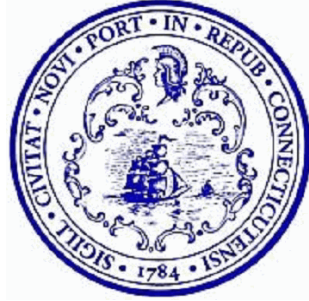


# City of New Haven

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## Meeting Minutes

Tuesday, July 2, 2024

7:00 PM

Meeting can be viewed on Board of Alders YouTube.

Aldermanic Chamber

**Joint Community Development/Legislation**

(Board of Alders Notice New Haven) The Joint Community Development / Legislation Committee of the Board of Alders will meet “in-person” on Tuesday, July 2, 2024, at 7:00 p.m. in the Board of Alders Chamber located at 165 Church Street, 2nd Floor, New Haven, CT to hear and act on the following items:

[OR-2024-0016](#) ZONING ORDINANCE TEXT AMENDMENT AND ZONING ORDINANCE MAP AMENDMENT APPROVING A PETITION BY CHAPEL HAVEN SCHLEIFER CENTER, INC. FOR A CHANGE OF ZONE FROM RM-2, HIGH-MIDDLE DENSITY RESIDENTIAL, TO ESTABLISH A PLANNED DEVELOPMENT DISTRICT ON APPROXIMATELY 3.03 ACRES OF LAND KNOWN AS 1040 WHALLEY AVENUE (MAP 389/BLOCK 1139/PARCEL 01300), 34 EMERSON STREET (MAP 405/BLOCK 1138/PARCEL 03400), AND 38 EMERSON STREET (MAP 405/BLOCK 1138/PARCEL 03300).

Per Order: Hon. Carmen Rodriguez, Co-Chair and Hon. Richard Furlow, Co-Chair  
Attest: Hon. Michael Smart, City/Town Clerk

These items are on file and available in the Office of the City Clerk located at 200 Orange Street, Room 202, New Haven, Connecticut 06510.

For accessibility related accommodations, please call (203) 946 7651 (V) or (203) 946 8582 (TTY/TDD).

Public comment/testimony may also be submitted via email to [publictestimony@newhavenct.gov](mailto:publictestimony@newhavenct.gov) before 2:00 pm on the day of the meeting.

This meeting may be viewed on the New Haven Board of Alders YouTube page.

## Minutes

Alder Ellen Cupo, Chair, called the public hearing to order at 7:25 p.m.

Present were Alders Carmen Rodriguez, Co-Chair; Richard Furlow, Co-Chair; Adam J. Marchand; Brian Wingate; Salvatore E. DeCola; and Frank Redente.

1. ZONING ORDINANCE TEXT AMENDMENT AND ZONING ORDINANCE MAP AMENDMENT APPROVING A PETITION BY CHAPEL HAVEN SCHLEIFER CENTER, INC. FOR A CHANGE OF ZONE FROM RM 2, HIGH MIDDLE DENSITY RESIDENTIAL, TO ESTABLISH A PLANNED DEVELOPMENT DISTRICT ON APPROXIMATELY 3.03 ACRES OF LAND KNOWN AS 1040 WHALLEY AVENUE (MAP 389/BLOCK 1139/PARCEL 01300), 34 EMERSON STREET (MAP 405/BLOCK 1138/PARCEL 03400), AND 38 EMERSON STREET (MAP 405/BLOCK 1138/PARCEL 03300).

## PUBLIC TESTIMONY

Presenters: Sara Sharp, Attorney, Hurwitz Sagarin Slossberg Knuff LLC, on behalf of Chapel Haven Schleifer Center, Inc., 135 Broad Street, Milford;

Michael Storz, President, Chapel Haven Schleifer Center, Inc.;

Patricia King, Corporation Counsel, City of New Haven; and

Christopher Granatini, PE, Tighe & Bond, 213 Court Street, Middletown.

