

WALLINGFORD PLANNING & ZONING COMMISSION

MONDAY, AUGUST 12, 2019

7:00 P.M.

ROOM 315

TOWN HALL – 45 SOUTH MAIN STREET

MINUTES

PRESENT: Chair James Seichter; Commissioners James Fitzsimmons; Jeff Kohan; Steve Allinson, & James Hine, Alternates; Kacie Hand, Town Planner; Anthony Simpatico, Planning & Zoning Intern.

Chair Seichter called the Meeting to order at 7:03 p.m. and the Pledge of Allegiance was recited.

Approval of Minutes – July 8, 2019

Mr. Fitzsimmons: Motion to approve the July 8, 2019 PZC Meeting Minutes as presented.

Mr. Kohan: Second

Vote: Unanimous

Chair Seichter noted the following items would not be heard this evening:

Under “Public Hearings” Item #2 – Special Permit (daycare facility)/Ortega-KLASCHOOLS/3 Technology Drive - **#405-19 – No Action Requested.**

Item #3 – Special Permit (office/commercial, auto storage associated with motor vehicle repair and Dealership)/J. Rubino, E.J. Electric/53 North Plains Industrial Road - **#406-19 – WITHDRAWN**

Under “Old Business” – **4.** Site Plan (retail/mfg)/M. Galarraga (New England Cider)/110 North Plains Industrial Road - **#220-19 – No Action Requested.**

Under “New Business” – **5.** Site Plan (warehouse)/Sterling Estates, LLC/3 Sterling Drive - **#224-19 – No Action Requested**

PUBLIC HEARINGS

1. Zoning Text Amendment/PZC/Modifications to Sect. 6.9 to: 1) Define and prohibit digital signs (a.k.a. electronic signs, electronic message boards, LED signs, etc.), except for a limited

allowance for gas stations; 2) correct language in reference to temporary signs; 3) correct an incorrect Section reference - **#903-19**

Mr. Fitzsimmons noted all correspondence: Correspondence received July 16, 2019 from the South Central CT Regional Planning Commission to Town Planner Kacie Hand; Copy of an email correspondence from Tim Keogh, Image 360 of Wallingford, sent to Kacie Hand, Town Planner, by Jeffrey Kohan, PZC member.

Chair Seichter noted this was a continuation of the Public Hearing and pointed out extensive discussions have taken place, but up to this point, no PZC action could be taken until a response was received from the South Central CT Regional Planning Commission which has been received. Ms. Hand noted that although there wasn't an official quorum at the South Central CT Regional Planning Commission meeting, the general consensus that the amendments would not cause any negative municipal impacts (no objections to the proposed Regulations).

Ms. Hand presented a brief overview stating there was a robust discussion last meeting and several workshops and Minutes submitted into the record regarding this subject. She said the driving force behind this proposed Regulation change was a conversation about digital signage and whether or not to allow digital signs in Town. She said there was a point where the PZC requested she draft potential Regulations looking to allow a limited version of the digital signage and then after reviewing the draft Regulation, the consensus by the PZC that digital signs were generally not appropriate in Town. Ms. Hand said these concerns spanned from aesthetics, safety distractions and enforcement issues. Ms. Hand pointed out that where the signage is allowed, flashing would be limited and there would be minimum static time between messages. She said there was a general discomfort level in having these signs in Town.

Ms. Hand said the one exception which is written into the proposed Regulations, is a limited amount of digital signage allowed at vehicle fueling or charging stations. She said the reasons behind this was that because of sign law, the Town can't legally require that the limited amount of digital signage be used for pricing, which would be the intention. She said there would be one price-per-day posted. Ms. Hand said there were also safety concerns regarding the manual changing of the pricing signs. She said there is a limited exception for this. Ms. Hand said there were public concerns expressed at the last meeting regarding allowing digital signage regarding the speed of the technology and keeping up with this and also aesthetics. Ms. Hand said the character generated in commercial areas in Town was also a concern.

Ms. Hand said there was public commentary in favor of allowing digital signage. She noted right before the meeting, a representative from a local sign company did send an email to several PZC members which was submitted into the record this month. She said that representative expressed his opinion on why the PZC should allow this signage. Ms. Hand said there has been a digital sign moratorium for approximately two years which was brought about over complaints of an existing digital sign's brightness and light pollution. She said this generated a larger conversation, which resulted in a moratorium which was extended several times. She noted the current moratorium will end this month.

