

Agenda
Wallingford Planning and Zoning Commission
Monday February 9, 2026
7:00 p.m.
Robert F. Parisi Council Chambers
Town Hall - 45 South Main Street

Call to Order

Pledge of Allegiance

Roll Call

Consideration of Minutes- January 12, 2026

Election of Officers

PUBLIC HEARINGS

1. Text Amendment to amend the definition of yard, front in Section 2.2 amending diagram 2.3.B and the removal of section 4.6.E.- CB Commercial District **(Continued from 01/12/26)** #904-25
2. Text Amendment/Cerrito- Section 4.9.B.19- Museums and Art Galleries #501-26

REPORTS OF OFFICERS AND STAFF

3. Administrative Approvals-
9 South Branford Rd/Farrell
524 South Cherry St/BYK USA
850 South Colony Rd/Dominguez #RA-26-01
#227-25
#301-26
4. Discussion on newly signed Housing Bill
5. Annual Report and Zoning Enforcement Report
6. POCD update
7. ZBA January Decisions
8. ZBA February Notice

Individuals in need of auxiliary aids for effective communication in programs and services of the Town of Wallingford are invited to make their needs and preferences known to the ADA Compliance Coordinator at 203-294-2070 five (5) days prior to meeting date.

Staff Notes
Wallingford Planning & Zoning Commission Meeting
Monday, February 9, 2026

1. #904-25 – Front Yard definition and deletion of Section 4.6.E

- This amendment was part of a workshop back on October 15, 2025
- The amendment to the definition of *Yard, Front* will change the requirement that corner lots have two front yards
- The primary street address will now be considered the main front yard, and the secondary street frontage will be a side yard.
- The Commission requested at the workshop that the Town Planner or the Land Use Specialist decide on which is considered a front yard for unique circumstances.
- Questions were raised at the public hearing regarding placement of accessory structures with the changes to the Front Yard regulation. A memo was written by Town Staff to address these questions from the public.
- Also, deletion of Section 4.6.E as it was flagged by the law department as not enforceable and a regulation that was never used in practice.

2. #501-26 – Museums and Art Galleries – Section 4.9.B.19

- Applicant is requesting to add Museums and Art Galleries as an allowed use in the IX (Industrial Expansion District)
- Museums and Art Galleries are currently an allowed use in most commercial and industrial zones in the Town
- The applicant would like to open a classic car museum at 1 Barnes Industrial Rd. and thus needs to change the zoning to accommodate this proposal.
- The applicant will be speaking to the Commission and providing further details of his proposal.

RECOMMENDED MOTIONS
Wallingford Planning & Zoning Commission Meeting
Monday, February 9, 2026

1. #904-25- Section 2.2 Amendments and deletion of Section 4.6.E

Zoning text amendments to Section 2.2 definition of *Yard*, *Front* to eliminate corner lots being required to have two front yards and deletion of Section 4.6.E. on language dated January 6, 2026 because:

2. #501-26 – Section 4.9.B.19 – Museums and Art Galleries

Zoning text amendment to Section 4.9.B.19 to add Museums and Art Galleries as an allowed use in the IX (Industrial Expansion District) on language dated January 12, 2026 because:



Town of Wallingford, Connecticut

JAMES SEICHTER
CHAIRMAN-PLANNING & ZONING COMMISSION

KEVIN J. PAGINI
TOWN PLANNER

WALLINGFORD TOWN HALL
45 SOUTH MAIN STREET
WALLINGFORD, CT 06492
TELEPHONE (203) 294-2090
FAX (203) 294-2095

Legal Notice

The following Public Hearings will be heard at the Wallingford Planning and Zoning Commission's meeting of **Monday, February 9, 2026**, at 7:00 p.m. in the Robert F. Parisi Council Chambers of Town Hall located at 45 South Main Street.

1. **#501-26** – Text Amendment request for Cerrito's Auto to add Museums and Art Galleries as an allowed use to Section 4.9.B.19 – Industrial Expansion (IX) District
2. **#904-25** – Text Amendment to amend the definition of yard, front in Section 2.2 and the removal of section 4.6.E.- CB Commercial District and amending diagram 2.3.B

WALLINGFORD PLANNING AND ZONING COMMISSION

STEVEN ALLINSON, SECRETARY

DATED AT WALLINGFORD
01/23/2026

PUBLICATION DATES
01/27/2026
02/03/2026

Individuals in need of auxiliary aids for effective communication in programs and services of the Town Of Wallingford are invited to make their needs and preferences known to the ADA Compliance Coordinator at 203-294-2070 five (5) days prior to meeting date.

Wallingford Planning & Zoning Commission

Regular Meeting

Monday, January 12, 2026

7:00 p.m.

Robert F. Parisi Council Chambers – Town Hall

Town Hall – 45 South Main Street

MINUTES

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

The Pledge of Allegiance was recited by all.

Roll Call: Present: James Seichter, Chair; Stephen Allinson, Secretary; James Fitzsimmons, Regular Member; Jeffrey Kohan, Regular Member; Joseph Sanders, Alternate; Cheryl DeGenova, Alternate; and Kevin Pagini, Town Planner.

Chairman Seichter welcomed new Commissioner DeGenova.

Consideration of Minutes – December 8, 2025, Regular Meeting

Commissioner Fitzsimmons: Motion to approve the Minutes of Monday, December 8, 2025, Meeting of the Wallingford Planning and Zoning Commission as submitted.

Commissioner Kohan: Second

Vote: Unanimous to approve.

Presentation

Mayor Cervoni read a proclamation declaring January 12, 2026, as Jim Seichter Day and thanked him for his service on the Planning & Zoning Commission.

Proclamation: Whereas the Town of Wallingford proudly recognizes Jim Seichter, lifelong resident, whose contributions have enriched our community for decades and whereas Jim graduated from Lyman Hall High School in 1967 where he played basketball and soccer and later earned his degree from Ryder University continuing his athletic pursuits on the basketball team; and after college Jim served in the Peace Corps in the Philippines at Grace Park Bank then returned to the US for a successful banking career with Colonial Bank, Bank Boston, UBS Capital Business Credit and Bennington Partners; and whereas following retirement, Jim continued his commitment to public service volunteering with the Town's Registrar's Office and the Parade Committee; and whereas Jim began serving on the Planning and Zoning Commission on January 30th, 1996, as Chairman since 2010, he has provided thoughtful leadership while ensuring every application was carefully considered. Now, therefore, I, Mayor of this Town of Wallingford, do hereby proclaim January 12, 2026, as Jim Seichter Day in our community. The Town of Wallingford extends its heartfelt gratitude to Jim for his years of dedication, service, and leadership, and wishes him joy, fulfillment, and success in his future endeavors.

Commissioner Fitzsimmons thanked Chairman Seichter for his service, deep knowledge, commitment to the Town, vision, and dedication for many years. His contributions made a difference. Thank you for your service to the Town of Wallingford.

Chairman Seichter stated that he appreciated the kind words and that it had been a pleasure to serve. He was proud that the Commission's decisions were never based on politics but on what was best for the Town.

PUBLIC HEARINGS

1. Text Amendment to amend the definition of yard, front in Section 2.2, and the removal of Section 4.6.E. – CB Commercial District #904-25

Commissioner Allinson read the legal notice and noted the correspondence. Application #904-25 – Text Amendment to amend the definition of yard, front in Section 2.2, and the removal of Section 4.6.E. – CB Commercial District. Correspondence included the application, the proposed amendment dated December 10, 2025, letter to Town Clerk of Cheshire, Durham, Hamden, City of Meriden, Town Clerk of Middlefield, North Branford, and North Haven from Kevin Pagini, Town Planner dated December 12, 2025; the prior version of the amendment dated December 10, 2025 with marked changes and the revised amendment dated January 6, 2026.

Chairman Seichter announced that Commissioner Sanders will be voting in the absence of Commissioner Venoit.

Mr. Pagini explained that the current definition of yard, front requires corner lots to have two front yards. A workshop was held on this topic on October 15, 2025. The amendment requires that the primary street address of the lot be considered the main front yard, and the secondary street frontage will be a side yard. The proposal allows the Town Planner and/or the Land Use Specialist to make a determination in unique circumstances. This lessens the burden on the property owner. He noted that the second item is to delete 4.6.E, which was recommended by the Law Department. This is not enforceable and has not been used. It applied to CB and CA -12 districts. We generally require a variance instead.

Commissioner Allinson clarified that if we run into unique circumstances, we make it part of the record that the Town Planner intervened.

