

Wallingford Planning & Zoning Commission
Monday, April 12, 2021
Remote Meeting
MINUTES

Chairman Seichter called the meeting to order at approximately 7:00 p.m.

Pledge of Allegiance was recited by all.

Roll Call: Present: James Fitzsimmons, Regular Member; Jeff Kohan, Regular Member; Rocco Matarazzo, Secretary; JP Venoit, Vice-Chair; Jim Seichter, Chairman; Jaime Hine, Alternate; Staff: Thomas Talbot, Planner; Amy Torre, Zoning Enforcement Officer.

Absent: Steven Allinson, Alternate; Armand Menard, Alternate.

Approval of Minutes – March 8, 2021

Commissioner Venoit: Motion to accept the Planning and Zoning Minutes of the March 8, 2021 meeting as submitted.

Commissioner Fitzsimmons: Second Vote: Unanimous to approve

Chairman Seichter reviewed the remote meeting protocol and noted that the following agenda items will not be heard this evening at the request of the applicants. These will be heard at the May meeting.

1. Public Hearing: Special Permit (Convenience Store/Fueling Facility)/7-11 Inc./1033 No. Colony Rd #412-20
3. Public Hearing: Special Permit/1070 North Farms Rd. LLC/1117 and 2 Northrop Road #402-21

PUBLIC HEARINGS

2. Special Permit for Montante Construction for a 219,000 sq. ft. warehouse facility on 179.85 acres on property located at 5 Research Parkway. Zones: IX, WPD #401-21

Commissioner Matarazzo read the legal notice. Chairman Seichter read the letter from the applicant. "Montante Construction LLC, respectfully asks that the Commission open the public hearing on this matter on Monday, April 12, 2021, and immediately continue the public hearing to the Commission's next regularly scheduled meeting on May 10, 2021. The reason for this continuance is to allow additional time for the applicant to respond to comments and questions that have been raised by Town staff and the Commission's peer review consultant. The applicant will present the application to the Commission on May 10, 2021."

Commissioner Kohan asked for clarification that there would be no discussion and no public comment tonight. He asked if this is a disservice to the Commission and the public by opening the public hearing and starting the clock. Chairman Seichter replied that this is what the applicant requested and since the applicant is not presenting, there is nothing to discuss. He stated that he talked to the Corporate Counsel who had no concerns with opening and immediately continuing the public hearing. He added that the applicant has started the clock, which with the Governor's Executive Order extending the period, gives the applicant six months to get their approval.

Commissioner Hine stated that several major project applications are coming up and stated his concern that the Commission have adequate time to make decisions. He asked if the applicant would be willing to give the Commission an extension which is allowed in the statutes. Mr. Talbot explained that by starting now, the applicant has a certain amount of time to meet the standards and get a decision. If there are still questions when their time runs out, they will have to reapply or the Commission can deny the application. He noted that the applicant received wetlands approval last Wednesday and this Commission does not have that information yet.

Commissioner Venoit: Motion to continue the public hearing for application #401-21 to the May meeting.

Commissioner Fitzsimmons: Second

Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Matarazzo – yes; Chairman Seichter – yes
The continuation is approved.

NEW BUSINESS

1. Site Plan/Davia/23 South Colony Road #205-21

Commissioner Matarazzo noted all correspondence. Inter-Departmental Referral dated February 8, 2021, from the Fire Marshal; Memo dated March 12, 2021, from the Department of Engineering; correspondence dated March 24, 2021, from Thomas Talbot, Planner to Carl Davia; Interoffice Memorandum dated April 8, 2021, from Erik Krueger, Senior Engineer, Water & Sewer Divisions to Thomas Talbot, Acting Town Planner; correspondence dated April 8, 2021, from Matthew Niski, PE, Juliano Associates to Alison Kapushinski; correspondence dated April 8, 2021, from Matthew Niski, PE, Juliano Associates to Thomas Talbot, Planner, set of plans received April 8, 2021.

