



**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 15, 2020, Revised May 19, 2020

AGENDA: The Planning and Zoning Commission, Town of Hamden, will hold a Regular Electronic Meeting on Tuesday, May 26, 2020 at 7:00 p.m. The meeting will be a 100% electronic meeting, as Legislative Council Chambers at Memorial Town Hall will be closed pursuant to the Governor's Executive Orders 7B¹ and 7D.

All public comments for this meeting agenda should be sent to dkops@hamden.com by 6:00 p.m. on May 26, 2020.

Comments will be read out loud during the meeting's Public Input Session

Join using Zoom from your computer, tablet or smartphone

<https://zoom.us/j/92735443864?pwd=YmFrREgrQjhlL055SE4rbUFuZitsdz09>

One tap mobile

**+16465588656,,92735443864#,,1#,777149# US (New York)
+13017158592,,92735443864#,,1#,777149# US (Germantown)**

Dial by your location

**+1 646 558 8656 US (New York)
+1 301 715 8592 US (Germantown)
+1 312 626 6799 US (Chicago)
+1 669 900 9128 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)**

Meeting ID: 983-5518-0115

Password: 389312

Find your local number: <https://zoom.us/u/asQsBDFKS>

If you already have the Zoom App or go to the Zoom.com website, simply select "join a meeting" and complete the following:

Webinar ID: 983-5518-0115

Password: 902359

A. Public Hearing

- 1. Zoning Map Amendment Application# 20-0973
3656 Whitney Avenue, T3 Zone
Change from a T3 to a T3.5 Zone
Green Olive Properties, Applicant**
- 2. Zoning Regulation Amendment # 20-0474
55 Connolly Parkway, T4 Zone
Amendment to zoning regulations to allow multi-family housing on a portion of Connolly Parkway, T4 Zone
Ancar, Inc., Applicant**

3. Special Permit # 96-0788
109 Sanford Street, T4 Zone
Major amendment to allow public assembly
Devonshire LLC, Applicant

B. Regular Meeting

1. Zoning Map Amendment Application #20-0973
3656 Whitney Avenue, T3 Zone
Change from a T3 to a T3.5 Zone
Green Olive Properties, Applicant
2. Zoning Regulation Amendment # 20-0474
Amendment to zoning regulations to allow multi-family housing on a portion of Connolly Parkway, T4 Zone
Ancar, Inc., Applicant
3. Special Permit #96-0788
109 Sanford Street, T4 Zone
Major amendment to allow public assembly
Devonshire LLC, Applicant

B. Old Business/ New Business

1. Review minutes of the February 25, 2020 Regular Meeting, February 25, 2020 Special Meeting, and April 24, 2020 Regular Meeting

C. Adjournment

PARTICIPATION PROTOCOLS

Governor Lamont and Mayor Leng have instituted several Executive Orders and Emergency Protocols to limit public gatherings, yet still provide for public participation in state and local municipal meetings. During this unprecedented public health crisis, until further notice meetings of the Hamden Zoning Board of Appeals will take place electronically, via a program called Zoom. We all wish to keep our friends and neighbors healthy and safe, so we thank you for your patience in dealing with these changes in our practices and procedures. Our Town Attorneys have prepared meeting guidelines that adhere to the requirements of the Governor's Executive Orders and our Town Charter.

Please use these guidelines to view and participate in Planning and Zoning Commission Public Hearing and Regular Meeting:

- Members of the public should use the link listed above in order to access the Tuesday March 26, 2020 at 7:00 P.M. meeting of the Planning and Zoning Commission and each subsequent meeting until further notice.
- Meetings may be accessed through a computer, smartphone, phone, or tablet.
- If you have any questions about using Zoom and/or how the meeting will be conducted please phone the Planning and Zoning Department at 203-287-7070 to speak to Town Planner Dan Kops.

¹ Under Executive Order 7B Electronic Meetings are subject to the following: (a) The public shall have the ability to view or listen to each meeting or proceeding in real time, by telephone, video, or other technology; (b) Any such meeting or proceeding shall be recorded or transcribed, and such recording or transcript shall be posted on the Town's website within seven (7) days of the meeting or proceeding, and made available within a reasonable time in the Town Clerk's office; (c) The required notice and agenda for each meeting or proceeding is posted on the agency's website and shall include information about how the meeting will be conducted and how the public can access it; (d) Any materials relevant to matters on the agenda, including but not limited to materials related to specific applications, if applicable, shall be submitted to the agency a minimum of twenty four (24) hours prior and posted to the agency's website for public inspection prior to, during, and after the meeting, and any exhibits to be submitted by members of the public shall, to the extent feasible, also be submitted to the agency a minimum of twenty-four (24) hours prior to the meeting and posted to the agency's website for public inspection prior to, during, and after the meeting; and, (e) All speakers taking part in any such meeting or proceeding shall clearly state their name and title, if applicable, before speaking on each occasion that they speak.