PUBLIC COMMENT

Rob Blanchard, 39 Curtis Avenue, asked about the impetus for the change. Mr. Pagini replied that the Law Department recommended it due to a series of events. Mr. Blanchard stated that this is now creating a side yard, and that creates a rear yard as well. He gave photos of examples of a patio on the corner of Curtis and North Main to the Commission members. If this had been a shed instead of a patio, it would have been right next to the sidewalk and the neighbor's driveway. This would be a safety issue due to sight lines and an aesthetic issue. He opposes the amendment as it was not well thought out. He

noted that he is only aware of seven applications in the past three years that were affected by this regulation. He believes the Zoning Board of Appeals should continue to review these requests.

Chairman Seichter stated that these are good points. The Commission had good intentions but agrees there are unanticipated consequences.

Commissioner Fitzsimmons stated that those with corner lots have the burden of two front yards. He agreed that the Commission needs to do more work on the text amendment. He is in favor of further discussion.

Commissioner Allinson suggested something could be added to address side and rear yard setbacks. The ZBA would still need to do a variance in the example.

Commissioner Sanders agreed. He asked if setbacks from sidewalks might help.

Chairman Seichter stated that these are good suggestions. He suggested continuing the hearing to allow additional input.

Hearing no further public comment, Chairman Seichter called for a motion to continue the public hearing.

Commissioner Fitzsimmons: Motion to continue the public hearing for application #904-25 Text Amendment to amend the definition of yard, front in Section 2.2, and the removal of Section 4.6.E. – CB Commercial District to a future meeting.

Commissioner Kohan: second

Vote: Unanimous

BOND RELEASES

2. EG America Group/906 North Colony Road

Mr. Pagini reported that this is the Cumberland Farms property, which was completed in 2017 and can be released.

Commissioner Fitzsimmons: Motion to release the bond for EG America Group/906 North Colony Road as recommended by the Town Planner.

Commissioner Kohan: second

Vote: Unanimous

REPORTS OF OFFICERS AND STAFF

3. Administrative Approvals – noted as approved

a. 81 Meadow St./Michaels #RA-25-04

- b. **221 South Colony St./Perretta #226-25**
- 4. **ZBA December Decisions** – no meeting in December
- 5. **ZBA January Notice** – no comment

ADJOURNMENT

Commissioner Fitzsimmons: Motion to Adjourn the Wallingford Planning and Zoning Commission for Monday, January 12, 2026, at 7:30 pm.

Commissioner Kohan: Second

Vote: Unanimous

Respectfully submitted,

Cheryl-Ann Tubby

Recording Secretary

Text Amendment

#904-25

Front Yard, Delete Section 4.6.E.

and Amend Diagram 2.3.B.

TOWN OF WALLINGFORD

Town Hall, 45 South Main Street, Wallingford, CT 06492

TO: Stephanie Camp - South Central Regional Council of Governments
 J.H. Torrance Downes - Lower Connecticut River Valley Council of Governments
 Patricia Bruder - Naugatuck Valley Council of Governments

FROM: Kevin J. Pagini, Town Planner

Pursuant to the provisions of Section 8-3b of the General Statutes of Connecticut, as amended, the following proposed application is referred to the Regional Agency to review and report on:

Please see attached

[]

The change was originally requested:

by municipal agency (PZC)
 by petition

Public hearing has been scheduled for: January 12, 2026

Legal Notice Site map
 Map of proposed subdivision Text of proposed amendment

Other: See current Zoning Regulations and Zoning Map on Town Web Site under Planning and Zoning Department.

www.wallingford.ct.us

27

Kevin J. Pagini, Town Planner

12/11/2025
Date

Wallingford Town Hall
45 South Main Street
Wallingford, CT
Phone: (203) 294-2090 Fax: (203) 294-2095

Text amendments to the Town of Wallingford Zoning Regulations for public hearing on January 12, 2026:

Amendments to Section 2.2:

Yard, Front - A yard between a principal building and an adjacent street line and extending the entire length of the street line. In the case of a corner lot ~~and a lot other than a corner lot that fronts on more than one street, the front yard shall be the yard extending along the street frontage of the primary address of the dwelling unit/residence. In the event of a unique circumstance, the ~~Commission~~ shall decide which yard is considered the front yard. the yards extending along all adjacent streets are "front yards". In the case of a lot other than a corner lot that fronts on more than one street, the yards extending along all adjacent streets are "front yards".~~

*2
Town Planner/and/or Land Use
Specialist*

Section 4.6.E- to Delete:

E. Special Requirements - in CA-12 and CB-12 Districts, upon recording of an agreement satisfactory to the Commission of the owners of two (2) adjacent lots in the Town Land Records, one side yard only of each lot may be omitted and a building may be built on the common property line, provided that the party or other walls separating them are of masonry construction. Except in the case of a building on the lot line, no side yard shall be less than as provided in Bulk Table 5.1B.



Town of Wallingford, Connecticut

JAMES SEICHTER
CHAIRMAN-PLANNING & ZONING COMMISSION

KEVIN J. PAGINI
TOWN PLANNER

WALLINGFORD TOWN HALL
45 SOUTH MAIN STREET
WALLINGFORD, CT 06492
TELEPHONE (203) 294-2090
FAX (203) 294-2095

December 12, 2025

Town Clerk - Town of Cheshire
Town Clerk - Town of Durham
Town Clerk - Town of Hamden
City Clerk - City of Meriden
Town Clerk - Town of Middlefield
Town Clerk - Town of North Branford
Town Clerk - Town of North Haven

Re: Proposed Amendment to the Town of Wallingford Zoning Regulations

Dear Town/City Clerk,

In accordance with the Connecticut General State Statutes, enclosed please find a copy of the proposed amendments to the Town of Wallingford Zoning Regulations initiated by the Planning and Zoning Commission. These changes include amending the definition of Yard, Front to no longer require corner lots to have two front yards, and the removal of a section in the Commercial district that is no longer used.

A public hearing for this application is scheduled for January 12, 2026.

Regards,

A handwritten signature in black ink, appearing to read "K. J. Pagini".

Kevin J. Pagini
Town Planner

Text amendments to the Town of Wallingford Zoning Regulations for public hearing on January 12, 2026:

Amendments to Section 2.2:

Yard, Front - A yard between a principal building and an adjacent street line and extending the entire length of the street line:-In the case of a corner lot and a lot other than a corner lot that fronts on more than one street, the front yard shall be the yard extending along the street frontage of the primary address of the dwelling unit/residence. In the event of a unique circumstance, the Commission shall decide which yard is considered the front yard. ~~the yards extending along all adjacent streets are “front yards”. In the case of a lot other than a corner lot that fronts on more than one street, the yards extending along all adjacent streets are “front yards”.~~

Section 4.6.E- to Delete:

- E. Special Requirements - in CA-12 and CB-12 Districts, upon recording of an agreement satisfactory to the Commission of the owners of two (2) adjacent lots in the Town Land Records, one side yard only of each lot may be omitted and a building may be built on the common property line, provided that the party or other walls separating them are of masonry construction. Except in the case of a building on the lot line, no side yard shall be less than as provided in Bulk Table 5.1B.

