



Town of Hamden
Planning and Zoning Department

**Hamden Government
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June 15, 2021

MINUTES: THE PLANNING & ZONING COMMISSION, Town of Hamden, held a Public Hearing and Regular Meeting via Zoom teleconferencing technology on Tuesday, June 8, 2021 at 7:00 p.m. with the following results:

Commissioners in attendance:

Brack Poitier, Chair
Joseph McDonagh
Michele Mastropetre
Joseph Banks
Paul Begemann
Charles Elbert
Robert Cocchiaro
Jay Cruikshank, Sitting for Vacancy

Staff in attendance:

Erik Johnson, Acting Town Planner
Matthew Davis, Assistant Town Planner
Holly Masi, Zoning Enforcement Officer
Mark Austin, Town Engineer
Tim Lee, Assistant Town Attorney
Genevieve Bertolini, Stenographer
Natalie Barletta, Clerk

Chairman Poitier opened the meeting at 7:01 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.

Mr. Cocchiaro wanted to note that for the record that he feels comfortable voting on these applications, as despite his absence, he has reviewed the applications and previous minutes.

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

Mr. Johnson said that he wants this project continued to the next meeting and added that the project was over budget, which hasn't yet been addressed by the town.

Mr. McDonagh moved to table this application, Mr. Cocchiaro seconded, and the vote was unanimous in favor.

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

Ms. Mastropetre asked why this was still on the agenda, as the Public Hearing has been continued to the June 22, 2021 meeting. Mr. Davis explained that this item is still on simply as a measure of keeping track of the application.

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

Mr. Begemann bought up that he wasn't hear when it was initially heard, but after reading the minutes, and reviewing the plans, he feels he can deliberate on this matter.

Andrew Bermant, owner and managing agent of the Hamden Plaza, addressed the commission and introduced the team working on the project. He remarked that he appreciates the comments received from both staff and commissioners. He looked back at the plan and did their best to respond to comments by addressing certain areas on the site. He added that he looked at pedestrian access, and demonstrated the changes of the revised plans. He also stated that he removed mid-block crossing, and added a crosswalk at the intersection to the shopping center. By doing so, this will provide safe methods for pedestrian traffic. To do so, the raised planter in the center of the site will need to be eliminated. A new planter will be planted at grade and will not obscure vehicles. They will also be gaining more pervious area. From the south side of the property it's a little more challenging, but based on the Engineering Department comments, there will be a crosswalk on south portion of the sidewalk rather than using the drainage panel to bring pedestrians from the Tesla charging stations to the site. However, this will eliminate one parking space.

In terms of bringing pedestrian traffic on the North side of Dixwell Avenue, pedestrians would need to cross three driveways. There would be a need to cross access road is because this intersection, which has a stop sign north and south with traffic free flowing in the shopping center. Mr. Bermant noted that he needs to be careful with this. He added that he would like to work with staff and thinks that this would be a condition for approval. He also noted that he added directional arrows at the intersection as well. He did then raise the question of the green standardized Starbucks traffic areas, which is standard by the corporation.

Mr. Austin then explained what the Federal Standards of directional arrows were, and there was a brief discussion.

Mr. Bermant reported that he did some submit soil findings with regard to what was found on site. In one particular area, it was determined that it was a local release it could have been a gas spillage in the parking lot, and came with no further contamination. This is not unusual for state of Connecticut, and the findings of report are air rated and used on site, and is a low level.

John Schmitz, BL Companies, addressed the commission and walked the Commission through the remainder of the changes. He stated he needs to get utility poles, and came up with a plan to get new poles along Dixwell Avenue. The new pole would be between the trees (which would not be removing any trees), and there will be a pole mounded transformer, and from there, they would go underground. Town engineer needs to pull permits from DOT and work from the right-of-way on driveways. They are relocating the sewer line to new manholes, and are working with GNHWPCA to connect to the line. There is 400 cubic feet of storage in the rain garden which will have a higher volume of water, and there will be three others located. There will be a drive through and bypass lane and he is currently revising designations to include deep stumps and hooded outlets would provide for sediment removal for watershed and rain gardens. He has also submitted revised calculations and rain gardens.

Mike Dion, traffic engineer at BL Companies, addressed the Commission. He explained that Starbucks did not want a site that has less than 10 vehicles. Traffic counts were down during the COVID-19. They are

currently adjusting the traffic counts difference in volumes. Mr. Bermant explained that he is talking to potential occupants for the old Starbucks building, which he expects is not going to generate a lot of traffic.