Submitted by: _____
Natalie Barletta, Commission Clerk



Town of Hamden
Planning and Zoning Department

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

Memorandum

To: Hamden Planning and Zoning Commission

From: Daniel W. Kops, Jr., Town Planner *DWK*

Re: Zoning Map Amendment #20-973
3656 Whitney Avenue
Parcel ID # 3229/039
Change from T-3 to 3.5

Date: May 26, 2020

Overview

The application seeks approval to rezone a 4.63 acre parcel from T-3 to T-3.5. The property contains two structures. A 4-unit apartment building is located at the rear, while a two-story house in poor condition is situated at the front. The applicant states that the T-3 zone is inappropriate, given the property's location and the surrounding uses.

Department and Inter-Agency Reviews

The Fire Marshal indicated in a note dated April 25, 2020 that he had no comments

No other comments were received.

Planning and Zoning Department Comments

When evaluating an application to change a property's zoning designation, the Commission must consider differences in the bulk requirements in the existing and proposed zones, what new types of uses are allowed in the proposed zone, differences in the approval process and the potential impact of the new uses. The bulk requirements for the T-3 and the T-3.5 zones are identical, which means that the scale of any development would be same under either zoning designation. However the T-3.5 zone permits a greater variety of uses – notably personal and

business services, office and retail, which are not currently allowed in T-3 zones north of West Woods, although they are permitted in all other T-3 zones.¹

The uses allowed in a T-3.5 zone are fairly consistent with those in the area and shouldn't have a significant impact. Directly across the street from the property is an antiques dealer. To the north across the street a short distance away is Wentworth's, an ice cream parlor. Next door to the north is church, while adjacent to the south is a medical office building, located in a T-3.5 zone that extends along Whitney Avenue. Beyond the church to the north are two residential properties and then a three-unit commercial strip.

The Commission should also consider whether or not the requested change would constitute spot zoning. Given the fact that the contiguous property is zoned T-3.5, combined with the non-residential uses of the several of the properties, this is not a case of spot zoning.

The Commission must determine if the proposed amendment is consistent with the current Plan of Conservation and Development.² The Planning and Zoning Department believes that the proposed amendment, by allowing a limited amount of economic growth in a mixed use area is consistent with four of the five highest rated policies listed in the POCD,³

¹ "T-3 Sub-Urban Zone consists of low density residential areas adjacent to higher zones that (have) some mixed Use. Home occupations and outbuildings are allowed." T-3.5 & T-4 Zones are "General Urban Zone of a mixed use but primarily residential fabric." Hamden Zoning Regulations, transect Descriptions, p. 10.

² 2019 Plan of Conservation and Development, effective September 27, 2019.

³ Ibid, p. 4. Policies 1, 3, 4, and 5.

- 1. Promote appropriate economic development that will help provide net tax revenue, goods and services, and jobs to help meet community needs.**
2. Continue efforts to maintain and improve surface water quality and groundwater quality in Hamden.
- 3. In order to help retain existing local businesses, support local businesses and industries to thrive and grow in Hamden. encourage Hamden residents and businesses to support local businesses, and express appreciation to existing and new businesses and industries.**
- 4. Seek to capitalize on economic development opportunities identified in the Market Evaluation report.**
- 5. Promote the redevelopment of existing sites to new forms of economic development including mixed use, pedestrian-friendly, transit-oriented development in appropriate areas.**
6. Continue to seek ways to increase revenue and manage spending.
7. Seek to increase the amount of non-tax revenue received by Hamden (State aid, payments in lieu of taxes by non-profit organizations, etc.).
8. Continue to work with Quinnipiac University to address the impacts associated with student behavior, especially related to off campus housing. 5.1.18 (61) 8.4 Mayor Police PZC PZD
9. Continue to encourage housing types and densities that support neighborhoods and promote a walkable, pedestrian-friendly community with a sense of place.
10. Discourage or minimize elements that detract from community character (strip development, sprawl development).

