

Wallingford Planning & Zoning Commission
Regular Meeting
Wednesday, November 13, 2024
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 7:05 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; Bryan Rivard, Alternate; and Kevin Pagini, Town Planner.

Chairman Seichter noted that Mr. Sanders will vote tonight in place of Mr. Venoit.

Consideration of Minutes – October 16, 2024, Regular Meeting

Commissioner Kohan: Motion to approve the Minutes of Wednesday, October 16, 2024, Meeting of the Wallingford Planning and Zoning Commission as submitted.

Commissioner Fitzsimmons: Second

Vote: Kohan – yes; Fitzsimmons – abstain; Allinson – yes; Sanders – yes; Chairman Seichter – yes.

Chairman Seichter noted that the following agenda items will not be heard tonight.

- 4. SITE PLAN – Choate Rosemary Hall/Change to an approved detention basin #222-24**
Continued to December meeting.

PUBLIC HEARINGS

1. Special Permit/Residential apartment building/166 Quinnipiac St. #409-24

Commissioner Allinson read the legal notice and noted the correspondence. Application #409-24 – Special Permit request for Gallagher to construct a 4-unit residential apartment building – 166 Quinnipiac Street – TC (Town Center) District. Correspondence included email from Kevin Pagini, Town Planner to Romeo Valentin, Juliano Associates dated September 23, 2024; email from Erin O'Hare, Environmental Planner to Planning & Zoning Commission, dated September 18, 2024; letter from Juliano Associates to Kevin Pagini, Town Planner dated September 23, 2024; email from Romeo Valentin, Juliano Associates to Kevin Pagini, Town Planner dated October 4, 2024; memorandum from Department of Engineering to Planning & Zoning Commission dated October 2, 2024; Interoffice Memorandum from Scott Shipman, Senior Engineer, Water & Sewer to Kevin Pagini, Town Planner dated October 2, 2024; email from Romeo Valentin, Juliano Associates to Kevin Pagini, Town Planner dated October 7, 2024; Inspection Report from the Wallingford Fire Department dated October 2, 2024;

Inspection Report from the Wallingford Fire Department dated October 30, 2024; letter from Romeo Valentin, Juliano Associates to Kevin Pagini, Town Planner, dated September 4, 2024; a list of abutters and certification of mailing dated October 1, 2024; a photo of signage dated October 1, 2024; Stormwater Operations and Maintenance document for the proposed dwelling dated October 7, 2024; letter from Romeo Valentin, Juliano Associates to Kevin Pagini, Town Planner, dated October 10, 2024, including FloGuard+ specifications; letter from Romeo Valentin, Juliano Associates to Kevin Pagini, Town Planner, dated November 1, 2024; Memo from the Engineering Department to Planning & Zoning Commission dated November 5, 2024; Interoffice Memorandum from Scott Shipman, Senior Engineer, Water & Sewer, to Kevin Pagini, Town Planner, dated November 7, 2024; Property and Topographical Survey revised date October 10, 2024; and Drainage Detail Plan dated September 4, 2024 revised to November 6, 2024.

Chairman Seichter noted that the Commission doesn't look at applications unless they are complete, so there will be no action tonight.

Christopher Juliano, PE, Licensed Land Surveyor, with Juliano Associates, 405 Main Street, Yalesville, presented. He stated that the application was submitted on September 5th. There was an issue with correspondence with the Town Engineer. This application was tabled in October. He stated that they received no correspondence from any Town department except for Mr. Pagini. He is frustrated for his clients that correspondence was not given to them. They will come back for the December 9th meeting.

Chairman Seichter replied that he would look into the issue with the correspondence and appreciate the applicant's position. Chairman Seichter called for a motion to continue the public hearing.

Commissioner Fitzsimmons: Motion to continue the public hearing for application # 409-24 Special Permit/Residential apartment building/166 Quinnipiac St. and put it first on the December meeting agenda.

