

Wallingford Planning & Zoning Commission  
Regular Meeting  
Monday, May 12, 2025  
7:00 p.m.  
Robert F. Parisi Council Chambers – Town Hall  
Town Hall – 45 South Main Street  
MINUTES

5/16/25  
RECEIVED FOR RECORD  
AT 11:20 AM AND RECEIVED BY  
Kristen Longo (16) TOWN CLERK

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; J.P. Venoit, Vice Chair; James Fitzsimmons, Regular Member; Jeffrey Kohan, Regular Member; Joseph Sanders, Alternate; Bryan Rivard, Alternate; David Parent, Alternate; and Kevin Pagini, Town Planner.

Commissioner Sanders will be voting this evening.

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

2. **PUBLIC HEARING Text Amendment – Sign Regulations #902-25**
4. **PUBLIC HEARING Special Permit/Midwood Management Corp./1000, 1020, 1030, 1044, and 1080 Barnes Road #401-25**

Consideration of Minutes – April 14, 2025, Regular Meeting

**Commissioner Venoit:** Motion to approve the Minutes of Monday, April 14, 2025, Meeting of the Wallingford Planning and Zoning Commission as submitted.

**Commissioner Fitzsimmons:** Second

**Vote:** Unanimous to approve.

Chairman Seichter abstained.

#### **PUBLIC HEARINGS**

**1. Text Amendment – Section 6.38 – Middle Housing (continued) #901-25**

Commissioner Fitzsimmons noted the correspondence. Email from Bob Wiedenmann to Kevin Pagini, Town Planner, dated April 16, 2025, and email from Bob Wiedenmann to Kevin Pagini, Town Planner, dated April 16, 2025.

Chairman Seichter stated that there are two outstanding items. The percentage of affordability, which is 15% in the current draft, and the affordability period. He noted that some communities have extended the period.

Mr. Pagini reviewed the changes in the draft text amendment. These included: moving to Site Plan approval in the residential districts; under the definitions a live/work unit will only allowed in

commercial, industrial and Route 5 districts; replaced Middle Housing means with duplexes, triplexes, quadplexes; in 6.38.C, subsection A, changed to the minimum lot size for the applicable zoning district for new construction only; section D is the same; section F was made consistent with all other requirements of section 8-30g; minimum of 15% of dwelling units on site instead of 25%; State Median Income or Area Median Income, whichever is lesser; applications materials must meet all requirements for 8-30g. He added that the chart has also been revised. The maximum height is capped at 40%. Mr. Pagini reported that he discussed perpetuity with the Law Department, and they didn't think it was legally a great idea. He noted that he found some regulations that use perpetuity but are complicated due to deed restrictions. We need to encourage developers to use these regulations instead of the 8-30g. So we can't really incentivize perpetuity in a zoning sense.

Chairman Seichter asked if we could extend it beyond 40 years. Mr. Pagini replied yes, but anything above 50 or 60 is difficult under deed restrictions.

Commissioner Parent stated concern with the part of the amendment about reducing parking. He noted that to live in Wallingford, you need a car. Commissioner Seichter noted that the Corporation Counsel indicated that parking regulations can be discussed (Section 6.11), but we can't vote on it tonight.

Commissioner Rivard asked about the minimal lot size for new construction only and if it constrains options for builders. Mr. Pagini replied that this is an improvement as it is smaller than in the last proposal. If you can subdivide, you can build on a lot as long as it meets the regulations.