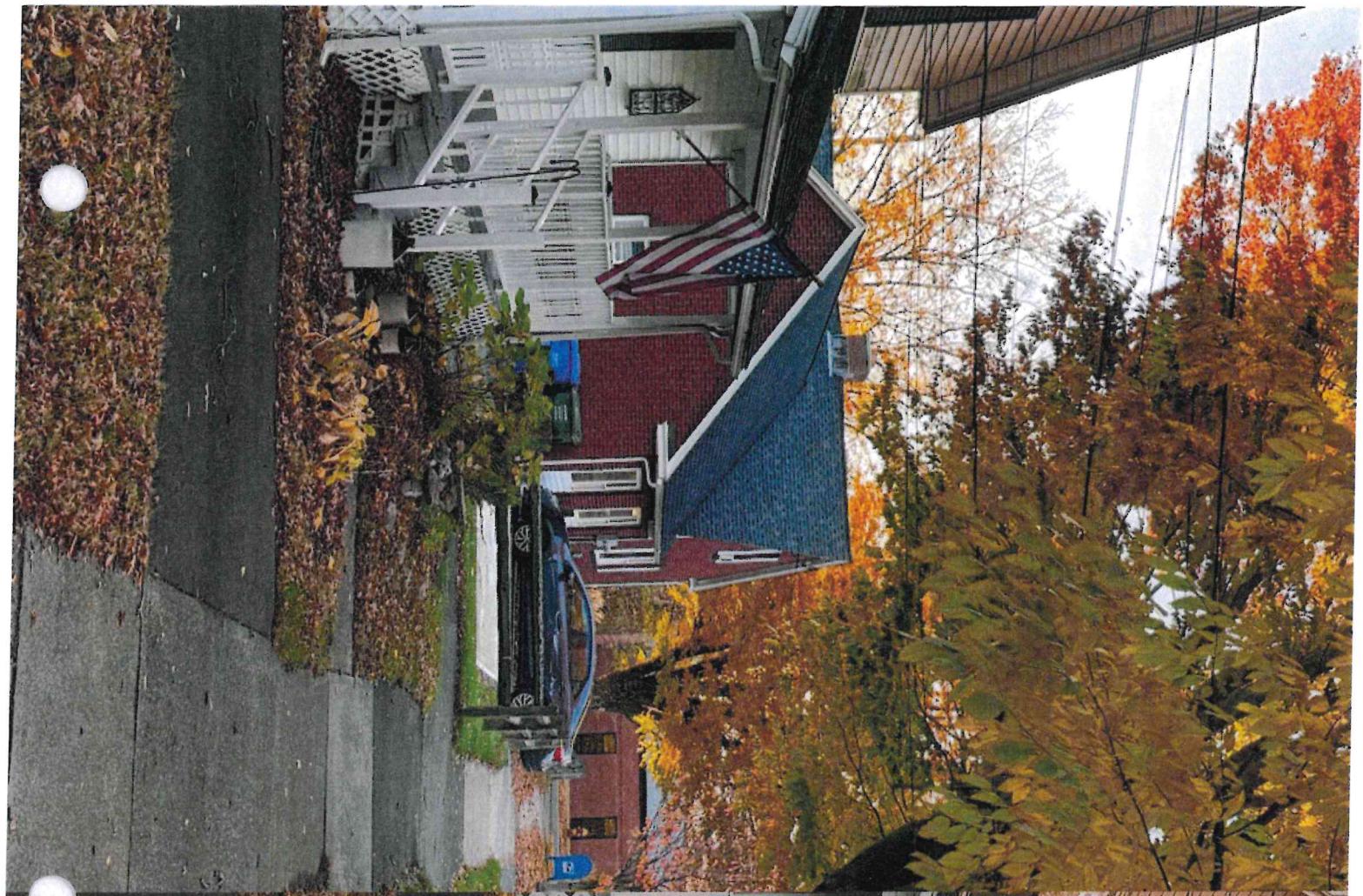


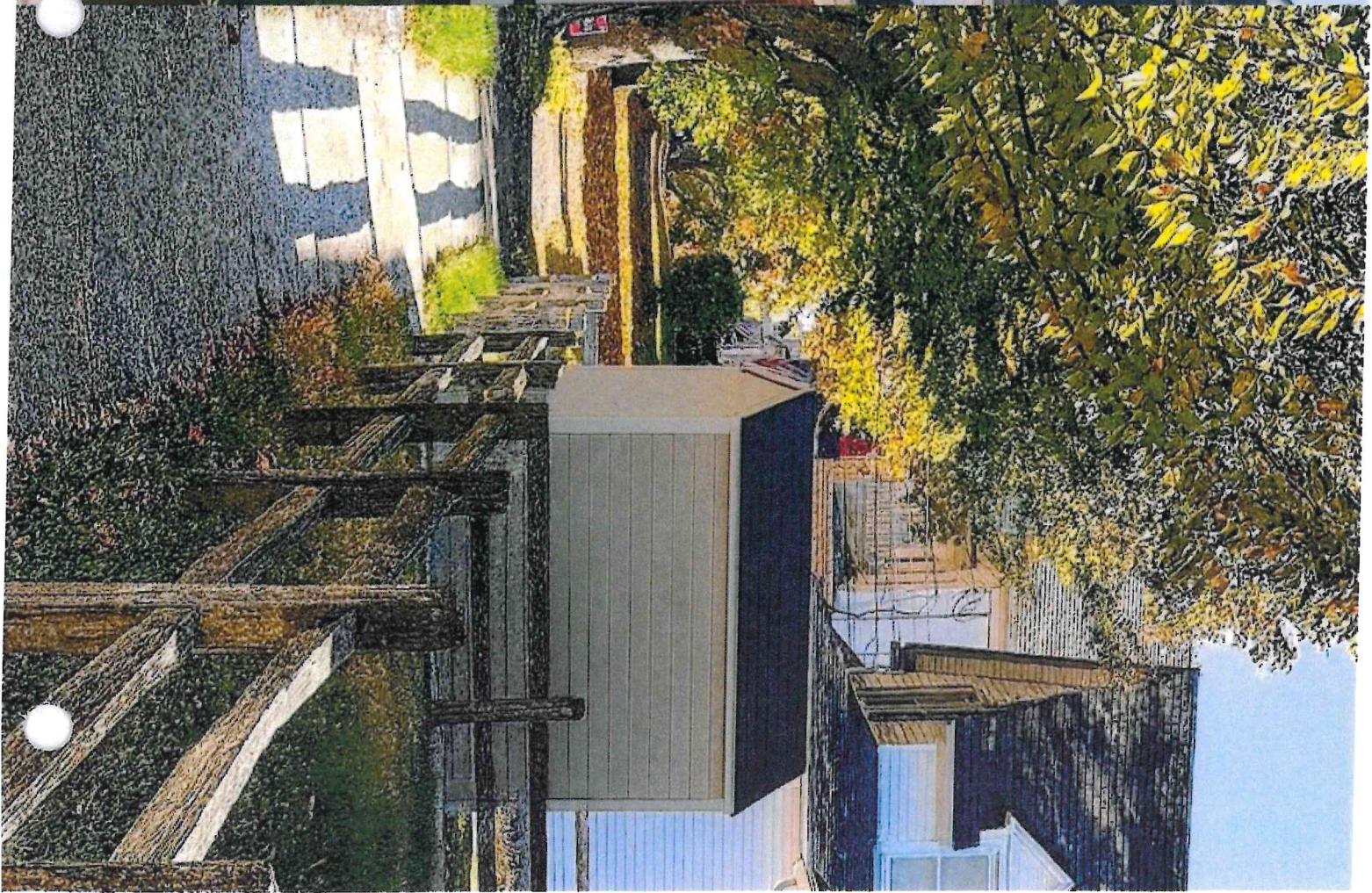
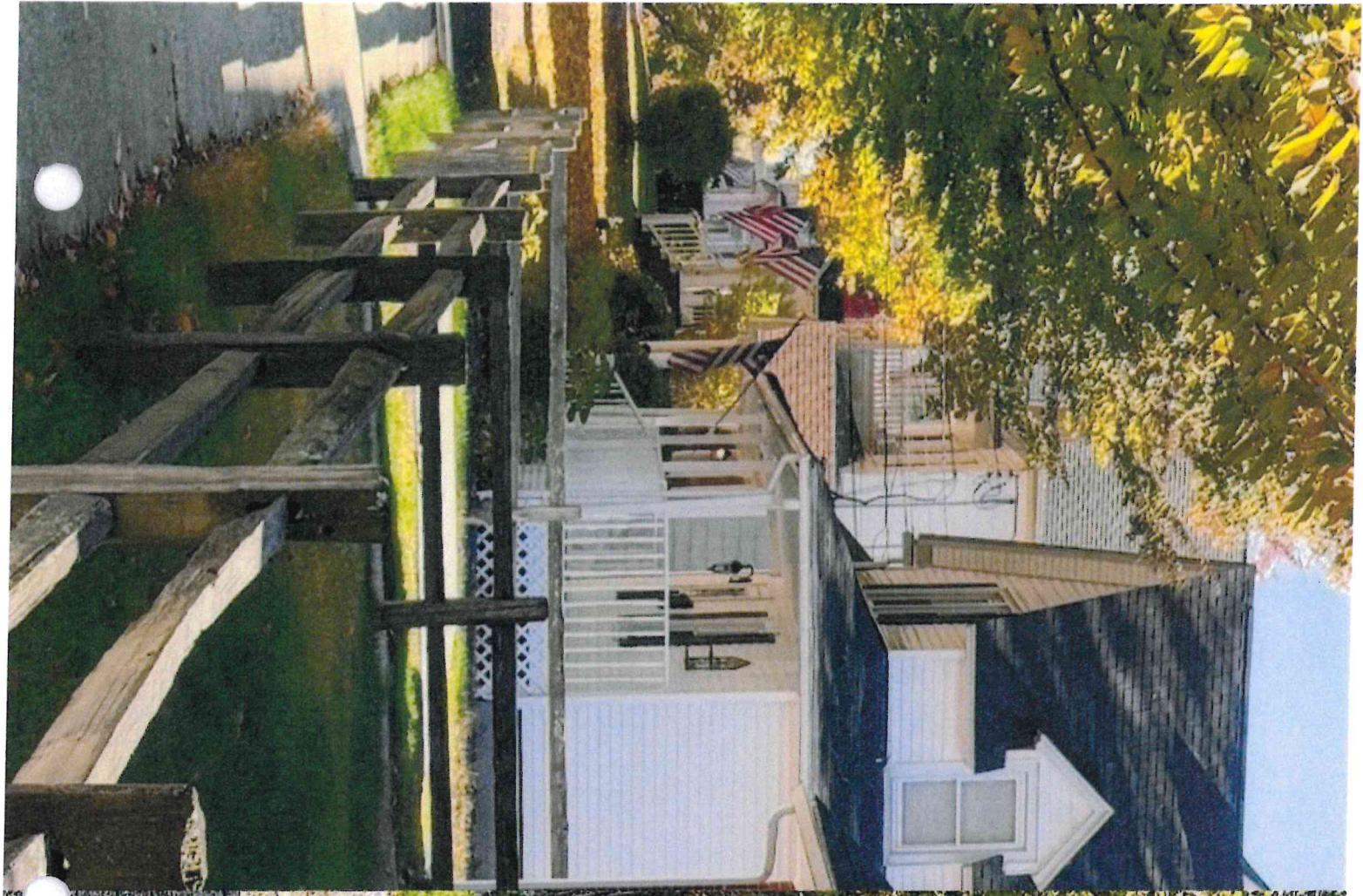
RECEIVED