Commissioner Kohan: second
Vote: Unanimous

2. Zoning Text Amendment/WI Zone – Data Center/Charter Development, LLC #501-24

Commissioner Allinson noted the new correspondence for the record including: letter from Justin Lau, Trinity Consultants to Donald Gershman, Principal, Charter Development Group dated October 14, 2024; PowerPoint presentation titled Proposed Zoning Text Amendment to Permit Limited Data Center Use in the Watershed (WI) District with a Special Permit dated October 16, 2024; Interoffice Memorandum from Scott Shipman, Senior Engineer, Water & Sewer to Kevin Pagini, Town Planner, dated October 30, 2024; letter from Kevin Pagini, Town Planner to Charter Development LLC dated October 31, 2024; email from Mike Kolakowski to Kevin Pagini, Town Planner dated November 6, 2024; Document entitled Latest Revision Revised Text Amendments-Final dated November 4, 2024; Memorandum from Erin O'Hare, Environmental Planner to Kevin Pagini, Town Planner dated November 7, 2024; email from Demetrios Gianoukos to Donald Gershman, Charter Development Group dated September 3, 2024; Memorandum

from Debbie Lawlor, FAICP, Colliers Engineering & Design, to Messrs. Gershman & Brown, Charter Development Group dated November 4, 2024; email from Dwight Merriam, Esq. to Donald Gershman, Charter Development Group dated November 6, 2024; letter from Justin Lau, Trinity Consultants to Donald Gershman, Charter Development Group dated November 5, 2024; Interoffice Memorandum from Scott Shipman, Senior Engineer, Water & Sewer to Kevin Pagini, Town Planner dated November 7, 2024; letter from Justin Lau, Trinity Consultants to Donald Gershman, Charter Development Group, dated November 5, 2024; PowerPoint presentation titled Revised Zoning Text Amendment to Permit Limited Data Center Use in the Watershed Interchange (WI) District with a Special Permit, dated November 13, 2024; document entitle Revised Text Amendment dated November 4, 2024; email from Demetrios Gianoukos to Donald Gershman, Charter Development Group dated September 3, 2024; email from Dwight Merriam, Esq. to Donald Gershman, Charter Development Group dated November 5, 2024; Memorandum from Debbie Lawlor, FAICP, Colliers Engineering & Design, to Messrs. Gershman & Brown, Charter Development Group dated November 4, 2024; memorandum from Kevin Pagini, Town Planner to the Planning & Zoning Commission regarding email responses dated November 13, 2024; letter from Rene Miller, Quinnipiac Chamber of Commerce dated November 12, 2024; email from Tarn Granucci, to Kevin Pagini, Town Planner dated November 10, 2024; email from Gregory Madar to Kevin Pagini, Town Planner, dated November 11, 2024; email from Frank Maresca, to Kevin Pagini, Town Planner, dated November 11, 2024; email from Joseph Mirra, to Kevin Pagini, Town Planner dated November 11, 2024; letter from Chris Ulbrich to Chairman Jim Seichter dated November 11, 2024; email from Marshall Ruben to Kevin Pagini, Town Planner dated November 12, 2024; email from Lars Edeen to Kevin Pagini, Town Planner, dated November 12, 2024; email from Ryan Kreger, to Kevin Pagini, Town Planner dated November 12, 2024; email from Robert Mitchell to Kevin Pagini, Town Planner, dated November 12, 2024; email from Ron Hansen to Kevin Pagini, Town Planner, dated November 12, 2024; email from Steve Knight to Kevin Pagini, Town Planner, dated November 13, 2024; email from Krista Seay to Kevin Pagini, Town Planner dated November 13, 2024; and letter from Adelheid Koepfer dated November 12, 2024. He noted that some duplicate correspondence was redistributed tonight.

Chairman Seichter noted that this is a continuation of a public hearing.