A copy of the presentation is on file in the Office of Legislative Services.

Attorney Sharp presented on behalf of Chapel Haven Schleifer Center, Inc. We're here tonight with a PDD application on behalf of Chapel Haven. To briefly orient you to the site, the first slide contains photographs of the current buildings at the campus from the most recent redevelopment project approved back in 2017. I wanted to highlight those, as you will see in some of the perspective renderings of what the future project could be that we are continuing this high level of design that we established from the previous project. It depicts what was the original site, and this was the future vision. Back in 2017, when we got the past approvals, it was for the expansion of the welcome center, which is this central building. The REACH (Residential Education at Chapel Haven) building is in pink, and the SAIL (Schleifer Adult Independent Living) building is in blue.

This reddish building at the Whalley Avenue frontage was always envisioned. We did not get that going during the first phase, and that is why we are here to talk to you about it tonight. Part of the PDD is to enable us to take the next step and expand the programs. Expand the residential offerings we have for our community. Chapel Haven is an amazing organization that has been providing education and residential services to adults with intellectual and developmental disabilities for a very long time, and they have been at their campus at the corner of Whalley Avenue and Emerson Street since 1976.

In this instance, all the existing uses are educational and institutional uses that were approved as permitted as of right in the RM 2 underlying zone. Part of why we are doing a PDD here is allowing the Whalley Avenue building to exist the way it was envisioned to get the programming we need. There are some adjustments to the bulk requirements that are necessary. We discussed several alternatives with city staff. We could have gotten a bunch of variances. We could have sought to establish a new zone or amended the regulations of the underlying RM 2 zone. But through those discussions with city staff, it was really encouraged that the preferred path was to establish a PDD for this campus. This allows Chapel Haven and the city to define what we see as an integrated neighborhood campus and really complete the vision that was started in 2017.

For the most part in terms of the deviations we are proposing from the underlying bulk standards, we tried to keep it as close to the RM 2 zone as possible. There were some of the existing standards that were not well suited, for example, some parking standards that would have required more parking than our use needs, which is unique, and setback adjustments. I don't want to go through those in detail because they were outlined very specifically in the City Plan Report that was considered, reviewed, and approved favorably in the City Plan Commission hearing. I am happy to go over any questions that you have regarding them.

This was the most comprehensive approach. Another alternative we discussed was to rezone this area from RM 2 to BA zone. There is a nearby BA zone. But in the discussions with city staff, the idea was that would perhaps be a little too expansive. BA zone has much more lenient bulk standards than what we are proposing, so this gets what we need to do with making sure it fits within the neighborhood and is still consistent with the context of the residential campus that we have had for so many years.

The next slide identifies the parcels that are the subject of the PDD. It is the entirety of the campus at 1040 Whalley Avenue. The main campus is Site A, and then across the street is Site B, which is at 34-38 Emerson Street. The idea being that we can establish an offsite parking lot there to make up for some of the parking that will be lost when we build this beautiful new building along Whalley Avenue, as you can see here, there is a parking lot there. We need to account for that parking somewhere.

This is just a concept, colorized rendering of what we see as the final vision of our campus. The community building is along the Whalley Avenue frontage. We complete the campus with continuation of the pedestrian pathways and landscaping we started with the 2017 redevelopment and created at the corner of Whalley and Emerson. This new pedestrian entrance creates a welcoming and nice streetscape at the corner there. Also, that is where there will be an entrance to a proposed cafe where our students can work and get some real-world experience interacting with members of the public by working at a cafe like they would anywhere else. Here are the representational renderings. This is along the Whalley Avenue frontage, and you can see at the corner the pergola patio that will be the entrance to the cafe. This is the space at the corner. There the new pedestrian entrance, with the big pathways internal to the site, will be seating areas. And the intention is to maintain what we have always had as this neighborhood campus,

an open campus where we really try to interact with members of the community.