JAN 12 2026

WALLINGFORD
PLANNING & ZONING







#904-25-01

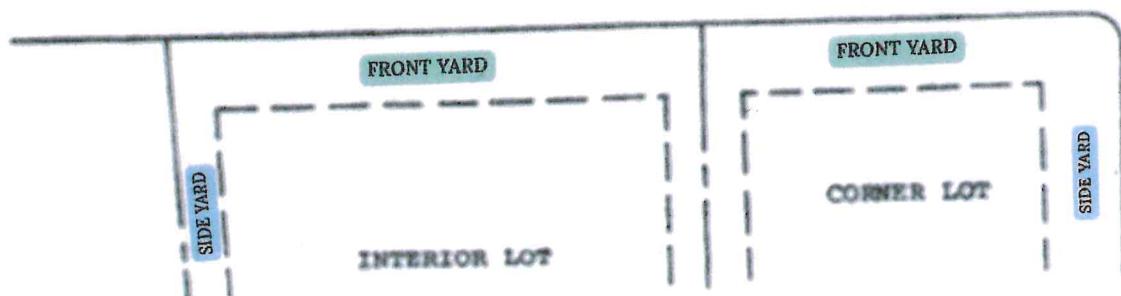
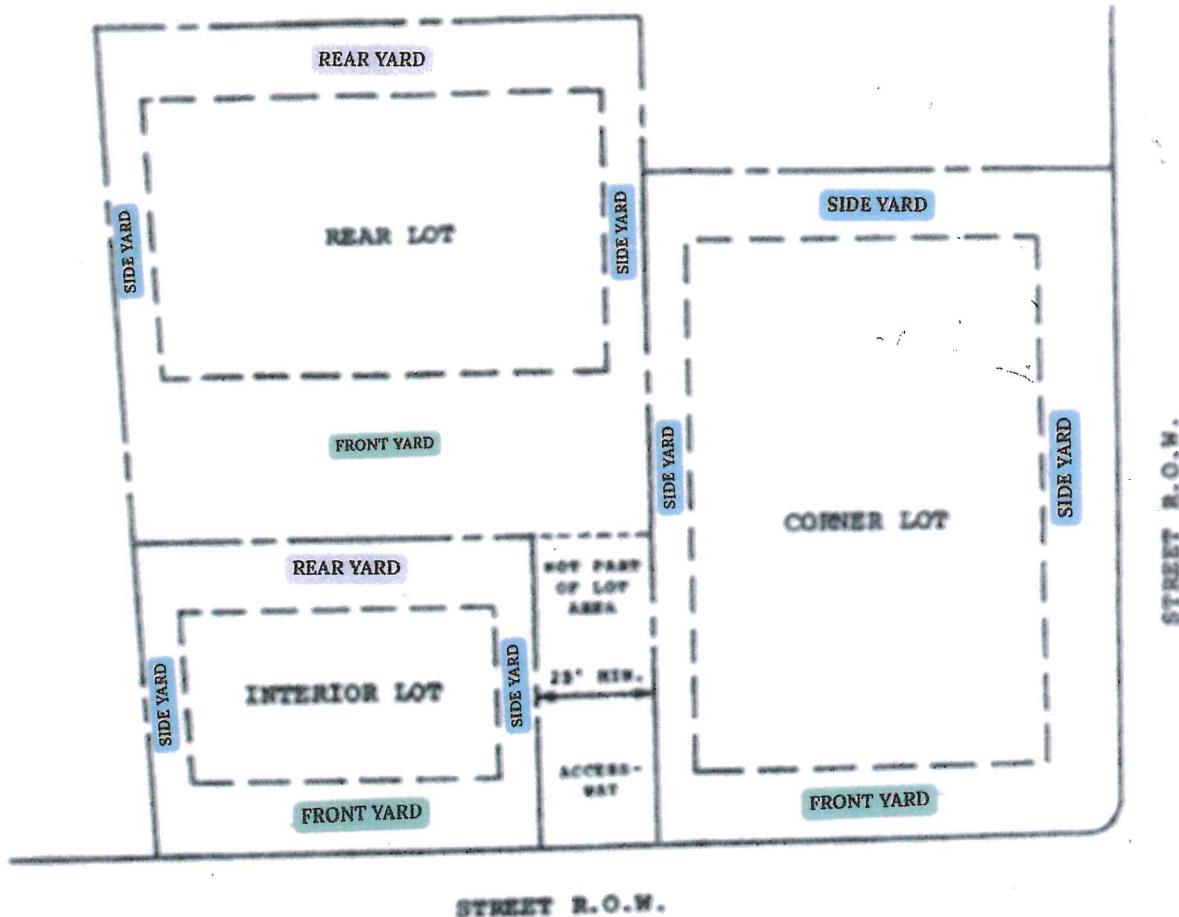
Amended Diagram

RECEIVED

S 2.3 B TYPICAL LOTS AND YARD AREAS

JAN 13 2026

WALLINGFORD
PLANNING & ZONING



#904-25-02

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Kevin J. Pagini, Town Planner

RE: Text Amendment- #904-25

DATE: January 13, 2026

Public comments made at the January 12, 206 Planning and Zoning Commission Regular Meeting regarding changes being proposed to the definition of *Yard, Front* brought forth concerns about accessory structures and the proposed amendment. To alleviate those concerns, the Planning Department staff are writing this memo to explain how these changes will not impact the placement of sheds, garages, or any other accessory residential structures. This amendment will change any currently existing secondary front yard into a side yard. Section 6.2.B.3. states that:

3. Any garage or accessory building located in the rear yard and not part of or connected to the main building in any way, including by corridor or other covered area, shall be no less than five (5) feet from any side or rear lot line except as per §4.1.F.7 and §4.1.F.10.

2/17/10; 10/2/94

4. Any garage or accessory building made part of or connected to the main building in any way shall comply with the yard requirements of the main building. 2/17/17

5. Any detached garage or accessory building located in a side yard shall meet the yard requirements of the principal building in the district in which it is located except that all stables must be located a minimum of thirty (30) feet from any street or property line as per §4.1.F.7.