Donald Gershman and Eric Brown, Principals of Charter Development Group LLC, in West Hartford, and Dwight Merriam, Land Use Attorney, 80 Lateral Lane, Simsbury, presented. Mr. Brown stated that they heard the concerns of the Commission and the Public at the last meeting and will present a modified amendment based on that feedback. He stated that they are asking the Commission to accept the amendment. The amendment now includes terms related to the distance from properties, consideration of acoustical impacts, environmental impact, and building size, scale, and appearance. He shared a presentation spelling out the changes for environmental impact, water usage, and electric power usage. He referenced an article stating that 40% of the electricity Connecticut generates is exported to New York and Massachusetts. He also addressed noise and low-frequency hum. He stated that they will use state-of-the-art sound attenuation and that their acoustic consultant states that no low-frequency hum will reach the neighbors with the possible exception of generators used during power outages. He noted letters in the packet indicating no noise issues at data centers in Norwalk and New Jersey. He also addressed health impacts and property values. He stated that in their opinion they

have mitigated any potential impacts. He reviewed the proposed new provisions to the amendment. He noted that Charter Development agrees to pay for the peer review.

Commissioner Kohan stated that there should have been a workshop on this topic so there could be more discussion. He noted that there have been a lot of comments on the financial benefits to the Town, but this Commission doesn't take that into consideration. He asked if we knew what would be taxed. Mr. Pagini replied that he had not heard back from the assessor's office. Commissioner Kohan asked if the applicant knew why there was no rush to develop data centers when the State announced incentives. Mr. Gershman replied that a number of towns consider data centers to be office use so they require no special action. Commissioner Kohan noted that other towns have rejected data centers. He stated that this would be an extremely large building. The proposal uses 500 ft and 300 ft for the setbacks. The type of data center can impact the setbacks. He stated that data centers should be built in sparsely populated areas. The setbacks aren't far enough. He believes the amendment to the regulation needs to be reworked. Commissioner Kohan asked how they arrived at the building height of 80 ft. Mr. Gershman replied that the height was suggested by the Town Planner as it is used in other sections of the regulations. He added that they can live with 60 ft. Commissioner Kohan asked if there is a metric or standard for the low-level frequencies. Mr. Gershman replied that the design and acoustical measures will be site-specific. The Commission will have the ultimate authority to say yea or nay. The applicant's burden is to convince the Commission that it works. He added that they will meet the noise regulations. Commissioner Kohan stated that we need to understand the low-level vibrations. It is a feeling more than a sound. Mr. Brown stated that below 20 Hz is a vibration but can be measured. Regarding electric consumption, Commissioner Kohan asked how they can be sure that Wallingford ratepayers and Wallingford Electric will not be on the hook for power, additional wiring, or substations. That it will be the owner or tenant. Mr. Gershman replied that yes, it is the developer's responsibility. Eversource will require the applicant to pay for a comprehensive study and pay for any improvements or upgrades. That can be put in the regulation. The substation and switching yard are also their responsibility. Mr. Brown noted that they will negotiate an electric service agreement with the Electric Division. They can also put that into the regulation. Commissioner Kohan asked about the environmental issues, specifically the watershed and wildlife habitat. The amendment has ambiguous wording. He would like a stipulation that before the data center is built, a mitigation plan is in place to ensure that wildlife is unaffected. Mr. Gershman replied that any development will affect wildlife in theory. They expect no meaningful impact. Commissioner Kohan asked for a statement that the applicant will address wildlife in a mitigation plan. Atty. Merriam suggested that they put a requirement in the amendment to meet with Town staff before the application is submitted and do a scoping session. He added that much has to do with the location. He quoted from Ms. Lawlor's report and noted that data centers built 30 years ago affect perceptions. Today data centers don't get any complaints and have little or no noise at the property boundaries. He noted a data center in Norwalk right next to an apartment building. The Norwalk Planning Director and the apartment manager reported no complaints. Commissioner Kohan asked about the size of the center in Norwalk. Atty. Merriam replied 168,000 sq. ft. Commissioner Kohan noted that even a preliminary meeting would have to be a public meeting. Regarding pollution, Commissioner Kohan stated that he would like to see none of the electronic waste will be stored on-site and should be disposed of outside of Wallingford. Mr. Gershman accepted that. Commissioner Kohan asked about fuel

storage for the air conditioning units and backup generators. How much and how will it be contained? Mr. Gershman replied that they will need approval from the DEEP for water and diesel storage. Commissioner Kohan stated that the amendment needs to include that alternate power sources such as solar or wind generation would have to be approved through the special permit. He asked if the 350,000 sq. ft. maximum takes expansion into account. He asked what happens after the 20-year lifespan. Mr. Gershman thinks the equipment will be swapped out, so the data center will continue.