Commissioner Fitzsimmons asked if Middle Housing gives another option on how to develop, not necessarily a non-market rate. He also asked what the base affordable bonus is. Mr. Pagini replied 20% in lot and building requirement setbacks, anything on the building lot table and 20% on the height. Commissioner Fitzsimmons referred to the document revised 5/8/25, page 2, F2. "The Commission may approve bulk standard/ lot and building requirements to be reduced or enlarged by up to 20%..." He asked if it could be 10%. Mr. Pagini replied Yes. Anything from 1 to 20% if only putting 15% as affordable. If they go up to 20% affordable units, it goes up to a 25% reduction or enlargement, etc. It's a sliding scale and is site-dependent. Height is capped at 40%. Commissioner Fitzsimmons asked if builders ask for a percentage or if it is decided during the application process. Mr. Pagini replied that they would probably come in with the full 20%, and the Commission can adjust it. They would need more affordable units to go higher. Commissioner Fitzsimmons noted that this is another housing opportunity for the town.

Chairman Seichter suggested looking at the minimum affordability percentage and the length of the affordability period. Regarding minimum parking, he asked for a definition of senior housing parking. Mr. Pagini summarized the very long definition from the Federal Law.

Commissioner Sanders referred to the Middle Housing examples. He asked how many units or households would be in each site. Mr. Pagini replied that the Cottage Court would be 9 – 12 units to an acre. The other models would depend on the architect. He expects 8 – 9 units an acre. By the building

code, each unit can be 400 sq. ft. Commissioner Sanders noted that these small projects won't add up to many affordable units in exchange for the bonus.

#### **PUBLIC COMMENT**

Amy Souchuns, 135 Broad Street, Milford, suggested one revision to Section F1. She suggested removing the reference to 'set aside development' due to the definition in 8-30g, and simplifying it by referring back to the Statute. She read her suggested wording, which she shared with Mr. Pagini. Regarding the question on smaller developments with only one affordable unit, she stated that is what is wanted. These developments will be naturally occurring affordable housing, putting greater diversity into the marketplace, even if not deed-restricted.

Mr. Pagini noted that the suggested change had already declined. We want to make it so developers can do all 60% or all 80% or some split. He explained that he has discussed it with the Corporation Counsel.

Ms. Souchuns noted that her concern was the reference to set aside development. If the Commission wants the 15% with developers, the option of 60 and/or 80, just take out the 'set aside development' reference from F1.

Chairman Seichter stated that he would like to see an increase in affordable units, but give developers the option to do 60% and/or 80%.

Don Crouch, Economic Development Specialist, stated that the Economic Development Commission has been working on a plan to offer a fixed tax program for non-market-rate housing. He added that parcel size has been addressed. He added that the EDC can help fill the gap for financing.

Chairman Seichter agreed to let the EDC figure out how to extend affordability. He stated that he is in favor of a minimum of 20% affordable units, which will affect the chart in the amendment.

Commissioner Rivard stated that he is in favor of increasing the number of affordable units, and 20% is reasonable.

Commissioner Fitzsimmons stated that he agrees that 20% seems reasonable.

Commissioner Kohan agreed with 20%.

Mr. Pagini reviewed the resulting changes to the chart.

Commissioner Sanders asked if the Commission should vote on Middle Housing without the parking and affordability pieces.

Chairman Seichter replied that parking will not be voted on tonight. He stated that he believes that there is momentum on the affordable topic. There are developers interested now, so he'd like to keep the momentum going.

Mr. Pagini noted that the State Legislature is looking at eliminating minimum parking requirements with a vote due in June.

Commissioner Fitzsimmons stated that he doesn't envision Middle Housing as affordable housing, but it has an affordable component. It opens residential opportunities in zones where it is currently not allowed. This is similar to what North Haven did on Rt. 5. It is a positive step. This is not about affordable housing, but just another tool to get more residential housing.