Chair Seichter noted that Mr. Allinson who was not present at last month's meeting, indicated he has reviewed the record and felt comfortable voting on this application in place of Vice-Chair J.P. Venoit, who was not in attendance at the August PZC meeting. Chair Seichter also noted Mr. Hine would be voting in place of Commissioner Rocco Matarazzo, who was also not in attendance at the August PZC meeting. Mr. Fitzsimmons said he was in support of the Zoning Text Amendment and said it was a very positive step to move forward. Mr. Fitzsimmons said he hoped the PZC would take favorable action this evening. He noted however, he believed the fueling stations deserve the carve-out discussed by the PZC. He noted that now everyone wants to have these illuminated signs and regulating them in this way makes perfect sense. Mr. Fitzsimmons pointed out that signage is one of the largest sections of the Zoning book. He said it was clear the PZC spent time thinking about this, and hoped his fellow Commissioners would support this Zoning Text Amendment.

Chair Seichter said he appreciated Mr. Fitzsimmon's comments and wholeheartedly agreed with this and noted the effort Ms. Hand has put into this issue. He said for him, this issue comes down to aesthetics and enforcement. He said the Town has extensive sign regulations and with LED and Digital signs, the ability to regulate these signs would be extremely difficult and time consuming. Ms. Hand pointed out that despite what occurred at this meeting, this subject could always be revisited in the future as times and technology changes. Ms. Hand said there were two other components of the Regulation which were added into this application discussed at last month's meeting. She said there was reference in the temporary signage section which referred to them as advertising sign which defines as an "off-premise" sign which is not the intention of the Regulation. She said this language is being corrected to clarify this is "on-premise" temporary signage not off-premise advertising signs that are allowed to be temporary signs.

Public Comment – None

Mr. Kohan said he was wavering at the last meeting, noting that digital signage will be crop up and as long as the PZC can change the Regulations in the future, he will support this Zoning Text Amendment.

Chair Seichter entertained a motion to close the Public Hearing.

Mr. Fitzsimmons: Motion to close the Public Hearing on the Zoning Text Amendment at 7:20 p.m.

Mr. Kohan: Second

Vote: Unanimous

Chair Seichter entertained a motion on the Zoning Text Amendment

Mr. Fitzsimmons: Motion to approve based upon the totality of the record, a Zoning Text Amendment to modify Section 6.9 to: 1) Define and prohibit digital signs (a.k.a. electronic signs, electronic message boards, LED signs, etc.), except for a limited allowance for gas stations; 2) correct language in reference to temporary signs; 3) correct an incorrect Section reference, as proposed on "Zoning

Regulation Amendment #903-19 – Digital Signs, etc. – w/modifications”, dated 6/25/19, marked “Revised” “Draft”, because:

- 1. The passage of this Amendment will clarify the intent and desire of the Town of Wallingford Zoning Regulations;**
- 2. This Zoning Text Amendment shall become effective 8/16/2019.**

Mr. Kohan: Second

Vote: Allinson – yes; Hine – yes; Fitzsimmons – yes; Kohan - yes; Chair Seichter – yes

Zoning Text Amendment approved.

Chair Seichter took the agenda in the following order:

DISCUSSION

11. TOD/IHZ

a. Intern Presentation

Mr. Simpatico told the PZC he is in his sophomore year majoring in Urban Planning and attending school in the Netherlands but resides in Cheshire. He said he was interning with the Wallingford Planning Dept. Mr. Simpatico said he has been working on coming up with ideas to get the ball rolling in the TOD zone near the bottom of Center Street. Mr. Simpatico said his idea is to create a separate TOD zone that would take some of the best fits of the Town Center and the best fits of the IHZ zone and combine them and after suitable development, slowly dissolve the TOD zone area back into respective TC, IHZ , etc. zones and then 15 to 20 years down the line, this idea could be revisited.

Mr. Simpatico said he believed that people prefer authenticity which applies to design/stylistic choices and is important to take this into account when decisions are made. He said it is important to build for the future of Wallingford; attract cohort born 1985 onwards (Generation Z); take into consideration baby boomers are downsizing. He said this should be a gradual process. Mr. Simpatico also spoke about promoting walkability and working with all parties: residents, business owners and developers. He spoke about getting an independent TOD Board.