Mr. Pagini noted that there are specific requirements for fuel storage in the district.

Commissioner Fitzsimmons noted that though he was not at the last meeting, he reviewed the minutes and materials from the last meeting. He asked about the electric power usage mentioned on slide 7 and about Eversource's involvement. Mr. Gershman replied that Eversource provides power to Wallingford Electric. Eversource will provide power to the site and substation and then to a switch yard owned by Wallingford. Then it goes from the switch yard to the building. They will pay Wallingford Electric. Commissioner Fitzsimmons asked how they believe the electric costs to Wallingford consumers will be affected. Mr. Gershman replied that certain hardware improvements will be made and lines improved that may help the system. The profit that Wallingford Electric will earn can lead to more system improvements or keep rates down for residents. Mr. Brown noted that the claim in the slide came from Wallingford Electric staff. Commissioner Fitzsimmons clarified that whatever electric improvements are needed for this project, the applicant will pay for them. The Town advised that they could provide the power. Mr. Gershman replied yes. Commissioner Fitzsimmons noted that noise is a concern as this is our quiet corner. He asked how many noise complaints the office gets in a year on average. Mr. Pagini replied maybe three or four, but the Police enforce the ordinance. Commissioner Fitzsimmons asked what the timeline is for the Commission to act on this application. Mr. Pagini replied two more months if the applicant agrees. Mr. Gershman agreed with the concerns and noted that the approval of the amendment just gets them to the starting line.

Atty. Merriam noted that the amendment states that the Town would be reimbursed for its consultants and they would expect this type of audit. The Town should engage consultants to check what our consultants say. They welcome that level of inspection.

Commissioner Fitzsimmons noted that the challenge of a peer review is that it is a review of your expert's information. We don't have our own experts. A peer review is important but enforcement is a secondary matter.

Commissioner Rivard noted that the noise ordinance didn't account for data centers. Data centers are not going away. We need a metric for all the vibrations. We might need to add it to the noise ordinance. Regarding electric usage, he asked what happens if the demand is too high. Does it take away from residents and businesses? We need to be sure that the cost of expansion won't end up on the Town. He added that non-water source cooling sources should be included in the uses. Water use in this area is critical. Looking at the potential impact of other approved uses in this district, he believes that this is a lower-impact use for the zone.

Commissioner Allinson referred to the text amendment from a prior application. He asked that that proposed language be added to this record. He remembered wording about the possibility of independent analysis in addition to peer review. That is worth considering. He asked if adding the use of a Data Center to this district is appropriate and if the words of the amendment fit. He quoted from Section D, "The applicant shall provide acoustic vibration analysis by a recognized professional in that field". He suggested this should be more specific. i.e. what type of professional and certification? Section H incorporates by reference 4.23.G.3 of the regulations. That section is about applications for incentive housing development and then goes into peer reviews. This is confusing. Atty. Merriam replied that they thought it was a good standard. The Commission can reword the amendment. They intended to have the same criteria without repeating them. Commissioner Allinson stated that he doesn't support putting water-cooled versus air-cooled into the amendment. That can be dealt with when it is site-specific. He noted Part I and the idea of a pre-application conference. He likes the idea. He asked if it allowed an item to be put on the agenda without an application. Does it give the applicant an unfair advantage? Atty. Merriam replied that the meeting can be staff only; it is at the Commission's option. There would be no record as there is no application. Commissioner Allinson stated that he doesn't think this is the appropriate way. He would prefer to extend the application time. He concluded that the amendment still needs a little work and that he is not prepared to vote tonight.

Chairman Seichter noted that pre-application meetings happen already with Town departments. Mr. Pagni concurred. This is a normal course of business.

