

PAD MEETING MINUTES
October 20, 2021

PRESENT: Hon. Gerald M. Antunes, BoA; Anna Festa, BoA; Steve Fontana, Economic Development; William Long, City Plan; Evan Trachten, LCI; Clay Williams, Business Development

Absent: Maurine Villani, Tax Office.

Meeting called to order at 3:03 PM

A motion to approve the PAD minutes from September 29, 2021 with corrections was made by Steve Fontana, seconded Alder Antunes, minutes approved unanimously.

New Business

6-8 Evergreen Court

Evan explained the City is proposing to sell this vacant property and lot to National Construction for \$15,000. The applicant will rehabilitate the property and sell it to an owner occupant for a minimum 10-year occupancy requirement. The City was planning to demolish this property and bids are in the information packet. The City received bids ranging from the mid \$80,000's to almost \$140,000 to demolish this property. This developer specializes in the rehabilitation of very distressed properties. Evan told the committee this property needs immediate attention.

The developer would like to rehabilitate this property as a one family property and add an accessory dwelling unit (ADU). Alder Festa told the committee the developer was not permitted to utilize the new ADU ordinance because he is not an owner occupant. Alder Festa does not support this, the ADU ordinance requires an owner occupant to get the permit to create an ADU. Evan told the committee this is the first time LCI is proposing this concept (ADU). Alder Festa said the developer can go through the normal process to make this property a two family but can't utilize this ordinance as a short cut. Evan told the committee there is a 10-year deed restriction making this property owner occupied so LCI felt this proposal was consistent with the ADU Ordinance. LCI understands the concerns raised here today.

Alder Antunes echoed Alder Festa's concerns. The developer can follow the normal Zoning process to convert this property, but not the new ADU Ordinance because only owner occupants are eligible.

A motion was made by Steve Fontana to approve the proposal as a single family (the developer can go through zoning to convert the property to a two-family), seconded by Clay Williams, Approved unanimously.

180 Butler Street

Evan told the committee that this is a negotiated sale to the Macedonia Pentecostal Church. The City is selling this as a negotiated sale because the PAD Guidelines do not comply with the Religious Land Use and Institutionalized Persons ACT (RLUIPA) which is a federal law. It requires

all non-profits to be treated equally. LCI will be updating the PAD guidelines and this will be addressed.

Evan told the committee the proposal is to sell this land at \$1.00 per square foot because that is the cost for non-profits. We do not want to discriminate against the church. The property is located on the Hamden town line. The Church is located at 184 Butler Street in Hamden. The lot is an odd shape and doesn't lend itself to splitting with the other abutting property at 178 Butler Street. Alder Festa asked why the property wasn't split with #178 Butler Street? The property at 178 Butler Street is a conforming property under the zoning so LCI didn't offer this land to the owner. 178 Butler Street has an easement over a few feet over this parcel. The property at 178 Butler Street also has a driveway and yard area. Evan also noted the property at 178 Butler Street was in the foreclosure when LCI began working on this sale. The Church needs additional parking because they are on a small lot. This lot is not conducive for housing development due to the shape and size. Alder Antunes noted the importance of off-street parking in this area.

Evan told the committee that LCI considered making a garden at this location but noted one had recently been developed on Shepard Street (#96) this year. Evan did discuss this with the Alder of the ward.

Alder Antunes commented that we should better define the term "church" in the PAD guidelines. We don't want properties to be off the tax-rolls unless the institution is serving the community. Alder Antunes noted that several "store-front style" churches have come and gone over the years and when an institution files for a tax exemption, the exemption can continue for a long time unless staff audit the status.

Alder Festa asked about RLUIPA. Evan told the committee it's a Federal law. Alder Festa noted that we should audit to make sure if a property is exempt, staff should monitor. Evan noted that we don't sell many properties for exempt purposes. Evan also told the committee the LCI tries to reduce blight, increase maintenance, and make areas better via land sales, this sale also will reduce City liability and the City will no longer have to maintain this parcel.

Alder Antunes asked about Church exemptions. Clay gave an example of a church what owns a parking garage that is tax exempt. Steve also gave an example of a rental space utilized for a church which would also be exempt. Evan also noted that the Assessor's office approves exemption requests and both rental and property owned by Church, both are eligible for exemptions. Evan was not sure how often there are audit.

William Long asked about improvements to the parcel, do they need approvals in Hamden and New Haven? Evan told the committee that only our regulations would apply. Evan gave an example of properties that are in two towns such as Cliff Street in East Rock. William also asked about merging the parcels. Committee members asked about safeguards because the property will be connected to a property in Hamden. The Notice can be recorded in Hamden. Alder Antunes told the committee we don't want this parcel to be tax-exempt and slip through the cracks because two town's land records are involved. Steve noted the Assessor's office would require an application for an exemption. There was discussion about the best safeguard to avoid problems about notice. A motion was made. The motion was amended after discussion.

**A motion was made by Clay Williams to approve the sale with the condition that a "Notice of Adjoiment" be recorded on the Hamden Land records, seconded by Alder Antunes.
Approved unanimously**

PAD Guidelines

Evan has been working with City lawyers to revise the Guidelines. Mr. Long gave us a few good ideas about adding a time frame for City Plan to give advice as well as mentioning the Comprehensive Plan in the guidelines. Evan is working with attorney Pinto to finalize these updates. Evan plans to make this an action item by the end of the year. There will not be major changes.

A motion to adjourn was made by Steve Fontana, seconded by Alder Festa, all were in favor.

Meeting Adjourned 3:40 P.M.