Recommendation

The Department therefore recommends approval of proposed amendment of the Zoning Map, #20-973 with an effective date of June 5, 2020.

DWK:tbn



Town of Hamden
Planning and Zoning Department

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

Memorandum

To: Hamden Planning and Zoning Commission

From: Daniel W. Kops, Jr., Town Planner *DWK*

Re: Zoning Regulations Amendment #20-974
To Section 652.1.a. Table 6.3
To Allow Multifamily Housing on a Limited Portion of Connolly Parkway

Date: May 26, 2020

Overview

The application seeks approval of a text amendment to the Zoning Regulations, adding an approximately 660 foot long portion of Connolly Parkway to the list of streets allowing multifamily housing. If the amendment is approved by the Commission the applicant will submit a Special Permit application to construct multifamily housing.

Department and Inter-Agency Reviews

The Fire Marshal indicated in a note dated May 8, 2020 that the applicant should submit building plans to his office after the planning and zoning review process has been completed.

In an email sent to the applicant on March 10, 2020, the RWA Watershed Protection Specialist stated that he and Ron Walters had no objection to the proposed amendment. It notes that the intended "...multifamily project would be an improvement in the watershed and adjacent surface public water supply."

In a letter dated May 26, 2020 Ron Walters stated, "We have no objection to the text amendment and look forward to commenting on the site plan application."

In an email sent earlier today Lynn Fox of QVHD stated that an Environmental Assessment of the property will be necessary because of the property's current use for auto repairs. Once that assessment has been completed QVHD will be able to comment further and make recommendations.

No other comments were received.

Planning and Zoning Department Comments

When evaluating this application, the Commission must keep in mind that although the applicant has provided a conceptual drawing showing multifamily housing, the current application is solely to amend the Zoning Regulations. If the Commission approves the amendment, the applicant will then have to prepare detailed plans and seek an Inland Wetlands Permit from the Inland Wetlands Commission as well as a Special Permit from the Planning and Zoning Commission.

The Commission must determine if the proposed amendment is consistent with the current Plan of Conservation and Development.¹ The Planning and Zoning Department believes that the proposed amendment, is consistent with the five highest rated policies it presents.² According to the Camoin Market Evaluation Report prepared as part of the POCD project, there will be a growing demand for apartments and condominiums within walking distance of public transportation and retail establishments.³ The site that would be affected by the amendment certainly matches this description.

As of noon today The Department had received nine email communications voicing opposition. The two major issues appear to be lack of adequate notice and the potential increase in traffic.

¹ 2019 Plan of Conservation and Development, effective 9/27/19.

²

ibid., p. 4. The ten highest-rated policies are:

1. **Promote appropriate economic development that will help provide net tax revenue, goods and services, and jobs to help meet community needs.**
2. **Continue efforts to maintain and improve surface water quality and groundwater quality in Hamden.**
3. **In order to help retain existing local businesses, support local businesses and industries to thrive and grow in Hamden, encourage Hamden residents and businesses to support local businesses, and express appreciation to existing and new businesses and industries.**
4. **Seek to capitalize on economic development opportunities identified in the Market Evaluation report.**
5. **Promote the redevelopment of existing sites to new forms of economic development including mixed use, pedestrian-friendly, transit-oriented development in appropriate areas.**
6. Continue to seek ways to increase revenue and manage spending.
7. Seek to increase the amount of non-tax revenue received by Hamden (State aid, payments in lieu of taxes by non-profit organizations, etc.).
8. Continue to work with Quinnipiac University to address the impacts associated with student behavior, especially related to off campus housing. 5.1.18 (61) 8.4 Mayor Police PZC PZD
9. Continue to encourage housing types and densities that support neighborhoods and promote a walkable, pedestrian-friendly community with a sense of place.
10. Discourage or minimize elements that detract from community character (strip development, sprawl development).

³

"Market Evaluation Report for the Town of Hamden," September 2018, prepared by Camoin Associates, pp 4-5.

With regard to the former, notification was provided as required and in fact the applicant posted signs that were not actually required. The Department also encouraged the applicant to reach out to the former president of the Spring Glen Civic Association. My understanding is that the applicant attempted to do so.