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

**Commissioner Venoit: Motion to close the public hearing for application #901-25 Text Amendment-Section 6.38 Middle Housing**

**Commissioner Fitzsimmons: second**

**Vote: Kohan – yes; Fitzsimmons – yes; Venoit – yes; Sanders – yes; Chairman Seichter – yes.**

**Commissioner Venoit: Motion to approve #901-25 Zoning Text Amendment to add Section 6.38 to allow multi-family middle housing and affordable housing by Site Plan approval in the R-6, R-11, R-15, CA-12, CA-40, CB-12; CB-40; I-20 and I-40 zoning districts, to allow residential housing in the RF-40 by Special Permit, and to amend the TC Zoning district to allow for higher density in existing buildings in lots under 25,000 sq. ft. on language dated 5/9/2025, because it better reflects what the town regulations need for planning Middle Housing with the amendment to 6.38.F.1 to eliminate set aside development, 6.38.F.2.B to eliminate 15% and add 20%, and to change the table for percentage affordable units as follows: 20 becomes 25, 25 becomes 30, 30 becomes 35, 35 becomes 40, 40 becomes 45, and 45 becomes 50.**

**Commissioner Fitzsimmons: second**

**Vote: Kohan – yes; Fitzsimmons – yes; Venoit – yes; Sanders – yes; Chairman Seichter – yes.**

The application is approved.

Chairman Seichter thanked Mr. Pagini for his work on this and the public for their input.

### **3. Text Amendment/Y&O Wallingford LLC-Section 4.9.B – Educational Uses #502-24**

Commissioner Fitzsimmons read the legal notice and noted the correspondence. Application #502-25 – Text Amendment request for Y&O Wallingford LLC/Y&O N-H LLC to add Educational Uses as an allowed use to Section 4.9. B – Industrial Expansion (IX) District. Correspondence includes the application dated April 10, 2025; Letter from Amy E. Souchuns, Esq., of Hurwitz, Sagarin, Slossberg & Knuff, to Planning &

Zoning Commission dated April 10, 2025 with a text amendment and two authorization documents signed by the property owner of 1 Barnes Industrial Park Road and 2 Barnes Industrial Park Road.

Amy Souchuns, 135 Broad Street, Milford, stated that she represents the two Y&O entity property owners. They bought the property in 2016, and in 2017, there was an amendment to delete the educational use in the IX zone. Her client provides education for special needs individuals, and the need has grown. The goal is to allow the tenants to expand within the existing building or adjacent properties. She provided a draft text amendment and noted that the owners are taxpaying entities. She read the amendment to Section 4.9.B. 18 'Educational uses when located on property owned by a non-tax exempt entity and located within 1000 ft of an R-18 zone.' She explained that the 1000 ft is to ensure that the property at 2 Barnes Road can be eligible for educational use. She also provided a map. The amendment is consistent with the POCD and allows for a concentration of niche industries in a specific area. This allows for economies of scale. It is appropriate because special education services are provided differently. There is no line of cars like a daycare or school. There is less impact on the surrounding area.

Chairman Seichter noted that he agrees that there is an expanding need for these schools and is supportive of the proposal.

Commissioner Rivard asked if this use would be subject to Site Plan approval. Ms. Souchuns replied yes. Commissioner Rivard agreed that this is consistent with other uses under Site Plan approval.

Commissioner Kohan added that he supports this as it is important.

Commissioner Fitzsimmons stated that he supports the proposal and agreed that it is consistent with the POCD. It would make the existing schools conforming.

#### **PUBLIC COMMENT**

Don Crouch, Economic Development Commission, stated that they have no issues with this proposal.

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

**Commissioner Venoit: Motion to close the public hearing for application #502-25, Text Amendment/Y&O Wallingford LLC – Section 4.. 9. B – Educational Uses**

**Commissioner Fitzsimmons: second**

**Vote: Kohan – yes; Fitzsimmons – yes; Venoit – yes; Sanders – yes; Chairman Seichter – yes.**

**Commissioner Venoit: Motion to approve application #502-25 for a Zoning Text Amendment request from Y&O Wallingford LLC/Y&O N-H LLC to allow Educational Uses in the IX zone within 100 feet of an R-18 zoning district dated 4/9/2025.**

**Commissioner Fitzsimmons: Second**

**Vote: Kohan – yes; Fitzsimmons – yes; Venoit – yes; Sanders – yes; Chairman Seichter – yes.**

The application is approved.