Commissioner Sanders stated that the Commission has the responsibility to be skeptical. He agrees that the application brings up the need to review the regulation. He stated that he believes that the square footage should include the accessory buildings. He asked if there was a low-level hum, if they knew the cause and how could it be resolved. Mr. Gershman replied that during the special permit process, they will do the work to convince the Commission that they are doing it right. Commissioner Sanders asked how they would mitigate the vibration. Mr. Gershman replied with acoustic barriers and shock mounts. There are things they do to reduce the cause and prevent the spread from the site. Mr. Brown added that the equipment would be measured at the factory site and again at the ultimate site to meet the regulations. Commissioner Sanders asked if there are downsides to Data Centers. Mr. Gershman replied that it takes up space and uses energy. It is a big warehouse with file servers. There is very little environmental impact. Atty. Merriam stated that one downside is that they don't employ many people. He stated that he disagrees that the Commission can't consider the economic impact of development.

Chairman Seichter asked why they used a total of 350,000 sq. ft. for the zone and not a max for each data center. Mr. Gershman replied that there is market demand for larger facilities. This is a medium size proposal and they propose a single building. Chairman Seichter stated he would like to see more about the building design and maybe materials that could or couldn't be used. They should include screening and buffers. It can caveat that it is at the discretion of the Commission. Regarding the noise concern, he stated that he visited the Norwalk and Trumbull data centers and asked neighbors about the noise. He was told they had no complaints. He didn't hear any noise or hum as he walked around the

building. Mr. Gershman replied that they can discuss style, but it has more to do with a specific site. Chairman Seichter replied that standards for general features appear in other zoning regulations. Mr. Gershman stated that that is acceptable. Chairman Seichter noted that they look forward to seeing their suggestions incorporated in the amendment at the next meeting.

Commissioner Kohan reminded the applicant that this is a land use board and there can be nothing about financial considerations in the regulations. The Commission looks strictly at how the application will fit into our regulations and the Town. Atty. Merriam noted that every decision includes economics. The Town's POCD calls for economic development.

PUBLIC COMMENT

Tom Alexander, 609 Williams Road, stated that he doesn't see it happening in this location. The construction itself will cause an environmental impact. The woods will be gone. He can't believe there's not a better location.

Joe Mira, 21 Pequot Road, stated that the data centers are not taxed like other businesses. They will work out a contract with the Town Council. He reported that he also went to Norwalk and talked to the neighbors. No one had a problem with the Data Center. Regarding other towns, he reported that some are actually looking for data centers. Data Centers got a bad rap from years ago. The technology has improved. He noted that the impact of a warehouse would be worse. He noted that most questions asked tonight would be related to a special permit. It would be nice for the Town to expand its industrial base with technology.

Frank Hird, Commercial Real Estate Broker with OR&L Commercial, stated that he was hired by the owners of the property to sell it. He has had dozens of inquiries. This project would be the least impactful. Most other uses were manufacturing or warehousing. All would have way more traffic. This would be a light use on a big piece of land.

Adelheid Koepfer, 35 Whiffle Tree Road, asked if the 350,000 maximum square feet for one or all data centers in the district. Chairman Seichter replied that it could be either. This is a maximum total for the district. Mr. Gershman agreed. Ms. Koepfer noted an article saying that the average size of data centers is 100,000 sq. ft. She noted that this will affect the environment. She asked how they would protect the Muddy River watershed and how the building would improve the watershed. She asked about the electronic waste as all the computers have to be replaced every 3 – 5 years. This is not the best way to protect the Muddy River. She noted the claim that they will not use water for cooling and referred to recent articles that say data centers use water for cooling. A 100,000 sq. ft. data center will use more than 1 million gallons per day. She asked if the Water Department had commented on the application. She stated that they can't guarantee that any data center built won't use water for cooling. She asked if it could be added to the text that unless they can guarantee no water will be used for cooling, a comprehensive independent study of the need for water, treatment of water, and water use monitoring be included. Also, make the data available. She recommended including clear regulations about fuel storage and plans for spills. Including how they will protect the Muddy River. She suggested a wider

buffer to the river and residential areas. She asked that they not cut down the forest near the river. She suggested a general environmental impact study. Mr. Gershman replied that Data Centers are often built with water cooling but they are not using that model. They will use a cooling loop of chemicals that is run by electricity.

Chairman Seichter noted that someone else could use the regulation to come in and propose a data center so including something on cooling might be good.