With regard to traffic, the issue currently before the Commission is whether or not it is appropriate to allow multifamily housing in a T-4 zone within 650 feet of Dixwell Avenue. The development project's scale and potential impact can only be evaluated if the Commission approves the amendment and the applicant submits a Special Permit application containing detailed plans and a traffic study.

With regard to the T-4 zoning designation of the property, it should be noted that the Assessor's database lists the site as T-1, which is incorrect. The error appears to have been caused by confusion in interpreting the Farmington Canal Greenway map overlay. The Hamden GIS map reveals the stripes signifying the T-4 Zone extends through 55 Connolly Parkway (see Attachment).

Recommendation

The Planning and Zoning Department therefore recommends approval of proposed amendment of the Zoning Regulations #20-974 with an effective date of June 5, 2020.

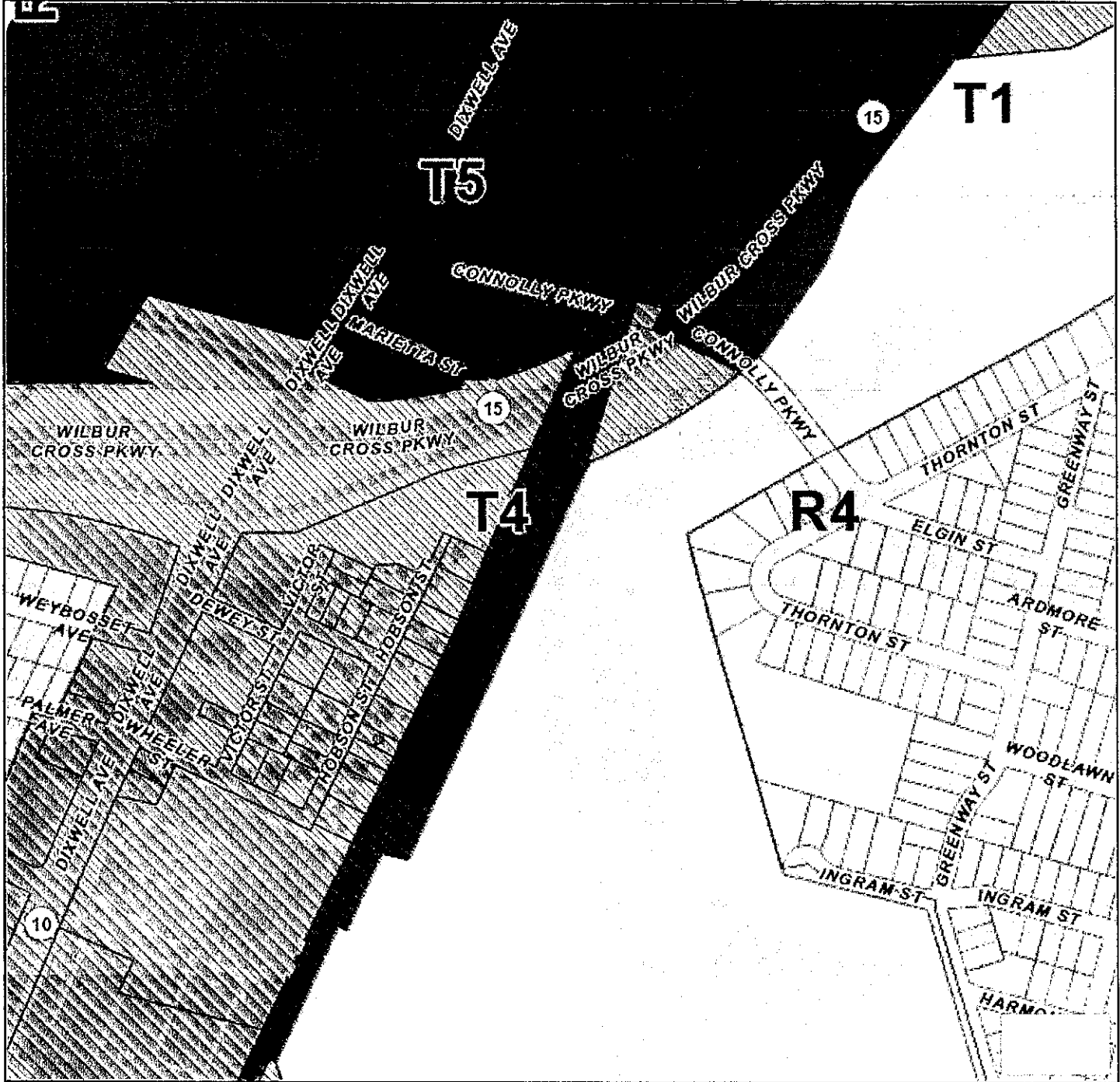
DWK:tbn

Town of Hamden

Geographic Information System (GIS)