Chairman Poitier asked how wide those two lanes are. Mr. Schmitz demonstrated that the main drive through lane is 10 feet, and the bus lane is 12. The main road itself tapers in width. Mr. Schmitz explained that both sides have guardrails, and the project proposes to increase the size of the existing ones. He added that the area will be lowered about a foot or so. He noted that the currently rain garden does not function very well and will pond water in the wintertime. He will be adding piping with underdrains and won't be having that problem. Chairman Poitier asked about the pedestrian path to the Tesla chargers. Mr. Schmitz demonstrated them on the plans and what they did was to provide a direct pedestrian path.

Mr. Begemann asked about the two lanes for the drive through, and asked for a comment for the number of lanes. Mr. Schmitz went through the amount of parking and noted that they are in compliance with the regulations.

Mr. Elbert asked about how rain water is getting moved from behind the rain garden. Mr. Schmitz explained the lower rain garden is a catch basin in the underdrains in the rain garden and the overflow have infiltrated into a further basin where they would be further south into the south driveway. This will mimic existing patterns. There will be a graded parking lot, as well as a ramp around the store. Mr. Schmitz explained that between rain garden from side walk east facilitates towards the west parking lot. He added that there would be an access road above the parking lot.

Mr. Cocchiaro asked if that was adequate drainage for the parking lot will be enough to handle rainwater. Mr. Schmitz answered yes. Mr. Cocchiaro asked if they have a landscape plan if they can go over for them. Mr. Schmitz answered yes, and then went through the plans. Mr. Cocchiaro asked if they can give them an idea of the snow removal plans, and doesn't want to see the landscaping get destroyed. Mr. Schmitz noted that there would be an area from the west to use from of that parking space for snow storage. Mr. Bermant demonstrated areas of student parking and areas of the snow piles, and added that they will be relocated to the southwest portion of parking lot. This was taken into consideration from the tenants. Mr. Cocchiaro stated that he was concerned about student parking, especially during the winter months. Mr. Bermant noted his concerns, and suggested moving the student parking elsewhere.

Mr. Cruikshank stated that he wants to review that, and noted his concerns about traffic. He is concerned, as the worst place for traffic is going north on Dixwell Avenue and added that the plaza itself already has a failing grade. He asked for a fix on this. Mr. Dion stated that is a major concern from the site, and then noted the traffic study. Mr. Dion suggested that the first step could be improve traffic signal timings, and next step after that would be to widen the road. He added that they could look at timing issues. Mr. Dion said that it is not going to back up into the high school, and should work as it does now. Mr. Austin said that timing can be considered, and this is something that the applicant can look at. It's a programming issue, and the problem is that it's a 30 year old signal, so not much can be done. The Town is applying for a grant to get them updated, and is currently working on this with the Police Department.

Mr. Banks commented that the way that the applicant has approached the intersection is good thinking, and wishes them well in trying to resolve that. He would like to see a report. He noted that QVHD (Quinnipack Valley Health District) had asked for more detailed plans before doing a full review. Mr. Banks asked to look at the main scuppers, and noted that they come up on the back of the building. He asked to take a look at the proximity of those. Mr. Schmitz then addressed those concerns.

Paul Tephner, Studio Architects, addressed the commission, and from the west end, they are draining roof. He then demonstrated it on the plans for the Commission.

Mr. Austin remarked that he met with applicant, and most of discussed at that meeting was also talked about at tonight's meeting. In agreement that the path from the south, and asked for a little time to consider that to figure out, and most of the other things. Has concerns about water quality, as there are concerns and the drainage report has not been received as well.

Chairman Poitier asked if Mr. Johnson wanted to add anything. Mr. Johnson answered that he thinks all of the issues discussed were reflected in the conversation at tonight's meeting. Further work needs to be done on the site, but otherwise, he believes that the majority of these have been addressed.

Mr. McDonagh asked if Mr. Davis and Mr. Austin were satisfied with the information that was presented. Mr. Davis said that Mr. Johnson and Mr. Austin have taken over this file, as he was not present at the May 11, 2021 meeting. His role in this application after the initial review has been minimal. He asked Mr. Johnson and Mr. Austin if the department needs further information. Mr. Johnson answered the department is not prepared to submit them today. Mr. Austin agreed.

Chairman Poitier mentioned his concern about receiving the plans today and wants to continue this application to the June 22, 2021 meeting. Ms. Mastropetre it does appear that reports and letters, and there was a letter addressed to the Assistant Town Planner and added that the issues raised during tonight's meeting were addressed. Ms. Mastropetre added that she doesn't want to hold this application up, and it looks like this was done in a timely fashion.