Carl Perkins, 24 Oxford Trail stated that there must be a more appropriate location for this. This is a residential neighborhood. It's like the residents don't count.

Kristin Demillio, 677 Williams Road, stated that she is the Trustee of the Trust that owns the property. The land will be developed in the near future. It is zoned for light manufacturing general warehousing and other industrial uses that don't require a special permit. The family believes this is the best use of the land. The amendment would allow the application. 80% of the property would be untouched. This is consistent with the Town's economic development objectives. It would benefit the Town with tax revenue and fees to the Electric Company.

Ed Bradley, 2 Hampton Trail stated that he understood the meeting was about an amendment to the text change. Chairman Seichter replied that a revision was received with a revised date of November 4th. Tonight we are talking about suggestions for additional wording in the proposed amendment. Mr. Bradley asked if the public would have time to review the revision. Chairman Seichter stated that he expects the public hearing to be continued, so the amendment will be available to the public. Mr. Bradley asked if there had been anything from the Electric Division. Chairman Seichter replied that yes and also from the Water & Sewer Divisions. Mr. Pagini stated that he will be starting to put the materials online soon. Mr. Bradley thanked Mr. Kohan for his detailed research and questions. He asked if Charter Development is the resale agent for someone. Chairman Seichter noted that once the applicant is approved the property can be sold. Mr. Gershman stated that they are not acting as an agent for anyone else. Mr. Bradley noted that Data Centers can consume large amounts of energy. He asked if this would have an effect on residential electric bills. Chairman Seichter noted that the applicant suggested that it might reduce rates for the town. Mr. Bradley noted that the demand for data centers is going to grow. He has seen the problems they are causing with electric grids around the world. He mentioned CDC warnings about low-frequency noise causing stress and anxiety. This is a big consideration. He stated that we don't want data centers near our neighborhoods. He shared decibel readings he took in his yard and added that you can't measure low vibrations with decibels.

Scott Gray, 14 Oxford Trail, stated that he is baffled that they went through this process several years ago and data centers were specifically denied. He expressed his concern about noise on top of what is already there. Vibrations cause stress on the body. He asked when the Town would start receiving tax revenues. Mr. Gershman replied that taxes paid to the Town would be determined by negotiating a host agreement, independent of the State tax incentives. There will be no deferral of taxes to the Town. MR. Gray disagreed with the number of noise complaints mentioned and added that most people don't

bother complaining because it's not enforced. He referenced a recent article in the Sierra Club magazine on the growing problem of data centers. He also listed the wildlife and flora he sees on his walks in the neighborhood.

Sonia Wolf, 14 Oxford Trail stated that modern data centers still emit this low-frequency vibration. She read that they are still looking at ways to mitigate it. And there is no adequate equipment to measure it. She appreciates that it's privately owned land. This is in our backyard. There are streams and wetlands. It seems like the wrong place to develop. She stated that the Town Council in 2022 took Data Center use out for this area due to concerns with the watershed. She doesn't understand why it's being considered again. It will harm the watershed and can never be removed.

Jerry Lombardo, 18 Oxford Trail, asked why Wallingford. Aren't there other places to go? He noticed two properties on Research Parkway that would work for this. Mr. Gershman replied that Wallingford advertises lower electric rates so it is attractive. The site they are looking at is zoned industrial. He noted that they did not look at those other properties.

Jack Arrigoni, 18 Martin Trail stated that he reviewed the minutes from the Data Center discussion a couple of years ago. He thanked Commissioner Kohan for keeping on the noise problem. A good strong measurement tool is needed. A higher frequency is easier to stop than a lower one. He referred to a similar situation in Berlin. He suggested that any regulations pertain to the whole Town, not just the zone. At this property, any noise will travel down the valley and across the lake. He asked if there would be two sets of wires going in to the site for redundancy. Chairman Seichter explained how the power would come to the site. Mr. Gershman replied that they worked with Eversource and there would be two separate lines. Mr. Arrigoni noted that in Wallingford we have seven generators that are owned by ISO New England. Each can generate 50 megawatts. The Data Center will use 100 megawatts. He is not aware of any power from Eversource. Chairman Seichter noted that those are peaking plants. He added that the applicant has an agreement with Eversource. Mr. Gershman replied that they will buy power from Wallingford Electric who is buying it from Eversource. Mr. Arrigoni asked what happens when the center exceeds the limits of noise. He noted that Berlin was unsuccessful in reducing the noise.