Date Printed: 5/25/2020



MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description

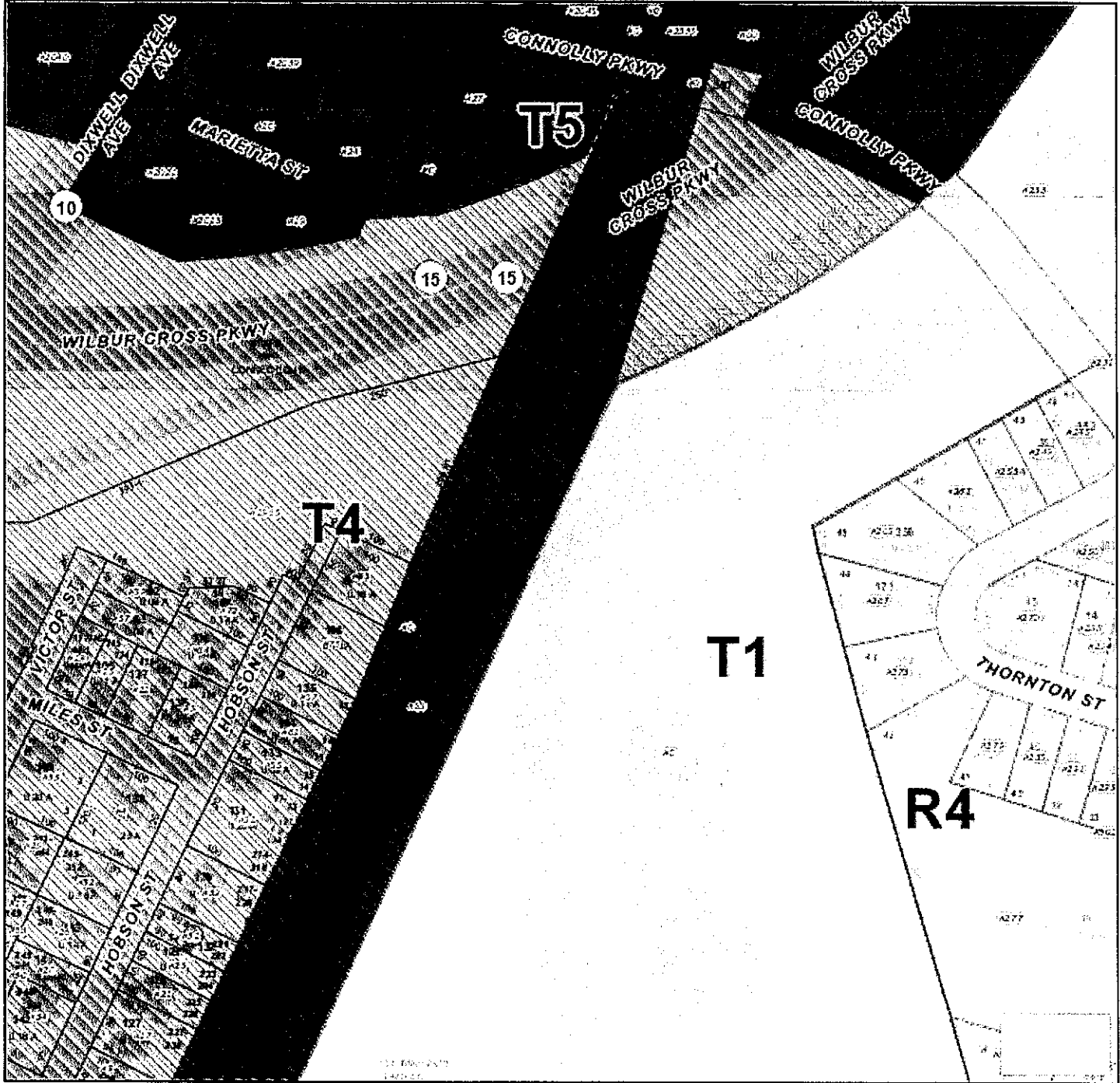
Approximate Scale: 1 inch = 400 feet

Town of Hamden

Geographic Information System (GIS)



Date Printed: 5/25/2020



MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description.

