

Wallingford Planning & Zoning Commission
Regular Meeting
Monday, November 10, 2025
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; J.P. Venoit, Vice Chair; James Fitzsimmons, Regular Member; Jeffrey Kohan, Regular Member; Joseph Sanders, Alternate; Bryan Rivard, Alternate; Kevin Pagini, Town Planner; and Cheryl-Ann Tubby, Recording Secretary by livestream. Also in attendance was Janis Small, Corporation Counsel.

Consideration of Minutes –September 8, 2025, Regular Meeting

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

Commissioner Fitzsimmons: Second
Vote: Unanimous to approve.

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

1. PUBLIC HEARING – Special Permit/City of Meriden/143 Hanover Street #405-25

Chairman Seichter noted that Commissioner Sanders will be voting tonight.

PUBLIC HEARINGS

2. Text Amendment – Family Child Care Home and Group Child Care Home #903-25

Commissioner Fitzsimmons read the legal notice and noted the correspondence. Proposed amendment to the Town of Wallingford Zoning Regulations to allow Family Child Care Homes in compliance with CGS §8-3j by amendments to Section 2.2 and creation of a new Section 6.39.

Correspondence included draft Text Amendment Section 6.39, Letter to Town Clerks of Cheshire, Durham, Hamden, Meriden, Middlefield, North Branford and North Haven, from Kevin Pagini, Town Planner, dated October 9, 2025, and staff referral report from Emely Ricci, Naugatuck Valley Council of Governments, to Wallingford Planning & Zoning Commission, the Mayor, the Town Planner and Zoning Enforcement Officer, dated November 4, 2025.

Mr. Pagini explained that we need to be in compliance with Statute 8-3j, which requires us to allow Family Child Care Homes and Group Child Care Homes in all residential districts. Two new definitions are proposed along with a new section.

Chairman Seichter asked about the Group Child Care Homes. Could people live there full-time? Mr. Pagini agreed that it appears to allow full-time. Chairman Seichter clarified that it would be not less than 7 or more than 12 unrelated on a regular basis. Does the State license them and then is responsible for periodic inspections? Mr. Pagini replied that the State does the inspections, but isn't sure about the process.

Commissioner Fitzsimmons asked if the Group Child Care Home could be in a commercial site? Mr. Pagini stated that the wording came from the State definitions. Atty. Small stated that the purpose is to bring us into compliance with the statute. She is satisfied that the language meets what we are required to do.

Chairman Seichter clarified that we are approving language that the State requires. Atty. Small confirmed.

Commissioner Rivard noted that the State statute defines various other types of care as well. As long as we stated that it has to be licensed and meet the statute contents, it should be sufficient.

Commissioner Sanders asked about the wording for Family Child Care Home. Mr. Pagini replied that the wording is directly from the State Statute. Does a blended family with six or seven children below school age fall within this definition and result in the town having enforcement requirements? He asked what 'all of them are permitted' means.

Chairman Seichter asked if we are required to approve this by December 1st. Mr. Pagini confirmed. He stated that if the amendment is exactly what the State requires, he is comfortable approving it. He agrees that the Town needs some clarification.

PUBLIC COMMENT

None

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

Commissioner Venoit: Motion to close the public hearing for application # 903-25 Text Amendment Family Child Care Home and Group Child Care Home.

**Commissioner Fitzsimmons: second
Vote: Unanimous**

Commissioner Venoit: Motion to approve application #903-25, Zoning Text Amendment to Section 2.2 and addition of Section 6.39 to comply with CGS§8-3j on language dated October 9, 2025, because it brings our zoning regulations into compliance.

Commissioner Fitzsimmons: second

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

The application is approved.

3. Executive Session pursuant to CGS § 1-225(f) & § 1-200(6)(B), to discuss 1136 Durham Road – Sunwood v. Planning & Zoning Commission

Commissioner Venoit: Motion to move to Executive Session at 7:15 pm pursuant to CGS §1-225(f) & § 1-200(6)(B) to discuss Sunwood v. Planning & Zoning Commission.