10/2/94

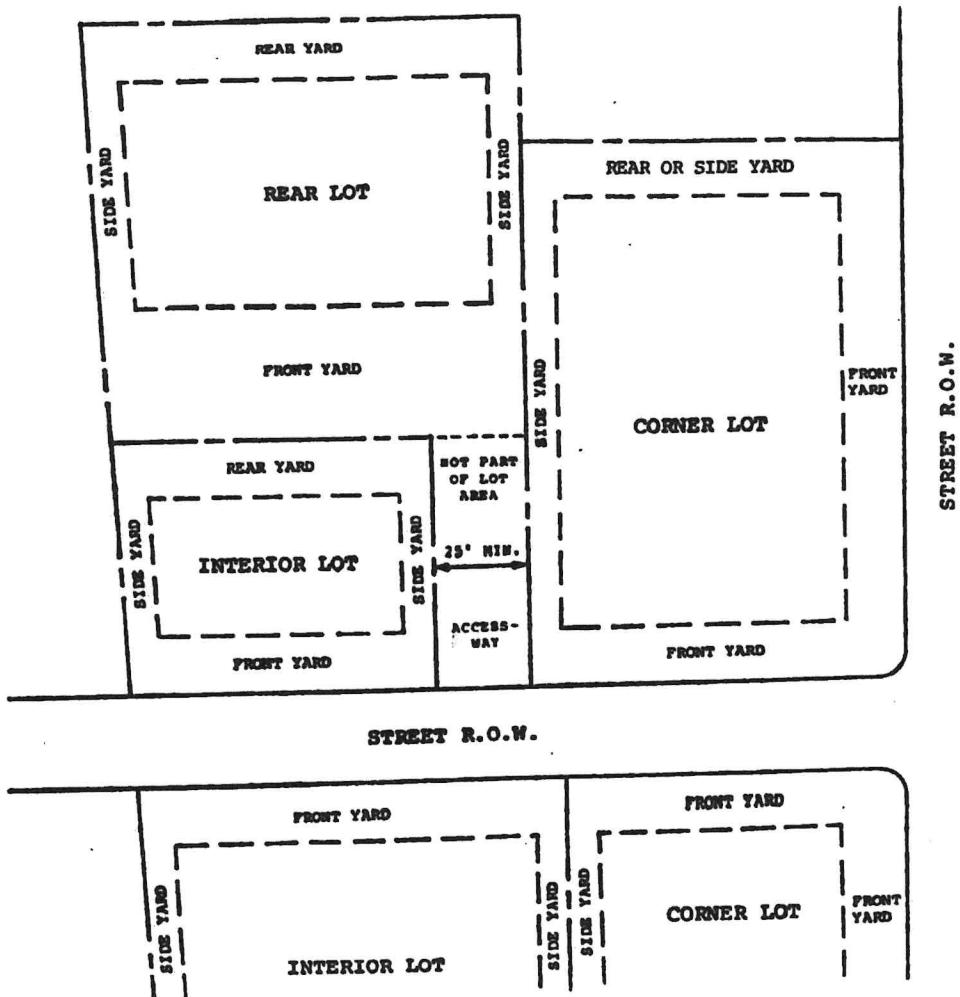
Meaning that any front yard will become a side yard and not a rear yard, therefore any accessory structures would have to comply with the setbacks for the district in which the parcel is located. In the example given at the hearing, most of the street is located within the R-6 zoning district, but the corner lot is within the CLB district. The secondary front yard in an R-6 district, in this scenario, would be reduced from a front setback of 10 feet to a side yard of 6 feet, technically someone would be able to put a shed or accessory building 4 feet closer than they could presently. In the CLB district, a front yard would be changed from 30 feet to 12 feet, but the current building on the lot is non-conforming with a front setback of approximately 8 feet. In no circumstance, on the lot given in the example, would an accessory structure be allowed that close to the street without a variance being required. The closest a shed would be allowed is 12 feet from a boundary in a CLB zone.



There is no scenario where a shed or other accessory structure would ever be allowed right on the sidewalk or property line without the need for a variance. The photos given out at the hearing were a misrepresentation of the regulations as they exist. A corner lot would now have 3 side yards and a front yard if this amendment were to be passed. Any accessory structure on a corner lot would have to be placed within the allowed building envelope of the lot or a variance would be required.

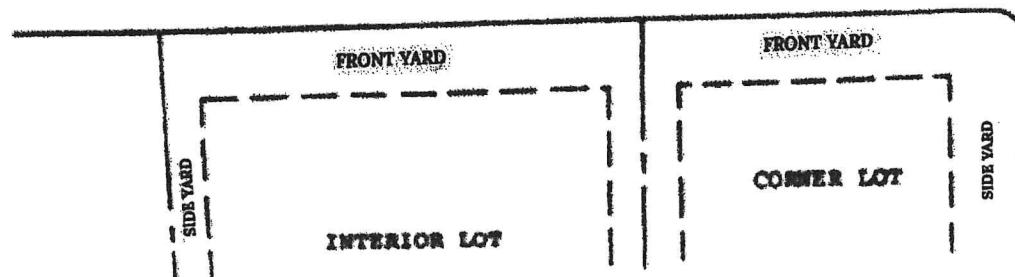
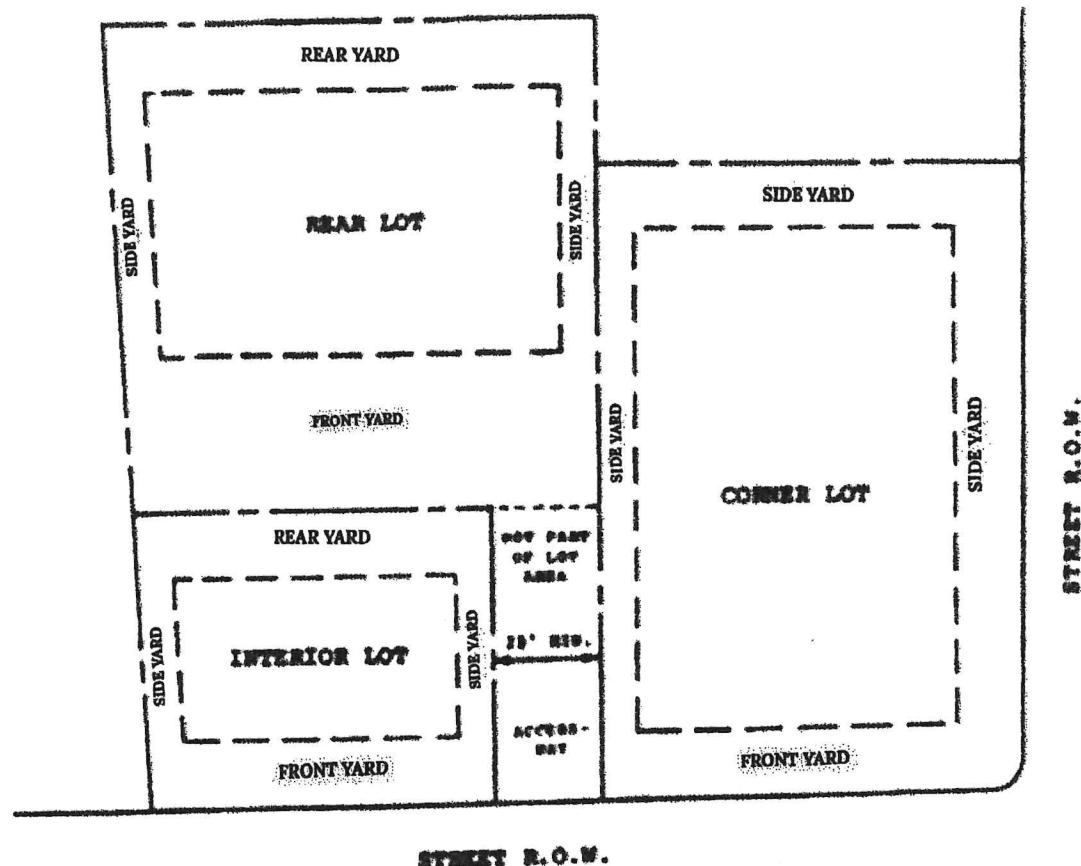
Current regulations:

S 2.3 B TYPICAL LOTS AND YARD AREAS



Proposed regulations:

5.2.3 B TYPICAL LOTS AND YARD AREAS



Text Amendment

Museums and Art Galleries

Cerrito

#501-26



Town of Wallingford, Connecticut

RECEIVED

JAN 12 2026

WALLINGFORD
PLANNING & ZONING

APPLICATION NO.: 501-26

FEE: \$550.00

APPLICATION FOR ZONING REGULATION CHANGE

NAME OF APPLICANT: Christopher Cerito DATE: 1/12/26
MAILING ADDRESS: 180 pond hill rd wlfld ct 06492 PHONE: 203-530-5029

E-MAIL ADDRESS: Cermitusauto@sbcgjnhal.net

Section to be removed: 4.9 B. 19

Proposed new section: Museum and art galleries

~~4.9 B. 19~~ 4.9 B. 19

Interested in history of wlfld and would
like to have a museum at 1 Barnes Rd.
Wlfld ct 06492
no repairs or auto sales

(Attach additional sheet if necessary)

A handwritten signature in blue ink, appearing to read "Christopher Cerito".