Mr. Simpatico said it was important to have walkability boosted in these areas with the key being to reduce the feeling of car-scaled world; make the road less inviting for vehicles; he also discussed the idea of a possible median on Center St., N. Colony Rd., and a possible intersection on Center Street/Quinnipiac St. and N. Colony Rd intersection. Mr. Simpatico said bike lanes on Center Street would be frivolous because of the steepness of the road. Mr. Simpatico said one of the most important aspects is upkeep noting this would be a waste of expenditures of the streetscapes looked shabby five years later.

Mr. Simpatico suggested public art and murals with vibrant colors which don't clash with the old "New England" colors and to utilize local artists to create a Wallingford theme/history. On Center St. and N. Colony Road, he encouraged mixed-use, with commercial ground floor and residential above; expanding inwards and be within walking distance to Amtrak, uptown and the Library. He also spoke about multi-family, apartments and townhouses; complimentary commercial/restaurants on ground floors; groceries, barber, dry cleaning, etc., restaurants: spectrum from casual to semi-formal; sustainable affordable housing with parking in back. He said this should be built with an historical feel; incorporating existing structures when possible. Mr. Simpatico also spoke about moving the warehouses on N. Cherry Street. He noted that uptown is already seen as the area to be. He said even if one walks down Center Street, it is creeping down and suggested this area be boosted, i.e., food places, wine bars, etc. and having an incentive rewards program offered by restaurants. Mr. Simpatico said it would be a good idea to have a food area and create an area people can go for a food experience "walkable food districts" and having Special Permits in this area to encourage this.

Mr. Simpatico said it would be a good idea at the end of Hall Avenue to have a big restaurant and once in the area, this could be expanded. He noted the Town-owned areas noting a possible farmer's market or food market on the old train station property. Mr. Simpatico said there will be people in the area and will have a perception of a destination area. He spoke about having commercial on the ground floors and living spaces above. He also promoted affordable housing and suggested having parking in the rear. Mr. Simpatico spoke about "smart houses" building in mind for transition to IoT society, and using as much natural lighting as possible, incorporating as much greenery as possible.

Chair Seichter thanked Mr. Simpatico for his presentation which he said was "well thought-out". Ms. Hand noted Mr. Simpatico was an unpaid intern for one day a week for six weeks. She said it was time for the PZC to talk about the TOD zoning which is the next step in the POCD (Plan of Conservation and Development). She said it was helpful to her to have a fresh outside perspective from Mr. Simpatico. Ms. Hand spoke about the junction between the Town Center and the bottom of Center Street hill, the idea of the walkable food district which she said was interesting and promoting green and sustainable buildings. Ms. Hand spoke about the State Grant to pay for a Consultant to explore street scape improvements on Rt. 5, Center, Hall and Quinnipiac Streets and the maintenance of these areas.

8-24 Referra;

6. Beaumont Road – abandonment of minor portion of Right-Of-Way adjacent to 801 North Colony Road (Tractor Supply)

Mr. Fitzsimmons noted correspondence for the record: Copy of Memorandum from Mayor William Dickinson Jr., dated July 9, 2019 regarding the abandonment of Lane – 8 Beaumont Road.

Ms. Hand explained this item came up as part of the development of Tractor Supply Co. She noted that when Beaumont Rd. was realigned over a decade ago, the old Beaumont Road was abandoned and would go to the adjacent property. She said in developing Tractor Supply, it became apparent that there

is a small sliver along Beaumont Rd. between Tractor Supply and new Beaumont Road, somehow got left out of the abandonment. Ms. Hand said because if this, there is a piece of land in limbo and is technically still owned by the Town but is part of the water service where Tractor Supply goes. She said everyone was under the impression this part of the land was already abandoned. Ms. Hand said she doesn't believe keeping slivers of property that don't have a benefit to the Town and could create potential liabilities for the Town. She said the Engineering Dept. indicated there was also no use for this area of land for future road widening. She said the letter from the Mayor would be used as the referral in answer to Mr. Fitzsimmons question.

Chair Seichter entertained a motion on the 8-14 Referral

Mr. Fitzsimmons: Based upon the recommendation of the Town Planner, and at the request of the Office of the Mayor, the PZC approves according to Ct Gen. Statute 8-24, the abandonment of a minor portion of a former Right-Of-Way adjacent to 801 N. Colony Road, now known as Tractor Supply, as recommended by the Planner's Office and the Mayor's Office.