Matthew Niski, PE, Juliano Associates, 405 Main Street, Yalesville, shared the site plan for the proposed covered patio on the property at 1 and 23 South Colony and 26 Quinnipiac Street. There are actually three parcels totaling 44,000 square feet owned by Davia Investments LLC. The proposal is to improve the parking lot by adding lines for spaces and add a 15x52 ft covered patio in front of 23 South Colony. There will be a small wall around it and it will promote outdoor seating for a restaurant. Mr. Niski reported that they meet the parking regulations with 7 extra spaces and pointed out the handicapped spots for both buildings. They will decrease the impervious coverage by adding grassed islands. They will put up temporary screening at 23 and 30 Quinnipiac where there used to be a building due to tentative plans to build again. The northern entrance along South Colony will be one way with the exit south on South Colony. He noted that they are improving the ADA ramps to make them compliant. They will add bollards to separate the patio from traffic and will use signage and striping to direct traffic.

Chairman Seichter asked for clarification that the islands on the plans will all be grassed. Mr. Niski confirmed. Chairman Seichter asked about the ability of those in the handicapped spots on the west to pullout and exit the property. Mr. Niski stated that there will be room to turn around.

Commissioner Fitzsimmons asked if all three buildings are owned by Davia and if the parking lot and parking plan are for all three buildings. Mr. Niski said yes. Commissioner Fitzsimmons asked if the advertising sign will be replaced at a future date. Mr. Niski said there is no plan to replace it at this time. Commissioner Fitzsimmons asked about screening for the patio from Rt.5 traffic. Mr. Niski stated that that section of Rt. 5 is curbed with a sidewalk and there will be a decorative wall around the patio. There is no direct traffic coming into it, so no bollards were planned. Commissioner Fitzsimmons suggested adding a bollard for safety, increasing to three bollards along South Colony. Mr. Niski agreed to discuss it with Mr. Davia. Commissioner Fitzsimmons noted that the handicapped spaces to access the former pizza restaurant are quite a distance away from the door. He asked if the ramps were ADA compliant and if a space could be relocated closer to the South Colony section. Mr. Niski replied that the ramps would be ADA compliant but angling the handicapped spaces would result in losing two parking spaces. Commissioner Fitzsimmons asked about the area where the building was taken down and if it will be grassed with no outdoor dining or signage. Mr. Niski replied that it will be a grassy lot with no asphalt, though eventually there will be a building there.

Commissioner Kohan asked about the wall along the South Colony side of the patio. Mr. Niski replied that it will be a 42" high decorative wall so the patrons can look over. Commissioner Kohan asked how the patio is accessed. Mr. Niski replied that it will be accessed from inside the restaurant but there will be an exit from the patio onto the sidewalk. Commissioner Kohan asked if the patio will be open air. Mr. Niski replied that it is a covered patio.

Mr. Talbot confirmed that all his comments were addressed and noted that it was not reviewed as outside dining, but was reviewed as a building. He stated that any Town Engineer comments that have not been addressed can be added as conditions.

Commissioner Venoit: Motion to approve application #205-21 Site Plan for Davia for a 780 sq. ft. addition and site improvements at 1 and 23 South Colony Road and 26 Quinnipiac Street, as shown on plans entitled Land of Davia Investments LLC, number 1 and number 23 South Colony Road and 26 Quinnipiac Street, dated 10/8/2020, subject to:

- 1. Comments in Interoffice Memorandum from the Fire Marshal to Planning and Zoning Department dated March 12, 2021;**
- 2. Comments in Interoffice Memorandum from the Department of Engineering, to Thomas Talbot, Planner, dated March 12, 2021;**
- 3. Comments in the letter from Thomas Talbot, Planner to the applicant dated March 24, 2021;**
- 4. Amending plans to reference South Colony Street instead of South Colony Road;**
- 5. Comments in Interoffice Memorandum from Erik Krueger, Senior Engineer, Water & Sewer Division to Thomas Talbot, Planner, dated April 8, 2021; and**
- 6. Bollards to be added per discussion with Town Planner.**

Commissioner Fitzsimmons: Second

Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Matarazzo – yes; Chairman Seichter – yes
The application is approved.