A lot of our former students ended up living right in the same neighborhood, and we love that about the whole organization. That is why we love where we are in the Westville neighborhood. We do not want to lose that character, and I think that the new pedestrian entrance here is more intentional than what we have today. It really is an attractive addition to the streetscape. This final rendering shows the courtyard that is completed. This is the backside of that community building and creates this internal campus for the additional recreational opportunities and gathering spaces with the landscape pedestrian areas internal there.

This highlights from the City Plan Report that we complied with all criteria for the PDD, regulations, and the zoning ordinance. We are consistent with the comprehensive plan, and we satisfy all criteria for amending zoning regulations and the PDD map. The one thing I do want to highlight as well is that City Plan staff found that we comply with the state criteria for floating zones. That is Connecticut statute § 8-2m. A question came up during the public hearing portion that we provide additional information to reconcile the language of § 8-2m and this PDD in a residential zone.

Apologies for the late notice. This memo we prepared, working with city staff and Corporation Counsel, is to provide you the information you need and make sure everything is buttoned up for this hearing. The primary audience was the legal audience of Corporation Counsel. We did include an executive summary at the top to highlight the key findings here, which is that we have proposed a use term, the independent living community, as this is the use that is at Chapel Haven. The intention is that we have created a holistic term that encompasses Chapel Haven's existing educational and residential uses, as explained in detail in the memo. We are not adding anything new or anything beyond what would be allowed at a college secondary or university school that is allowed in an RM 2 zone. To make that even clearer, we made a very minor revision to the language of the use to make it clear that all the bullet point items are accessory and subordinate to primary educational and supportive housing use. It really makes it clear that this is not any different than what would be permitted under RM 2 zone uses. We are not proposing a new or less restrictive use than is allowed in the underlying residential zone. We are not proposing any expansion of a pre-existing, non-conforming use, because this is a conforming use that is permitted as a right in the current zone.

The site revisions to the language we have proposed are included as an attachment. This is the redline version as attachment one and the clean copy is attachment two. Instead of having the accessories at the end, there was a concern raised by Corporation Counsel's Office that perhaps this could be read, as saying, there are accessory uses to all those bullet point uses, and so we moved it to the top. The intention is, we are listing uses that are typically seen within a university or secondary school. And as one specific example, we looked at the Wilbur Cross High School and their culinary program. They have, for example, a cafe where members of the public can order and purchase food from their students. That is the same type of program we are offering here with a cafe or other services that are tied to the educational program. This allows students to work and interact with members of the public.

Corporation Counsel King spoke in support of this item. I do not have lengthy remarks, I think that Attorney Sharp did an excellent job presenting. I think the important thing to keep in mind here is that we need to focus on a use and not the nomenclature that necessarily would define a new use. It is a better description of the educational and residential use that Chapel Haven is already engaged in. I think that really needs to be the focus here is the educational and residential program, and many of the ancillary services that are listed in the Exhibit C are really the goals of the program to teach life skills to allow for residents there to work and get practical experience. Also to have the learning situation, which is really similar to multifamily housing that certainly is allowed in the zone. I think that is the important focus here, and we honed in on that after the issue came up. And I think that is the appropriate way to look at it. And we are supportive, very supportive of this application.

President Storz thanked the committee for their consideration, and just want to say just how wonderful the Westville community has been to the Chapel Haven Schleifer Center's students and graduates.

In response to Alder Marchand, Christopher Granatini, PE, Tighe & Bond, 213 Court Street, Middletown, reviewed the traffic statement completed for this project. I'm a professional engineer licensed in the State of Connecticut. Tighe & Bond has been involved with the Chapel Haven site, and we provided traffic services during the initial redevelopment back in 2017. In support of this application, we prepared a traffic statement, which was submitted to the city, where we looked at existing conditions. We looked at the roadways there. We looked at the proposed uses and the density of the development. It is a unique type of facility where you have a school, but it is not the kind of school where a school bus comes every day. It is a school where people live, so we tried to cater to the type of uses with a traffic generation model that we think is appropriate.