Commissioner Fitzsimmons: Second

Vote: Unanimous

Chairman Seichter declared the return to the regular meeting at 7:46 pm. He called for action regarding application 102-24 in accordance with the court decision.

Commissioner Venoit: Motion to approve application #102-24 Sunwood Development Corp. – 1136 Durham Road. In accordance with the Court decision issued in Sunwood v. Planning and Zoning Commission, Docket No. HHD-CV24-6192211-S, Approval for a re-subdivision and site plan approval request for Sunwood Development Corp. under General Statutes 8-30g to construct a 13-lot residential development at 1136 Durham Rd. on plans entitled “The Cozy Corner an 8-30g Subdivision” dated January 24, 2024, and revised to July 1, 2024, subject to:

1. All comments from the Fire Marshal’s office
2. All comments from the Town Planner
3. All comments from the Town Engineer, Alison Kapushinski, excepting those comments relating to the intersection separation distance, which were overruled by the Superior Court
4. All comments from Scott Shipman, Senior Engineer, Water and Sewer Division
5. All comments from the Environmental Planner, Erin O’Hare
6. Memo from the Chief of Police, dated 8/9/2024
7. Memo from the Acting Fire Chief dated 8/9/2024
8. Submission of draft covenants for all easements associated with this subdivision to the Wallingford Town Planner prior to the issuance of any building permits. Including but not limited to: Declaration of Covenants and restrictions for the storm drainage system, Drainage easement in favor of the proposed homeowner’s association, declaration of private sanitary sewer easements and electrical easements, declaration of sight line easements, and declaration of snow storage easement.
9. All final easements must be filed and approved by the Town prior to any lot being sold or issuance of any Certificate of Occupancy.
10. That the Town Engineer and Town Planner are notified when construction is to begin.
11. Inspection of all erosion and sediment controls by the Environmental Planner and the Town Planner before construction is commenced.

12. An Erosion and Sediment Control bond in the amount of \$35,500.
13. A Road improvement bond in the amount of \$357,000 posted in accordance with CGS § 8-25. If the applicant posts the bond in accordance with § 8-25(d)(1), the following language shall be added to the stamped subdivision plan, filed on the land records: No lot shall be transferred to a buyer before any required financial guarantee is posted or before the approved public improvements and utilities are completed to the reasonable satisfaction of the Commission or it's agent.
14. Bond for electrical utilities to be determined by and posted with the Wallingford Electric Division.
15. Final Affordability Plan forwarded to the Planning and Zoning office.
16. Six (6) copies of the approved, final plans forwarded to the Planning and Zoning office.

Commissioner Kohan: Second

Commissioner Kohan stated that, in his opinion, this application does not meet the spirit of the 8-30g State law due to the location. In accordance with the court decision, he is bound to vote yes.

Commissioner Fitzsimmons stated that he will also be voting yes, as required by the court decision.

Commissioner Sanders stated that he will vote yes as ordered by the court.

Chairman Seichter stated that since the court has overruled the decision by this Commission and granted the applicant's appeal, and since there is no support for asking the court to reconsider, he will vote yes.

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

The application is approved.

REPORTS OF OFFICERS AND STAFF

7. **Administrative Approvals – noted as approved**
 - a. **374 North Colony St/374 NCR, LLC #308-25**
 - b. **174 Center St/Glidden #309-25**
 - c. **61 North Plains Industrial Rd/MacFarlane #224-25**
 - d. **214 Center Street/Dagliere #310-25**
 - e. **600 North Colony Rd. Unit 1/Donovan #311-25**
 - f. **33 Ashlar Village/Masonicare #225-25**
 - g. **208 North Colony Rd./Piekarski #312-25**
8. **ZBA October Decisions – no comment**
9. **ZBA Notice of November 17, 2025 – no comment**

ADJOURNMENT

Commissioner Venoit: Motion to Adjourn the Wallingford Planning and Zoning Commission for Monday, November 10, 2025, at 7:55 pm.

Commissioner Fitzsimmons: Second

Vote: Unanimous

Respectfully submitted,
Cheryl-Ann Tubby
Recording Secretary