that. Ms. Mastropetre asked if there was a plan to change the departments in the charter revision. Mr. Johnson answered that there were none, but the final deliberations are close to those of the charter revision. He cannot speak to it due to his limited tenure of the town.

4. Request of Frank Pullano for a 5 year extension for Special Permit #16-1278 and Zoning Permit #16-5383 at 2308-2320-2330R Whitney Avenue

Michael Milazzo, attorney, addressed the Commission. He, along with the current owner of the property, have reviewed Mr. Davis' comments and agree to them, although they expect to have it completed prior to that time. Ms. Masi read a report written by Assistant Town Planner, Matt Davis, recommending an extension of two years. She noted complaints that she herself received frequently. Mr. Milazzo said that the project will be complete, and open as quickly as possible.

Mr. McDonagh moved to grant an extension of two years to Site Plan #16-1278 and Zoning Permit #16-5383, Ms. Mastropetre seconded, and all were in favor. The extension was granted.

D. New Business

1. Acting Town Planner's Report on Town Center Park Rain Garden Minor Modification Approval

Mr. Johnson reported that he did not have a report prepared for the Commission, but will at the next meeting.

E. Adjournment

Mr. McDonagh made a motion to adjourn. It was seconded by Mr. Banks, and unanimous in favor. The meeting was continued to 9:52 p.m.

Submitted by: _____
Natalie Barletta, Clerk of the Commission

To view the meeting, please click on the following link and observe the instructions when prompted:
<https://zoom.us/rec/share/z49pjinwSp6XA1WziHN09PJKJpKkCD7Ksmr1wCvzdQmn4wiqUVJjE44LWXy-UB2OM.XkLhbLO2TEK6HBcQ>

****If you are reviewing a print copy of these minutes, and wish to view the meeting recording, please visit the Agenda Center at www.hamden.com/AgendaCenter. Then review the recording by downloading the digital version of these minutes and following the instructions above****