We selected an assisted living type of facility, which we think is appropriate for the way that this facility operates. But then, on top of that, looked at the cafe, and how that could be an attraction for residents in the neighborhood. We conducted and applied a land use code to that use on the site. We assumed that this part of the development would operate like a fast casual restaurant, where people would come in, order, sit down, and eat. Looking at redevelopment use and the change in beds, which nets out 37 additional beds, the assisted living piece of the development gives us 7 peak hour trips in the weekday morning and 9 trips in the weekday afternoon. The over 2,400 square foot cafe generates 14 trips in the weekly morning and 30 trips in the weekday afternoon. We are dealing with what is considered a very low volume of traffic that could be generated by this site. We view less than 50 total trips in a peak hour as negligible relative to the background traffic network. There is a traffic signal at Emerson and Whalley that will serve the site. You have got two state routes immediately adjacent to the site. We think because of the low trip generation created by the additional development of this site will have a negligible impact on traffic operations in the area.

Attorney Sharp added as well, even though it is a substantial building, it is going to house a lot of programs that make our existing programs better. As Mr. Granatini mentioned it is only a net increase of 37 residents and the staff support. In addition, recreation of Space Assembly Hall, where we can host graduations that we do not have now. Those are big volume spaces, but they

do not generate additional traffic. I just wanted to add that as well related to the floor plan.

Mr. Granatini discussed that when reviewing sites that generate below 50 trips in an hour, it was only like 8 or 9 trips associated with the assisted living component of the school. We do think the cafe and the land use code that we used probably is highly conservative relative to what this cafe is intended to be. We view the cafe as a location where the students will work there. Residents in the neighborhood could walk to the cafe and eat there. This is more of a pure traffic assessment of people driving to a cafe to go and eat at the cafe, and this is a little bit different. We think we have taken a very conservative approach relative to what the traffic generation will really be at this site with the additional development. For those reasons, we did not view this as requiring a more extensive traffic analysis to determine the impacts were because it is fairly low generator, and we would not really see a lot of change in the operations because of it.

We like to use 50 trips as a threshold. You will even see some publications that will tell you if you are not generating a hundred new trips to an intersection, you do not really need to analyze it, because you have the ebbs and flows of daily traffic. When we are talking about less than 10 trips associated with the school and then a conservative assessment of the café of less than 30 trips, we had to pick something that was as close to what we think rather than creating something on our own that would require some other sort of analysis. So, we took a more conservative approach that does not warrant looking at an intersection-by-intersection assessment. Discussed how you start to lose the traffic very quickly, and it becomes part of the background of the daily flows of traffic. Under 50 trips, we are not typically doing detailed operational analysis.

In response to Alder Wingate, Attorney Sharp confirmed we have not gotten to that level of detail yet regarding the hours the new café will be open. President Storz discussed how they have not determined the operational hours of the café, but we can obviously be very flexible with the hours regarding what the committee feels is appropriate. Our current café is usually open from 8:30 to 2:00 pm.

In response to Alder Furlow, President Storz confirmed very few of the students drive.

In response to Alder C. Rodriguez, Attorney Sharp reviewed the redevelopment completed in 2017. I think President Storz probably could talk about the net change, but there were so many different buildings at that point. There were still a substantial number of students. We just improved all the facilities.

#### COMMITTEE ACTION

No committee action.

Alder Wingate moved to close the public hearing, seconded by Alder DeCola. The motion was unanimously approved at 7:59 p.m.

Alder DeCola moved to adjourn, seconded by Alder Wingate. The motion was unanimously

approved.

Adjourn: 8:00 p.m.

A recording of this meeting can be viewed on the Board of Alders' YouTube channel here:  
<https://youtube.com/@boardofalders8363>.

Respectfully submitted,  
Misty Maza, J.D., Legislative Aide II