Mr. Kohan: Second

Vote: Hine – yes; Fitzsimmons – yes; Kohan – yes; Allinson – yes; Chair Seichter – yes

8-24 Referral approved

BOND RELEASES AND REDUCTIONS

7. Change of Use/Wallace Realty/24 (25) Wallace Avenue - #312-17

8. Special Permit/LaRosa Construction/701 Center Street (Simpson Village) - #404-06

9. Site Plan/Thurston Foods/30 Thurston Drive - #213-14

Ms. Hand said #7 and #8 are ready for release. Chair Seichter noted on item #7, that he was very happy to see what the Applicant did.

Mr. Fitzsimmons: Based on the recommendation of the Town Planner, approved the Bond Release being held on 24/25 Wallace Avenue as well for LaRosa Construction.

Mr. Kohan: Second

Vote: Unanimous

DISCUSSION

10. Staffing

Ms. Hand informed the PZC that she received approval to make the part-time position which she noted was an evolution of her previous full-time position to make this a full-time position and has just been

posted. She said this position will be entitled "Land Use Specialist/Zoning Enforcement Officer. She said this is not a planning position, but will give her full-time office support assisting people at the counter and be responsible for the duties of the current Zoning Enforcement Officer. She said she is looking to have this support which will allow her to work towards her planning goals. She said this will replace the current part-time position. Ms. Hand said she wants to get the PZC's feel about talking about the TOD IHZ noting she wanted to schedule a workshop the end of Sept. or October. Chair Seichter asked Ms. Hand to send out proposed workshop dates.

REPORTS OF OFFICERS AND STAFF

12. Administrative Approvals

- a. Site Plan/R. Voytek/226 North Plains Industrial Road - **#221-19**
- b. Change of Use/A. Jenkins/126 South Turnpike Road - **#309-19**
- c. Survey Waiver/B. Jachimczyk/107 Highland Avenue - **#809-19**
- d. Change of Use/Kostolitz (Yalesville Veterinary Hospital)/322 Church Street, Yalesville - **#311-19**
- e. Flood Plain Permit/Garden Homes Management/230 Main Street, Yalesville, Unit 18 - **#810-19**
- f. Flood Plain Permit/Garden Homes Management/230 Main Street, Yalesville, Unit 20 - **#811-19**
- g. Zoning Permit/ P/ Breault/991 North Colony Road - **#812-19**
- h. Survey Waiver/T. Goudace/5 Grantham Road - **#813-19**
- i. Site Plan/Michael Misiti/Wallingford Riverwood (Danny's Way & Sarah's Place) - **#222-19**
- j. Site Plan/T.O.W. Engineering Dept./ #2, #26 & #48 North Main Street - **#223-19**
- k. Change of Use/K. Yang/ 1209 South Broad Street - **#312-19**

Ms. Hand noted the Administrative Approvals. There were no questions from the PZC.

13. ZBA Decisions of 7/15/19

Ms. Hand noted Item #1 which involved splitting the properties which contained Wendy's and two other restaurants for an open space variance because of the way the open space was being split with a single-lot becoming two lots which was approved. Ms. Hand noted some variances for Protronix on Parker Street which she said will be coming as a Site Plan application to the PZC. Ms. Hand also noted Item #4 for the new Parker Place apartments which involved the change from a dumpster to a compactor.

14. ZBA Notice of 8/19/19

Ms. Hand noted there are two applications: one for a second-story addition to a house on Clintonville Road and the other application for a garage. No questions from the PZC.

15. Zoning Enforcement Log

No questions from the PZC. Ms. Hand gave an update on the cemetery noting she sent a letter to the Director of Public Works and Town Engineer highlighting the discussed issues. She said she has passed this information on to any member of the public which requested this. Mr. Kohan said this will require significant design changes. Ms. Hand said there are also other issues, noting some combination to changes of the site and the design. Chair Seichter asked about the posting of the PZC Minutes on time on the Town's website. He asked Ms. Hand to ensure the Minutes be posted in a timely manner.

Adjournment

Mr. Fitzsimmons made a motion to adjourn the Meeting at 7:55 p.m. Mr. Kohan seconded the motion which passed unanimously.

Respectfully submitted,

Cynthia A. Kleist

Recording Secretary