Applicant's Signature

Company Name (If applicable)

For Official Use Only:

Date Application Submitted: _____

Filing Fee Paid: _____

Text Amendment - 1/12/2026

Add the following new language to Section 4.9.B. :

19. Museums and art galleries

Cherie Murchison

From: cerritosauto@sbcglobal.net
Sent: Monday, January 12, 2026 12:21 PM
To: zoning
Subject: 1 Barnes Ind. rd

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

Description of proposed use: indoor museum featuring a curated collection of classic automobiles, historical artifacts, photographs, and displays. A portion of the museum will be dedicated to local town history. No vehicle repair, manufacturing, or commercial automotive services will take place on-site. The proposed museum use is less intensive than many permitted industrial uses. The museum will generate minimal noise, no heavy truck traffic. The museum will provide educational opportunities, preserve local history, increase tourism, support nearby business and offer a family friendly destination.

Christopher Cerrito
203-530-5029

Create your own email signature

Create your own email signature

TOWN OF WALLINGFORD

Town Hall, 45 South Main Street, Wallingford, CT 06492

TO: Brendon Duckett - South Central Regional Council of Governments
 Vicki Harris - Lower Connecticut River Valley Council of Governments
 Patricia Bruder - Naugatuck Valley Council of Governments

FROM: Kevin J. Pagini, Town Planner

Pursuant to the provisions of Section 8-3b of the General Statutes of Connecticut, as amended, the following proposed application is referred to the Regional Agency to review and report on:

[X] Please see attached

[]

The change was originally requested:

[] by municipal agency (PZC)
 by petition

Public hearing has been scheduled for: February 9, 2026

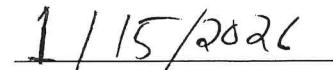
[] Legal Notice Site map
[] Map of proposed subdivision Text of proposed amendment

Other: See current Zoning Regulations and Zoning Map on Town Web Site under Planning and Zoning Department.

www.wallingford.ct.us


Kevin J. Pagini, Town Planner

(Authorizing Signature)


1/15/2026
Date

Wallingford Town Hall
45 South Main Street
Wallingford, CT
Phone: (203) 294-2090 Fax: (203) 294-2095

Text Amendment - 1/12/2026

Add the following new language to Section 4.9.B.19:

19. Museums and art galleries



Wallingford Fire Department Inspection Report

1 Barnes Industrial Park Rd - 1 Barnes Industrial Park RD, Wallingford CT 06492

#501-26-01
7 Masonic Ave

INSPECTION DETAILS

Inspection Date	Inspection Type	Inspection Number	
01/27/2026	Planning & Zoning/ZBA Information Review	16633	
Lead Inspector	Shift	Station	Unit
BRIAN SCHOCK	Office of the Fire Marshal	Station 2	C5
Other Inspectors			
N/A			

SUMMARY OF INSPECTION

0 Passed codes 0 Failed codes

GENERAL NOTES

BRIAN SCHOCK - 01/27/2026 @ 16:58

#501-26 Text Amendment : Add to Section 4.9.B 19. Museums & Art Galleries

BRIAN SCHOCK - 01/27/2026 @ 17:00

In accordance with the 2022 Connecticut Fire Safety Code, Art Galleries and Museums are considered Group A-3 occupancy assembly uses that are intended for worship, recreation or amusement and other assembly uses not classified elsewhere in Group A.

BRIAN SCHOCK - 01/27/2026 @ 17:02

Of note, a building or tenant space used for assembly purposes with an occupant load of less than 50 persons shall be classified as a Group B occupancy.

SIGNATURES

Contact signature

Inspector signature

No signature
NA

BS

Christopher Cerrito

Date: _____

BRIAN SCHOCK

01/27/2026



#501-26-02
Lower Connecticut River Valley Council of Governments
145 Dennison Road Essex, CT 06426 | +1 860 581 8554 | www.rivercog.org
Regional Planning Committee

February 2, 2026

RECEIVED

FEB 02 2026

WALLINGFORD
PLANNING & ZONING

Mr. Jim Seichter, Chairman
Wallingford Planning and Zoning Commission
45 South Main Street
Wallingford, CT 06492

SUBJECT: Application to Amend Town of Westbrook Zoning Regulations – Area and Dimensional Standards

Dear Mr. Seichter:

The Wallingford Planning and Zoning Commission has submitted a zoning regulation petition to the RiverCOG Regional Planning Committee for review for intermunicipal impacts pursuant to Section 8-3b of the Connecticut General Statutes. The petition proposes adding museums and art galleries to the list of permitted uses within the industrial zone. These comments are offered for the consideration of the P&Z at the public hearing scheduled to commence on Monday, February 9, 2026.

Finding

Staff of the RiverCOG Regional Planning Committee finds that no substantial intermunicipal impacts to properties in the adjacent RiverCOG Towns of Middlefield and Durham will result if the proposed regulations are adopted as submitted.

Consistency with the RiverCOG Regional Plan of Conservation and Development

The proposal is “neutral” with respect to the policies, goals and recommendations of the RiverCOG Regional Plan of Conservation and Development.,

Thank you for the opportunity to comment on the proposed changes. If the Commission has any questions about this review or any other land use issue, please contact us at 860-581-8554.

For the Committee,

Marcos Gonzalez
RiverCOG, Planner II

RiverRPC



Town of Wallingford, Connecticut

JAMES SEICHTER

CHAIRMAN-PLANNING & ZONING COMMISSION

KEVIN J. PAGINI

TOWN PLANNER

WALLINGFORD TOWN HALL

45 SOUTH MAIN STREET

WALLINGFORD, CT 06492

TELEPHONE (203) 294-2090

FAX (203) 294-2095

PLANNING AND ZONING

ANNUAL REPORT 2025

The year 2025 was relatively steady in terms of development activity and applications. The new administration has been more proactive in promoting development and technology upgrades to assist in the development process. These changes include the purchase of an online Town permitting system as well as several other upgrades to assist in the development process.

The Commission had enough in the way of applications of one sort or another to result in the conducting of every scheduled Regular Meeting of 2025.

The majority of 2025 was spent reviewing an application for a large warehouse proposal on the corner of Route 68 and Northrop Rd. that was subsequently denied by the Commission. Also, a re-subdivision for an 8-30g affordable housing application located at 1136 Durham Road, that was denied by the Commission in 2024, was overturned by the State and can now proceed to the construction phase.

Other highlights included the adoption of Middle Housing regulations to allow market rate and affordable housing developments along the Route 5 corridor and in the areas surrounding the Town Center. These changes to the text allow for increased development of multi-family housing along transit lines and around the Town Center. Another major approval was the adoption of new Sign Regulations that were in development for over a year. These new sign regulations simplify what is allowed in each zoning district. Other notable approvals include a 60-unit affordable housing development on the corner of Ward St. and South Cherry St., expansion of a warehouse at CT Foodshare, allowance of craft beer sales at farm wineries, a pedestrian bridge at Choate Rosemary Hall and an addition for a new pool facility at the west side YMCA. Approvals that did not require new building construction included a number of change of use approvals which included several new salons, cafes and coffee shops.

The Planning and Zoning staff have been working with other department heads to develop a direction for the update to the Plan of Conservation and Development (POCD) and hired a consulting firm, Colliers Engineering, to lead the development of a new plan for adoption in 2026. The upcoming year will bring many new changes, including the long-awaited arrival of the SmartGov Online Permitting system. This system will allow online submission of applications as well as the ability for the applicant and Commissioners to view the progress of each application and view the comments and revisions in real time. It is the hope of Town Staff that this system will be implemented for full functionality in mid-2026. This year also brought forth many discussions about the need for housing within the community. This led to a proposal that was presented to the Town Council to identify an architectural firm to design a conceptual Senior Housing Development at the old Choate Boathouse property that is owned by the Town. There is State funding on the horizon that may finally fund the visioning for this project. There are also plans in the works to revitalize the Town owned public parking lots, specifically between William St. and Meadow St. The Mayor has been very proactive in meeting with Economic Development

and this department to discuss different ways to guide and attract new development in Town. The Mayor is still engaged in pursuing ways to provide new technological additions to aid in the Planning and Zoning process including increased Geographic Information Systems availability to the public and Town staff. The public availability of this information will increase transparency and allow for more informed decision making.