Chairman Seichter noted that the Commission has provided what it would like to see in the regulations. He also suggested considering a limit on the size of a data center instead of or in addition to the maximum for the zone. Mr. Gershman stated that they will come back again. He asked how the loop would be closed. He noted that all the issues brought up tonight are important but need to be addressed in the context of a site-specific special permit process. Chairman Seichter stated that the Commission provided specific areas to address. He also suggested members of the public consider visiting the facilities in Norwalk and Trumbull.

Commissioner Kohan thanked the public for their comments. The feedback from the Commission intends to firm up a prospective development before we get into a site plan. Mr. Gershman replied that they will do their best. Commissioner Kohan asked if the General Manager of the Electric Division could

come to the next meeting or ask him to provide a memo about the effect of a potential data center, if rates will go up or down, and the involvement of Eversource. Mr. Pagini agreed to make the request.

Chairman Seichter asked that the amendment revision be provided early enough that the Commission and the public can review it before the next meeting.

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

Commissioner Fitzsimmons: Motion to continue application #501-24, Zoning Text Amendment for Charter Development, LLC, to the December meeting

Commissioner Kohan: Second

Vote: Unanimous

The application is continued.

SITE PLAN APPROVALS

1. Site Plan/Multi-Family Conversion/722 Center Street #221-24

Commissioner Allinson read the correspondence into the record including Interoffice Memorandum from Scott Shipman, Senior Engineer, Water & Sewer to Kevin Pagini, Town Planner dated October 30, 2024, and Inspection Report from the Wallingford Fire Department dated October 30, 2024.

Francis McNulty, owner of 722 Center Street explained his request to convert the two-family, three-story dwelling to three families. He reviewed a packet of information and described how the property meets the regulations. He described where he would put extra parking and offered additional landscaping. He will work with the building Department and Fire Department to ensure the building is up to code.

Chairman Seichter noted that it is a very complete application package.

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

Commissioner Fitzsimmons: Motion to approve application #221-24, a Site Plan approval request for McNulty to convert an existing 2-family dwelling into a 3-family dwelling at 722 Center Street on plans entitled "Zoning Location Survey – 722 Center Street subject to the following conditions:

- 1. Comments from Senior Engineer, Scott Shipman, Water & Sewer Division, dated 10/30/2024**
- 2. Comments from the Fire Marshal dated 10/30/2024**

Commissioner Kohan: Second

Vote: Kohan – yes; Fitzsimmons – yes; Allinson – yes; Sanders – yes; Chairman Seichter – yes.

The application is approved.

BOND RELEASE

5. Cady/53 Dibble Edge Road/Residential Bond

Mr. Pagini stated that this could be released.

Commissioner Fitzsimmons: Motion to approve the release of the residential bond for Cady/53 Dibble Edge Road based on the recommendation of the Town Planner.

Commissioner Kohan: Second

Vote: Kohan – yes; Fitzsimmons – yes; Allinson – yes; Sanders– yes; Chairman Seichter – yes.

The application is approved.

REPORTS OF OFFICERS AND STAFF

6. Administrative Approvals – noted as approved

- a. **#217-24/M and T/809 N. Colony Road**
- b. **#218-24/Dunkin/124 Church Street**
- c. **#219-24/28 N. Colony Road**
- d. **#220-24/BYK/121 Dudley Avenue**
- e. **#RA-24-4/1045 Durham Road**
- f.

7. ZBA October Decisions – no comment

8. ZBA Notice of November 18, 2024 – no comment

ADJOURNMENT

Commissioner Fitzsimmons: Motion to Adjourn the Wallingford Planning and Zoning Commission for Wednesday, November 13, 2024, at 10:30 pm.

Commissioner Kohan: Second

Vote: Unanimous

Respectfully submitted,
Cheryl-Ann Tubby
Recording Secretary