Approximate Scale: 1 inch = 200 feet

Thank you.



South Central Connecticut Regional Water Authority
90 Sargent Drive, New Haven, Connecticut 06511-5966 203-562-4020
<http://www.rwater.com>

May 26, 2020

Mr. Daniel Kops, Town Planner
Hamden Government Center
2750 Dixwell Avenue
Hamden, CT 06518

Dear Mr. Kops:

Re: Zoning amendment residential use in T-4 zone

The Regional Water Authority (RWA) has reviewed the above referenced application. The zone text amendment will include property within watershed of Lake Whitney, a public water supply reservoir. The applicant is proposing a multi-family residential development off of Connolly Parkway. We have discussed this development project with the applicant. We have no objection to the text amendment and look forward to commenting on the site plan application.

Thank you for the opportunity to comment on this application. If you have any questions, please contact me at rwalters@rwater.com.

Sincerely,

REGIONAL WATER AUTHORITY

A handwritten signature in black ink that reads "Ronald Walters".

Ronald Walters
Senior Environmental Analyst

From: Lynn Fox [<mailto:LF@qvhd.org>]
Sent: Tuesday, May 26, 2020 9:59 AM
To: Daniel Kops <DKops@Hamden.com>
Subject: RE: Hamden Housing Code Appeal Hearings - Zoom Meeting Agenda

CAUTION: This email originated from outside of the organization. Do not click links or open any attachments unless you recognize and contact the sender to verify the content is safe.

My comments for 60 Connolly Parkway:


Information available to QVHD indicates the current use of that property is auto repair. As a result, a site wide Environmental Assessment of the property is needed. Upon receipt of an Environmental Assessment further comments and recommendations can be made.



Town of Hamden Planning and Zoning Department

Memorandum

To: Hamden Planning and Zoning Commission

From: Daniel W. Kops, Jr., Town Planner 

Re: Special Permit Application 96-788/WS
Major Amendment
Conversion to Banquet Hall – Place of Assembly
109 Sanford Street
Parcel ID # 2628/044

Date: May 26, 2020

Overview

The applicant is the owner of a multi-use site and has been before the Commission several times over the past 25 years.¹ The current application is to convert a 7,500 square foot, multi-purpose banquet/place of assembly to be used for a variety of events, including seminars, business meetings and sports banquets, as well as birthday and anniversary parties. No site work is planned. The hours of operation will be from 7:00 pm to 1:00 am Thursday through Saturday evenings and 10:00 am to 5:00 pm on Saturdays and Sundays. Up to 200 people will be accommodated in the facility. Any food and beverages served will be brought in by outside catering businesses. There will be no outdoor activities and music or loudspeakers. The statement of use does not indicate if there will be any employees present.

Department Reviews

The Fire Marshal indicated in a note dated April 24, 2020 that the floor plans should be submitted to his office for approval.

In a letter dated April 30, 2020 QVHD stated the following:

- The plans indicated that no food or beverages will be provided.
- Any food or beverage must be provided by a licensed catering food service establishment.

¹ Approved uses include a dance school, hockey school, laundry, multi-sport gym, general contractor, and the ARC school.

- If the space is used for anything other than a private party (i.e. the event is advertised and open to the public) and food or beverages are served, a Temporary Food Service Permit must be obtained from QVHD.

No other comments were received.

Planning Department Comments

The parking required for places of assembly is left to the discretion of the Commission. The existing parking is sufficient, since the proposed use is complementary to the existing ones, often operating when the other businesses are closed.

The floor plan is inadequate for a space that may be occupied by as many as 200 people at a time. There should be an area containing a sink, reserved for cleanup and temporary placement of food and beverages.

Some of the other such facilities approved in the past have encountered difficulties due to the unexpected number of people showing up combined with alcohol consumption. Fights have been known to occur. The applicant should have staff on hand throughout each event to ensure no problems arise.