Table 1. Count of applications (by year) submitted over the last 10 years:

<u>Year</u>	<u>Subdivisions</u>	<u>Site Plans</u>	<u>Changes of Use</u>	<u>Special Permits</u>	<u>Reg./Zone Changes</u>	<u>Zoning Permits</u>	<u>PZC Initiated</u>	<u>TOTAL</u>
2025		27	13	5	6	35	4	86
2024	2	27	12	9	5	29	4	88
2023	1	30	14	13	2	24	2	85
2022	0	28	13	6	3	19	3	72
2021	0	23	22	12	3	20	3	83
2020	0	21	15	13	5	19	2	75
2019	0	36	22	14	0	17	3	92
2018	3	24	20	13	2	6	3	71
2017	2	44	17	11	2	-	7	83
2016	3	40	20	16	4	-	1	81
2015	1	43	22	15	7	1	2	91

The number of applications in 2025 was on par with the previous three years (Table 1). This trend, although not substantial, is indicative of steady development within the Town. The most notable information from Table 1, however, (Site Plan approval reductions notwithstanding) is the consistency of most 2024 approval numbers with those of the previous five years.

Looking forward, the Planning and Zoning Commission will, in the near term, be focusing on developing the Plan of Conservation and Development. A new POCD Steering Committee was formed to guide this process, and the public will be given increased opportunities for comment with an ongoing online survey and POCD website, www.wallingford2036.com. This will allow a longer time period to gather comments from the residents regarding the Plan of Conservation and Development. Other business included working with the local citizen housing group to expand housing opportunities, such as pursuing the allowance of detached Accessory Dwelling Units.

In terms of private development, it is difficult at this point to predict what even the near future may hold for Wallingford. Although the department does still deal with a fair number of inquiries concerning economic development opportunities it is simply not possible to determine who is waiting for a more stable social and economic climate to develop, who may have given up on plans or who may come in with an application in a month. The Town has put itself in a great position to attract further technological development and more development around the lower downtown area. It will be exciting to see what next year brings for the Town of Wallingford.

Addendum
Zoning Enforcement Report 2025

Enforcement activity for 2025 trended consistent with the past several years. The volume of complaints has increased, yet the majority did not result in any Zoning Violation(s) following investigation. Primarily these complaints were relative to civil issues among property owners well outside of zoning purview. New violation files for the year continue to be illegal dwelling units and unpermitted, non-zoning-compliant construction. Most of these violations are discovered by Town Departments or Title Searchers/Appraisers for lending institutions due to the continued high rate of sales/transfers, refinances, real estate listings and unpermitted construction. Problem sites, including numerous years-long open violations, continued to be a serious issue resulting in significant increases in Legal Referrals to initiate action/litigation since maximum progressive enforcement options to compel remediation and compliance have been exhausted.

The Zoning Board of Appeals has seen dramatic decreases in Applications for Variance Approval. The rate of Variance requests to remedy violations for after-the-fact unpermitted construction has increased from the previous year. The ZBA had total of 32 applications for 2025, consistent with 2024. Special Exception Requests were 33% of those 32 applications. There were 24 Applications for Variances in 2025, 20% of which were to attempt to remedy Violations for completed, unpermitted construction. The majority of the remaining Variance requests were to expand upon existing non-conforming residential properties. Some of the enforcement activity regarding signage has decreased because of new sign regulations which were adopted in June 2025 by the Planning and Zoning Commission. The Office continues to pursue more compelling means of remediation of zoning violations, such as Ordinance for Citation with fines to further reduce the incidence and recurring nature of problematic sites. Technological improvements, both in-progress and proposed, for permitting and connectivity among departments has greatly deterred and assisted in remediating many Zoning violations.

Respectfully submitted,

V. James Seichter, Chairman
Wallingford Planning & Zoning Commission

REGULAR MEMBERS

V. James Seichter, Chairman
J.P. Venoit, Vice-Chair
Steve Allinson
James Fitzsimmons
Jeffrey Kohan

ALTERNATE MEMBERS

Joseph Sanders
Dave Parent
Bryan Rivard



Town of Wallingford, Connecticut

LEGAL NOTICE

The Wallingford Zoning Board of Appeals, at their Meeting of Tuesday, January 20, 2026, voted to take the following actions:

They voted to approve:

1. #26-002 – Special Exception Request/Bracale/Total Garage Area of 1040 sq. ft. (max 936 sq. ft. permitted) to construct a 728 sq. ft. detached garage at 16 Wayne Road in R-18 District.
2. #26-003 – Special Exception Request/Olszewski/Total Garage Area of 2000 sq. ft. (max 974 sq. ft. permitted) to construct a 2000 sq. ft. attached garage at 132 Chimney Hill Road in an RU-40 District.

WALLINGFORD ZONING BOARD OF APPEALS

A handwritten signature in black ink, appearing to read "Karen Raddatz".

KAREN RADDATZ, SECRETARY

DATED AT WALLINGFORD
January 21, 2026

PUBLICATION DATE
January 23, 2026



Town of Wallingford, Connecticut

LEGAL NOTICE

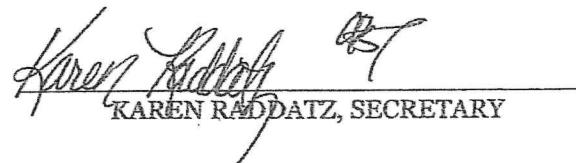
The Wallingford Zoning Board of Appeals will hold the following public hearings at their Meeting of Tuesday, February 17, 2026, 7:00 p.m., in the Robert F. Parisi Council Chambers, Town Hall, 45 South Main Street.

1. #26-001 – Variance Request/Bear Industries, LLC/Lot area of 165,046 sq. ft. (217,800 sq. ft. required) to split a 725,577 sq. ft. lot into 2 lots at 3 Fairfield Boulevard in an IX District.
2. #26-004 – Variance Request/McInvale/Lot Area of 24505 sq. ft. (min. 25,000 sq. ft. required) to construct a multifamily complex of 8 units in 4 townhouse duplexes at 1183 and 1185 Old Colony Road in a T-30 District.
3. #26-005 – Special Exception Request/DiGenova/Customary Home Occupation (hair salon) at 41 Northford Road in an RU-120 District.

Should you wish to review the above-listed application(s), or have any questions regarding these matters, please contact the Wallingford Planning Office at 203-294-2090.

WALLINGFORD ZONING BOARD OF APPEALS

DATED AT WALLINGFORD:
January 28, 2026



KAREN RADDATZ, SECRETARY

POSTING DATES
February 3, 2026
February 10, 2026

"Individuals in need of auxiliary aids for effective communication in programs and services of the Town of Wallingford are invited to make their needs and preferences known to the ADA Compliance Coordinator at 203-294-2070 five (5) days prior to meeting date."

CONNECTICUT FEDERATION OF PLANNING AND ZONING AGENCIES QUARTERLY NEWSLETTER

Winter 2026

Volume XXX, Issue 1

SAVE THE DATE – 2026 ANNUAL CONFERENCE

The Federation will hold its Annual Conference on March 26, 2026 at the Aqua Turf Country Club in Plantsville CT. The event starts at 5:00 p.m. The program for the Conference will include a presentation on HB 8002 ‘An Act Concerning Housing Growth’. Flyers announcing the event will be sent to all members later this month. Attendees will be entitled to receive credit for One Hour of Training as well as enjoy a wonderful dinner.

CONDITIONS OF APPROVAL FOR A VARIANCE MUST BE STATED ON THE VARIANCE CERTIFICATE

The owners of a parcel of property abutting Long Island Sound were granted a variance to exceed building height limitations contained in the zoning regulations. The variance would allow a room on the top of their planned home, providing access to a rooftop deck. Before work could commence, various tropical storms impacted the Long Island shoreline, leading to revised floodplain and zoning regulations. The property owners submitted a revised permit application for their proposed home which was approved by the land use officer.

A neighbor appealed the zoning permit approval to the zoning board of appeals claiming that the variance could

not be relied upon to approve the new permit because the variance approval was conditioned on the building plans submitted at that time, and not on the new plans which proposed a full top floor instead of a rooftop deck and access room.

The zoning board of appeals affirmed the issuance of the zoning permit. An appeal to court followed. The court found that the variance was not conditioned on the building plans submitted with the variance application. The certificate of variance, which was recorded on the land records, contained no conditions including no references to any building plans. If the board wanted to condition its issuance of a variance based upon plans submitted with the variance application, it must state this on the certificate of variance. *Sargent v. Zoning Board of Appeals*, 236 Conn. App. 269 (2025).

LOSS OF REMOTE CONNECTION AT HYBIRD MEETING IS LOSS OF FUNDEMENTAL FAIRNESS

A land use commission scheduled a hybrid public hearing on a special permit application. The first night of the public hearing went according to plan. However, at the second night of the hybrid hearing, the zoom meeting connection failed for over two hours. Despite this technical issue, the public hearing continued in-person. The Commission subsequently held a

Written and Edited by
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hybrid meeting wherein it approved the application. Again, the zoom meeting connection failed leaving remote attendees unable to view or hear the proceedings. The court found these proceedings fatally flawed as the failure of the remote connection during the hearing and meeting on the pending application deprived remote attendees of fundamental fairness.