2. Site Plan/Accessory Apartment/Chasse/99 Mapleview Road #206-21

Commissioner Matarazzo noted all correspondence. Inter-Departmental Referral dated February 22, 2021, from Town Engineer; correspondence dated March 18, 2021, from Thomas Talbot, Planner to Rodney & Pamela Chasse; a floor plan and an Interoffice Memorandum dated April 8, 2021, from Erik Krueger, Senior Engineer, Water & Sewer Divisions to Thomas Talbot, Acting Town Planner.

Rodney and Pam Chasse, 99 Mapleview Road, stated they were ready to answer any questions but were not prepared to present anything.

Chairman Seichter asked for clarification of the drawings submitted. Mrs. Chasse explained that the initial site drawing was replaced by the second more detailed drawing which was done by a contractor. It is a total of 681 sq. ft. Chairman Seichter noted that there was still some confusion over the drawings that the Commission was given.

Commissioner Fitzsimmons asked if the apartment is existing or they are planning to build it. Mrs. Chasse replied that the apartment was created when they built the house. They want it to be a legal accessory apartment when they sell the house. Commissioner Fitzsimmons suggested that the Commission move forward with the application since the apartment will be subject to an inspection by the town Zoning Enforcement Officer.

Commissioner Venoit: Motion to approve application #206-21-Site Plan/accessory apartment/Chasse/99 Mapleview Road, subject to inspection by the Zoning Enforcement Officer prior to occupancy.

Commissioner Fitzsimmons: Second

Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Matarazzo – yes; Chairman Seichter – yes
The application is approved.

3. Site Plan/Accessory Apartment/Snyder/3 Saddle Lane #207-21

Commissioner Matarazzo noted all correspondence. Inter-Departmental Referral dated March 8, 2021, from the Town Engineer; correspondence dated March 18, 2021, from Thomas Talbot, Planner to Lara Snyder; plan dated April 5, 2021; Inter-Departmental Referral dated March 4, 2021, from the Senior Engineer.

John Gabel, of CT Consulting Engineers, 1 Prestige Drive, Meriden, presented for the applicant, Jeff & Laura Snyder. The property is almost an acre in an RU-40 zone. The proposal is to put an addition on the existing dwelling and do interior renovations. There will be a second-floor addition and renovations over the garage. The application conforms to the accessory structure code and will be 766 sq. ft. It also

conforms to all the yard setbacks and lot coverage. Mr. Gabel noted that concerns in correspondence from Mr. Talbot were addressed by the designer having to do with the square footage, the entryway, and the shared bathroom.

Mr. Talbot stated that all his concerns were addressed. He recommended a condition that the accessory can't be built unless they do the second-floor addition over the existing house first or at the same time. That's the only way the accessory apartment complies with the regulations. There is a required shared wall. Mr. Gabel agreed to that condition.

Commissioner Venoit asked if an inspection by the Zoning Enforcement Officer is also a condition, do we need that condition. Mr. Talbot stated that the inspection is after the addition is built.

Commissioner Venoit: Motion to approve application #207-21. Site Plan for Snyder for a 767 sq. ft. accessory apartment at 3 Saddle Lane, as shown on submitted site plan amended floor plan received by the Planning & Zoning Department on April 5, 2021, subject to:

- 1. Construction of the proposed second-floor addition to the main building before or at the same time as the accessory apartment;**
- 2. Comments in Interoffice Memorandum from Erik Krueger, Senior Engineer, Water & Sewer Divisions to Thomas Talbot, Planner, dated April 8th; and**
- 3. Inspection by the Zoning Enforcement Officer prior to occupancy.**

Commissioner Fitzsimmons: Second

Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Matarazzo – yes; Chairman Seichter – yes
The application is approved.

4. Site Plan/New England Expedition/846 North Colony Road #208-21

Commissioner Matarazzo noted the correspondence for the record. Inter-Departmental Referral dated March 4, 2021, from Fire Marshal; Memo dated March 12, 2021, from Department of Engineering to Planning & Zoning Commission; correspondence dated March 25, 2021, from Thomas Talbot, Planner to New England Expedition Wallingford, LLC; correspondence dated April 8, 2021, from Greg Feldman, New England Expedition Wallingford LLC to Thomas Talbot, Planner; Interoffice Memorandum dated April 8, 2021, from Erik Krueger, Senior Engineer, Water & Sewer Divisions to Thomas Talbot, Acting Town Planner.