Recommendation

With the recommended Conditions of Approval contained below, the application meets the Special Permit Threshold Decision Criteria specified in Section 718.4, and should not have an adverse impact on the health, safety and welfare of the public. The Department therefore recommends approval of the Major Amendment to Special Permit and Site Plan Application #96-788/WS, as depicted in the submitted plans:

Subject to the following conditions:

1. The applicant must obtain a Zoning Permit, signed by the Fire Marshal, QVHD and the GNHWPCA.
2. Prior to the Issuance of a Zoning Permit, the applicant must submit revised site and floor plans for approval by the Town Engineer and Town Planner, containing
 - a. A more detailed floor plan that includes an area with a sink for clean-up.
 - b. Any other changes required by the Fire Marshal, QVHD and/or the GNHWPCA.
 - c. All conditions of approval.
3. During use of the banquet hall:
 - a. The number of patrons is limited to 200 unless otherwise approved by the Commission.
 - b. The applicant must have sufficient staff present throughout each event.
 - c. The applicant may not provide any food or beverages
 - d. Any food offered must be provided by a licensed, catering food service establishment.
 - e. If the space is used for anything other than a private party and food or beverages are served, a Temporary Food Service Permit must be obtained from QVHD
 - f. The hours of operation will be from 7:00 pm to 1:00 am Thursday through Saturday evenings and 10:00 am to 5:00 pm on Saturdays and Sundays.

- g. Live or recorded music may be used only as an accompaniment to the allowable banquet activities. The sound must not be audible outside the building. No concerts are allowed.
 - h. All events must occur inside the building.
4. All work must be completed by May 26, 2025.

DWK:tbm



April 30, 2020

TO: Hamden Planning and Zoning Commission

FROM: Lynn Fox R.S. Chief, Environmental Health
Alicia Mulvihill, Acting Director of Health

RE: Special Permit & Site Plan #96-788
Location: 109 Sanford Street
Proposal: Place of Public Assembly
Applicant: Devonshire LLC
Title of Plan: One drawing titled Revised Site Plan for B.D,A. LLC and
Devonshire LLC with a revision tenant and parking calculations date of 3/9/20.

The Quinnipiack Valley Health District has reviewed the above application relative to conformance with the applicable sections of the Public Health Code of the State of Connecticut and the Environmental Health Regulations of the Health District. We have the following comment:


1. The submitted plans indicate a proposed place of public assembly with **NO** food or beverages provided.
2. If food or beverages are provided, they must be provided by a licensed catering food service establishment.
3. If the space will be used for something other than a private party (the event is advertised and open to the general public) and food or beverage will be served, a Temporary Food Service Permit, issued by QVHD, will be required.

Cc: Robert Labulis, Building Official, Town of Hamden
Devonshire, LLC

Quinnipiack Valley Health District

A Regional Health Department Serving Bethany, Hamden, North Haven and Woodbridge, CT

1151 Hartford Turnpike . North Haven . CT . 06473 . tel (203) 248-4528 . fax (203) 248-6671 . www.qvhd.org

From: Daniel Kops DKops@Hamden.com 
Subject: FW: 109 Sanford Street Special Permit Application
Date: May 26, 2020 at 1:10 PM
To: dwktwo@aol.com



From: Timothy Onderko [mailto:tonderko@Langan.com]
Sent: Tuesday, May 26, 2020 12:50 PM
To: Daniel Kops <DKops@Hamden.com>; Matthew J. Davis <mdavis@Hamden.com>
Subject: 109 Sanford Street Special Permit Application

This email contains a link!

This email contains a World Wide Web link. Use caution when following links as they could open malicious web sites.

- Helpdesk

CAUTION: This email originated from outside of the organization. Do not click links or open any attachments unless you recognize and contact the sender to verify the content is safe.

Dan/Matt – Tried to leave a message at the main number but it keeps disconnecting me. I'm an abutter to the property at 109 Sanford Street and had some questions about the application. I was wondering if a staff report is available regarding the application?

I've viewed the materials online and have concern about the request for weekend hours extending to 1 AM.

If either of you are available could you call me at 203-435-8665. Thank you.

Timothy Onderko, P.E.
Senior Associate/VP

LANGAN

Celebrating 50 years in business | 1970-2020

Direct: 203.784.3042
Mobile: 203.435.8665
[File Sharing Link](#)

Phone: 203.562.5771 Fax: 203.789.6142
Long Wharf Maritime Center
555 Long Wharf Drive
New Haven, CT 06511-6107
www.langan.com

CONNECTICUT NEW JERSEY NEW YORK MASSACHUSETTS PENNSYLVANIA WASHINGTON, DC
VIRGINIA OHIO FLORIDA TEXAS ARIZONA COLORADO WASHINGTON CALIFORNIA
ATHENS CALGARY DUBAI LONDON PANAMA