Fundamental fairness requires that administrative agencies provide the public with the right to offer testimony and other evidence and to cross-examine witnesses as well as pose questions to the agency. The zoom meeting failure deprived the public of this right. The zoom failure and the Commission's response also violated the freedom of information act, providing additional supporting evidence that fundamental fairness was not provided. *Wallach v. Plan & Zoning Commission, LND-CV-24-6188465 (10.28.25)*.

SEWER CONNECTION PERMITS CAN EXPIRE

An application to connect to a municipal sewage system was approved with a condition that the approval would expire if a connection to the system was not made within 2 years of the approval. This time limit condition was appealed, wherein the court found that it was within the water pollution control authority's powers to impose it. The court also ruled that the 2-year time

period was stayed during any pending appeals to court.

This decision places WPCA approvals in the same class as zoning approvals wherein such approvals can expire and any pending court cases involving the approval stay the running of the time period. *Shapiro Commons LLC v. WPCA, FBT-CV-24-6140246 (10.17.24)*

TREE REMOVAL AND THERMAL POLLUTION

The removal of mature trees within a regulated area was determined by the commission as likely to cause a significant adverse impact to a wetland, forming the basis for a denial of an application to construct a single-family dwelling. Evidence in the record demonstrated that by removing the trees, there would be increased thermal pollution that would negatively impact water temperature, increase algae growth and change the water content of the soil.

While the applicant disputed whether there would be any adverse impact from the tree removal, the commission could decide which expert evidence to believe as long as fundamental fairness was observed. Fundamental fairness in an administrative hearing includes placing an expert witness on notice of the reviewing agencies concerns and doubts about the expert's evidence. *Milne v. IWWA, FST-CV-24-6068722 (11.10.25)*

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SELF-INFILCTED HARDSHIP DUE TO LOT MERGER

An application to vary the required street frontage for a lot was denied on the basis that any hardship was self-inflicted. The applicant wanted to split his lot and create a new building lot. One lot contained an existing home and fronted on a street. The second lot would have access by means of a 25' wide deeded driveway. The zoning regulations required 50' of street frontage for an interior lot.

The history of the existing lot was that it had once been two lots. The applicant had purchased both lots and due to a lot merger provision in the zoning regulations, the lots had merged into one lot. Sometime after this merger, the zoning regulations had been amended to increase lot frontage requirements from 25' to 50'.

Any hardship was self-inflicted because if the applicant had placed the lots in different ownership, then he could have avoided the merger of his lots. In doing so, the lots would have been nonconforming as to frontage requirements.

Another issue on appeal was whether the board members were biased against the application. Apparently, this same application had been submitted several times before and been denied each time. Several board members stated their displeasure to have to hear

the same application again. The court found that this frustration did not amount to bias. *Haines v. ZBA, LND-CV-23-6171028 (1.24.25)*

ANNOUNCEMENTS

Lifetime Achievement Award and Length of Service Award

Nomination forms will be sent out later this month for these awards which will be presented to recipients at the Federation's annual conference. You should begin your process of finding eligible nominees now.

Workshops

Connecticut law now requires that every land use agency member receive 4 hours of training every two years. At the price of \$200.00 per session for each agency attending, our workshops are an affordable way for your board to 'stay legal'.

ABOUT THE EDITOR

Steven Byrne is an attorney with an office in Farmington, Connecticut. A principal in the law firm of Byrne & Byrne LLC, he maintains a strong focus in the area of land use law and is available for consultation and representation in all land use matters both at the administrative and court levels.

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SAVE THE DATE!

CFPZA Annual Conference – March 26, 2026

Please consider attending this year's Annual Conference of the Connecticut Federation of Planning and Zoning Agencies scheduled to take place at 5:00 pm on Thursday, March 26, 2026, at the Aqua Turf, Southington, CT. The night is sure to be both enjoyable and informative.

Our speaker will be presenting information on HB 8002 'An Act Concerning Housing Growth'. This comprehensive law imposes substantial requirements and responsibilities on municipal land use commissions to amend their regulations and affordable housing plans. This includes state-mandated amendments to zoning regulations to allow 'as-of-right' multi-family housing and eliminate parking requirements for certain types of housing. In addition, housing plans will need to be adopted or amended to show how each town will meet its affordable housing needs. Our speaker will provide a summary of this new law and also address what resources are available to towns to comply with it.

Connecticut General Statute §8-4c now requires an educational component for all land use commission members. At a cost of only \$70.00 per individual, this conference is a cost-effective way to complete one hour of education while providing an opportunity to socialize with commission members from other towns.

In addition, Length of Service awards will be presented to commission members who have served in any capacity for 12 or 25 years. If you have a commission member who is eligible for this recognition, please submit his or her name. Nomination forms will be included in the registration packet that will be sent to your commission in the coming weeks.

I hope to see you and members of your commission at this worthwhile event!

SAVE THE DATE!

JAN 13 2026

CFPZA Annual Conference – March 26, 2026

WALLINGFORD
PLANNING & ZONING

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**CONNECTICUT FEDERATION
OF
PLANNING AND ZONING AGENCIES**



**ANNOUNCES
ITS**



78th ANNUAL CONFERENCE

THURSDAY, MARCH 26, 2026

AT THE

**AQUA TURF COUNTRY CLUB
PLANTSVILLE, CONNECTICUT**

**Cost: \$70.00 per person for Agencies that are members of the CFPZA
\$80.00 per person for Agencies that are not members of the CFPZA**

**The enclosed registration form must be received by the
Connecticut Federation of Planning & Zoning Agencies
by mail, or email no later than Tuesday, March 24, 2026**

P.O. Box 1065, Farmington, CT 06034-1065

email: contact.cfpza@gmail.com

Questions? Contact Steve Byrne at (860) 677-7355

More info on back →



CONNECTICUT FEDERATION OF PLANNING AND ZONING AGENCIES

78th ANNUAL CFPZA CONFERENCE

Aqua Turf Country Club
Plantsville, CT
Thursday, March 26, 2026

PROGRAM

5:00 p.m.	SOCIAL HOUR / REGISTRATION
6:00 p.m.	DINNER Salad, Penne, NY Strip, Vegetables, Potato, Dessert
7:15 p.m.	AWARDS PRESENTATION <ul style="list-style-type: none">▪ 12-Year Length of Service Awards▪ Lifetime Achievement Awards
8:00 p.m.	TOPIC: HB 8002 'An Act Concerning Housing Growth'

This comprehensive law imposes substantial requirements and responsibilities on municipal land use commissions to amend their regulations to allow certain types of housing. This includes state mandated amendments to zoning regulations to allow 'as-of-right' multi-family housing and eliminate parking requirements for certain types of housing. In addition, this new law requires commissions to focus on planning, requiring that they demonstrate how their towns will meet their affordable housing needs. Our speaker will provide a summary of this new law and address what resources are available to towns.

Principal speaker: Delia P. Fey AICP

Our speaker is a Senior Regional Planner for the Northeastern Connecticut Council of Governments. With over 23 years of experience in municipal planning in northeastern CT, Delia has served as town planner, ZEO and wetlands agent in northeastern CT towns, has written regulations, Plans of Conservation & Development and Affordable Housing Plans for multiple towns and reviewed many hundreds of development proposals.

DIRECTIONS TO THE AQUA TURF

I-84 EAST FROM WATERBURY – Merge onto I-169 E via Exit 27 toward Meriden. Take the CT-10 exit, EXIT 3, toward Cheshire. Turn left onto CT-10 (Highland Ave.). Continue to follow CT-10. Stay straight to go onto Old Turnpike Road. Turn right onto Mulberry Street. Aqua Turf, 556 Mulberry Street is on right.

I-84 WEST FROM HARTFORD – Take the CT-10 exit, EXIT 29, on the left toward Milldale. Stay straight to go onto Mulberry Street. Aqua Turf, 556 Mulberry Street is on right.

FROM I-91 OR THE MERRITT PARKWAY – Merge onto I-169 E via Exit 27 toward Meriden. Take the CT-10 exit, EXIT 3, toward Cheshire. Turn left onto CT-10 (Highland Ave.). Continue to follow CT-10. Stay straight to go onto Old Turnpike Road. Turn right onto Mulberry Street. Aqua Turf, 556 Mulberry Street is on right.