**5. Re-subdivision – Hidden Brook Lane – Consideration and possible action on calling of bonds #101-16**

Commissioner Fitzsimmons noted the correspondence for the record. Memo from the Law Department regarding Re-subdivision application #101-16, dated May 12, 2025.

Mr. Pagini explained that this came out of the Executive Session with the Corporation Counsel last month. He summarized the issues. The Law Department has been involved in this issue since 2021. There is no evidence of any effort to obtain the needed easements, so the Town did not accept the road.

Chairman Seichter noted that the Corporation Counsel feels this proposal is appropriate.

Commissioner Parent urged the passage of this proposal. It shows that we are serious.

Commissioner Fitzsimmons asked if any other bonds in town are in jeopardy. Mr. Pagini replied that this is the only one for a subdivision with a road that is not accepted by the Town.

**PUBLIC COMMENT**

None

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

**Commissioner Venoit: Motion to close the public hearing for application #101-16, Re-subdivision – Hidden Brook Lane – Consideration and possible action on calling of bonds.**

**Commissioner Fitzsimmons: second**

**Vote: Kohan – yes; Fitzsimmons – yes; Venoit – yes; Sanders – yes; Chairman Seichter – yes.**

**Commissioner Venoit: Motion that the Commission make the following findings regarding the approved subdivision at 530 Church Street, Hidden Brook Lane:**

- 1. The approved subdivision required the developer to grant to the Town of Wallingford easements as shown on the approved plans;**

2. The developer has failed to provide the stormwater access and drainage easements (two properties), one snow storage easement, and one sight line easement, and sold the lots without reserving the easements;
3. The Town has received a sight line easement from one of the property owners;
4. Additionally, the two properties with the stormwater access and drainage easements have fences within the easement area;
5. Prior to the stormwater access and drainage easements being accepted by the Town, the developer must clear and remove any vegetation at the storm outlet (FES-1) and has not done so to date;
6. Further, the developer has failed to reimburse the Wallingford Police Department for the street sign and stop sign the Department installed on the street, as the developer failed to do so, and it was determined to be a public safety issue;
7. Until such time as the easements are properly conveyed to the Town and any other outstanding issues resolved, the Town will not accept the road as a public street; and
8. Despite repeated demands for the completion of this work, to this date, the remaining easements have not been executed and submitted to the Town.

Therefore, based upon the developer's failure to obtain the easements, the Planning and Zoning Commission hereby authorizes the calling of the bond in the amount of \$39,400.00 and the Town Planner is to proceed with obtaining the necessary easements and completing any outstanding work in order to result in the acceptance of Hidden Brook Lane as a Town street in accordance with the Regulations.

Commissioner Fitzsimmons: Second

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

The application is approved.

#### **BOND RELEASE**

6. A/Z Corp. – 524 South Cherry Street  
Mr. Pagini recommended release.

Commissioner Venoit: Motion to release the bond for A/Z Corp., 524 South Cherry Street.

Commissioner Fitzsimmons: second

Vote: Unanimous

#### **REPORTS OF OFFICERS AND STAFF**

7. Administrative Approvals – noted as approved
  - a. 142 Simpson Ave/New England Permitting #801-25
  - b. 44 South Turnpike Rd/Smilen Dental Group, P.C. #301-25
  - c. 9 Hailer Avenue/Frank #207-25

d. 860 N. Colony Rd./T. Construction LLC #208-25

8. ZBA April Decisions -- no comment

9. ZBA Notice of May 19, 2025 -- no comment

Commissioner Kohan noted that the Regional Planning Commission has two summer interns available to the Town. They are Master level college students.

**ADJOURNMENT**

**Commissioner Venoit: Motion to Adjourn the Wallingford Planning and Zoning Commission for Monday, May 12, 2025, at 8:20 pm.**

**Commissioner Fitzsimmons: Second  
Vote: Unanimous**

Respectfully submitted,  
Cheryl-Ann Tubby  
Recording Secretary