Greg Feldman of New England Expedition Wallingford presented their proposal to convert vacant retail space in their shopping center on North Colony into self-storage. The improvements are primarily interior with some façade changes for signage and coloring. Andrew Graves, an architect with BL Companies, presented the site plan. There will be a small office and small retail component in the front (approx. 1200 sq. ft.) using the existing store entrance. Access to the storage containers will be around the back where the existing loading docks are. They expect mostly vans, pick-up trucks, and minivans, so they will renovate the floor in the back and drop the lobby down 4 feet to accommodate grade loading

They will add sliding glass doors and a canopy for the loading area. They will add a second floor and two staircases without impacting the outside of the building. They will replace the existing storefront with expandable panels over the windows. There will be two new egress doors at the rear and will add two elevators.

Commissioner Fitzsimmons noted that this is a corner lot and asked if there would be any change to the landscaping. Mr. Graves replied there would be no change to the landscaping. Commissioner Fitzsimmons asked about signage. Mr. Graves replied that they would probably need directional signage. Commissioner Fitzsimmons asked if it would be residential or commercial storage. Mr. Graves replied that on average 60-70% of storage facilities are used for residential storage. They will be open to the marketplace. Commissioner Fitzsimmons asked for clarification that this would be indoor storage only. Mr. Feldman agreed. Commissioner Fitzsimmons recommended this be added as a condition. Mr. Feldman agreed to that condition.

Commissioner Kohan asked about their hours of operation. Mr. Feldman replied that it will likely be typical for self-storage businesses and be open until 8 or 9pm.

Commissioner Venoit: Motion to approve application #208-21 for Site Plan for 70,000 sq. ft self-storage facility for New England Expedition LLC at 852 North Colony Road, as shown on plans entitled Proposed Development, 852 North Colony Road, dated March 5, 2021, revised to April 7, 2021, subject to:

- 1. Comments in Interoffice Memorandum from the Fire Marshal to the Planning and Zoning Department, dated March 12, 2021;**
- 2. Comments in Interoffice Memorandum from Erik Krueger, Senior Engineer, Water & Sewer Divisions, to Thomas Talbot, Planner, Planning and Zoning, dated April 8, 2021;**
- 3. Comments in Interoffice Memorandum from the Department of Engineering to Thomas Talbot, Planner, dated March 12, 2021; and**
- 4. No outside storage**

Commissioner Fitzsimmons: Second

Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Matarazzo – yes; Chairman Seichter – yes
The application is approved.

BOND REDUCTIONS/RELEASES

- 8. Special Permit/Sonic Restaurant/Mesite Family Partnership/1033 North Colony Road #412-09**
- 9. Site Plan/Gouveia/1339 Whirlwind Hill Road #205-17**

Mr. Talbot confirmed that both bonds are ready for release.

Commissioner Venoit: Motion to approve the release of bond for application #412-09 Special Permit/Sonic Restaurant/Mesite Family Partnership 1033 North Colony Road and #205-17 Site Plan/Gouveia/1339 Whirlwind Hill Road

Commissioner Fitzsimmons: Second

Vote: Unanimous to approve.

The release is approved.

REPORTS OF OFFICERS AND STAFF

10. ZBA decisions – March 15, 2021, no questions

11. ZBA Notice – April 19, 2021

Commissioner Fitzsimmons asked regarding agenda item 4, where the storage containers will go. Mrs. Torre replied that this is a through lot with two front yards. The proposal is for an 8 x 40 container and an 8 x 20 container located in proximity to Old North Colony to the rear of the orientation. They will conduct a pool and spa business and the containers are to hold materials for sale. Commissioner Fitzsimmons asked if the containers are already there. Mrs. Torre replied that the site contains the primary building, which used to be a lumber yard and a smaller building. The storage units should not be there yet. Commissioner Fitzsimmons noted that the property is unique because it has frontage on each. Mrs. Torre replied that it is oriented to the rear but is considered a front yard.