Mr. Bermant added that his thinking that the original conditions were applicable, and the only additional condition he thought would require them to work with staff onto the site. He added that he was unprepared to learn the geotechnical report has not been received. This can be addressed, and in the current setting of conditions by just saying the drainage and the geotechnical report can be satisfactory to staff. Therefore, he said he agreed with the conditions drafted in the previous report and to add two conditions to go through the south, and to add the geotechnical report that drainage reports, and the permit can be pulled based on these conditions.

Mr. Austin stated that while staff members have received it, the clerk has not. He added that the only major issue what the path to the south to the north was. Mr. McDonagh said he wanted to know that it's in the staff's report.

Mr. Schmitz showed the original staff report written on May 10, 2021 and showcased those conditions of approval for the commission.

Mr. Johnson pointed out that Mr. Davis' initial report did not include the Town Engineer's comments, and understands that since there are a list of comments from the Town Engineer that need to be addressed. He added that while he doesn't want to delay the process, he can't provide a list of comments at this time.

Mr. Bermant replied that given his response, he agrees with the chair's recommendation to present a complete application and have a report, and would like to have had time to review. Chairman Poitier said that he would like to close the public hearing, and then continue it on the other side for the regular meeting. Can't approve anything without recommendation.

Mr. McDonagh asked if it's appropriate to close a public hearing while still waiting for staff comments for approval. Attorney Lee said the Commission can receive comments from staff but not from the applicant or from the general public.

Mr. Cruikshank asked if the reports can be emailed. Mr. Austin answered once the clerk received the file, as the town email system operates on a delay with larger files, she will post it online and distribute the files to Commissioners.

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

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

Chairman Poitier then closed the public hearing.

B. Regular Meeting

1. Special Permit and Site Plan #21-1337
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Tabled to the June 22, 2021 Meeting

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

Tabled to the June 22, 2021 Meeting

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

Public Hearing closed, decision tabled to the June 22, 2021 Meeting

4. 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 slop 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 to table the Crestway and to discuss this matter in the executive session.

Ms. Mastropetre moved to table this application, Mr. McDonagh seconded, and the vote was unanimous in favor.

5. Site Plan #19-1322

20 Davis Street, T-3.5 Zone

Request of extension of minor amendment to convert office space into temporary secondary school classrooms due to the COVID-19 pandemic

The Hamden Hall School, Applicant

Mr. Johnson reported that this was approved by the Planning and Zoning Commission and this one can be approved administratively versus being heard by the Commission.

Ms. Mastropetre moved, Mr. Begemann seconded, and all were in favor.

C. Old Business

1. Review minutes of the May 25, 2021 meeting

Ms. Mastropetre pointed out two corrections to point out that there are two corrections on page two of the minutes.

Mr. McDonagh moved to approve the minutes as amended, Mr. Cruikshank seconded, and all were in favor, with one abstention from Mr. Cocchiaro as he was not present.

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

Mr. Davis reported that he had nothing to report on this matter.

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

Mr. Johnson reported that he has a presentation regarding the direction of the Planning and Zoning Department and the Economic Development Departments, and he will have the Clerk send this out to them along with the minutes.

D. New Business

Ms. Mastropetre asked where the next meeting was. Mr. Johnson said that there is a draft of a document from the Mayor's Office, boards and commissions can meet in person again. There are general guidelines, and has not been fully circulated. The Mayor's Office and the IT Department are working on those details. Mr. Johnson added that he had discussions with the clerk regarding this matter. There was a discussion on in person meetings versus hybrid ones.

E. Executive Session – Discuss Active Litigation

Attorney Lee asked for a motion to also add Discuss Active Student Housing Litigation to the agenda.

Ms. Mastropetre moved to add this to the agenda, Mr. McDonagh seconded, and all were in favor. The item was added to the agenda.

Ms. Mastropetre moved to go into executive session, Mr. McDonagh seconded, and all were in favor. The Commission went into Executive Session at 8:55 p.m.

Mr. McDonagh moved to get out of executive session, Mr. Cruikshank seconded, and all were in favor. The Commission came out of executive session at 9:52 p.m.

F. Adjournment

Mr. McDonagh made a motion to adjourn. It was seconded by Mr. Cocchiaro, and all were in favor. The meeting was adjourned at 9:59 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/qrrrv5pxGgQwOx_sgGn2lFH20bQefEx3FB4UM0N_0pD8Dmlj0WXVS7HA8logkxtR.l-9Pixy6gGakYGkx

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