12. Zoning Enforcement Log no questions

13. Food Truck Regulations

Mr. Talbot reviewed the proposed regulation changes specific to mobile food vendors on winery properties. Included is a Thursday through Sunday limit, private property only, not in required parking spaces, and would require two additional spaces for the food truck. He explained that it is reflective of the existing regulations in other commercial districts. He included the section about deletions from the residential districts. He noted that some of the existing regulations in residential districts are extremely permissive and could be a problem. Mr. Talbot stated that he looked at breweries and cideries but they are only allowed in commercial districts which already have language covering them.

Commissioner Venoit stated that this is a good step in the right direction.

Commissioner Fitzsimmons agreed.

Commissioner Kohan agreed and thanked Mr. Talbot for explaining why we are not addressing breweries and cideries.

Commissioner Matarazzo agreed.

Commissioner Hine stated that he thinks we are moving in the right direction.

Commissioner Hine relayed a comment that the meeting is not streaming live on YouTube as promoted. Chairman Seichter agreed to follow up.

Chairman Seichter confirmed that there is an agreement to do a public hearing on this revision at the June meeting which allows time for notice.

Chairman Seichter asked for feedback on the proposal to delete food trucks from the regulations for residential areas, the Central Limited Business District, and Yalesville Limited Business district. Look at

existing regulations in non-residential areas. He noted that food trucks are already not allowed in the Town Center district. Mr. Talbot noted that they are permitted but under a different regulation, similar to other non-residential districts. He will verify that they are allowed for special events and sales. Mr. Talbot confirmed that by Town Ordinance locate food trucks can't be located within 500 feet of another restaurant in the center of town. Chairman Seichter suggested a discussion on whether the Commission wants to allow them.

CGS 8-24

14. Purchase of property at 100 Barnes Road

Commissioner Matarazzo noted the correspondence for the record. Correspondence from the Office of the Mayor dated April 7, 2021, signed by Mayor William Dickinson; correspondence from the Office of the Mayor dated April 6, 2020 to the Town Council signed by Mayor William Dickinson; as well as two plot plan images.

Chairman Seichter explained that the letter from the Mayor states that the Town of Wallingford is interested in purchasing property at 100 Barnes Road to repurpose the building to be used by the Wallingford Police Department. The Town Council will need to act on this.

Commissioner Kohan asked if a police station is a permitted use in that zone. Mr. Talbot confirmed that government buildings are permitted with site plan approval.

Commissioner Venoit: Motion to approve the CGS 8-24 purchase of property at 100 Barnes Road as it conforms to our local regulations.

Commissioner Fitzsimmons: Second and asked to add the Plan of Conservation and Development.

Commissioner Venoit: accepted the amendment.

Commissioner Fitzsimmons: Seconded the amended Motion

Vote: Unanimous to approve.

ADDITION TO AGENDA

Chairman Seichter called for a motion to add the 6 year Capital and Non-Recurring Budget to the agenda.

Commissioner Venoit: Motion to add the 6 year Capital and Non-Recurring 2021 – 2027 budget to the Monday, April 12, 2021 Planning and Zoning Commission agenda.

Commissioner Fitzsimmons: Second

Vote: Unanimous

Commissioner Matarazzo noted the correspondence is a letter from the Office of the Mayor dated March 22, 2021, to the Planning and Zoning Commission signed by Mayor William Dickinson Jr. and the proposed 6 year Capital and Non-Recurring Budget with notations.

Commissioner Venoit: Motion to approve the 6 year Capital and Non-Recurring 2021-2027 budget.

Commissioner Fitzsimmons: Second.

Vote: Unanimous to approve with Commissioner Kohan abstaining.

Commissioner Kohan asked the status of the expected Zoning Text Amendments for the IX and I-5 zones. Based on the letter from Hendershot, Ryan, Dickinson, and Janis Small and the language and work product were due by March 31st. Chairman Seichter responded that he followed up and a letter from the Mayor to the Commission was emailed to Commission members. It was noted that Commissioner Kohan was not in the distribution.

ADJOURNMENT

Commissioner Venoit: Motion to adjourn the Monday, April 12, 2021, Planning & Zoning Commission meeting at 8:55pm.

Commissioner Fitzsimmons: Second

Vote: Unanimous to approve

Respectfully Submitted,
Cheryl-Ann Tubby
Recording Secretary