Wallingford Planning & Zoning Commission
Regular Meeting
Monday, November 9, 2026
7:00 p.m.
Robert F. Parisi Council Chambers – Town Hall
Town Hall – 45 South Main Street
MINUTES

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

The Pledge of Allegiance was recited by all.
Roll Call: Present: James Fitzsimmons, Chair; Jeffrey Kohan, Vice Chair; David Leonardo, Secretary; James Seichter, Regular Member; J.P. Venoit, Regular Member; Joseph Sanders, Alternate; Richard Benham, Alternate; Casey Camire, Alternate; and Kevin Pagini, Town Planner.

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

3. **PUBLIC HEARING – Special Permit request for Atlantis Management Group to demolish an existing building and construct a gas station with a 4,500± sq. ft. drive-through retail and convenience store at 124 Church St., located in the I-40 (Industrial) District #407-26.** Continued to December meeting.
4. **SITE PLAN APPROVAL - Site Plan/Times Microwave Systems/358 Hall Avenue #224-26** Continued to December meeting.

Consideration of Minutes – October 14, 2026, Regular Meeting

Commissioner Kohan: Motion to approve the Minutes of Monday, October 14, 2026, 2026, Meeting of the Wallingford Planning and Zoning Commission as submitted.

Commissioner Leonardo: Second

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

PUBLIC HEARINGS

1. **Text Amendment request for Quinnipiac Valley Growth Partners to add cannabis retailer as an allowed use by Special Permit in the I-40 (Industrial) Zoning District. Text amendment will alter Sections §4.8.C and §6.34. #507-26**

Commissioner Leonardo read the legal notice. #507-26 – Text Amendment request for Quinnipiac Valley Growth Partners to add cannabis retailer as an allowed use by Special Permit in the I-40 (Industrial) Zoning District. The Text Amendment will alter Sections §4.8.C and §6.34. A copy of the text amendment can be found in the Planning and Zoning Office. Correspondence included a draft of the amendment; letter dated October 21, 2026, from Susan Beckman, Regional Planner, Lower Connecticut River Valley Council of Governments, to Wallingford Planning and Zoning; Inspection Report from the Fire Marshal dated October 27, 2026; letter received November 4, 2026, from Naugatuck Valley Council of

Governments, to Wallingford Planning and Zoning; letter dated November 5, 2026, from Cheryl DiGenova.

Atty. Dennis Ceneviva, Ceneviva Law Firm, 721 Broad Street, Meriden, presented with Jerry Farrell, Jr., and Jim Weaver, partners in Quinnipiac Valley Growth Partners.

Atty. Ceneviva explained that this amendment is designed to permit, in a limited capacity, the retail sale of permitted cannabis products. It incorporates comments from the Town Planner and the Commission. The proposed amendment requires a Special Permit and gives the Commission substantial breadth in approving. It will allow up to three businesses to limit proliferation and limits the use to the I-40 zone. The use will not be allowed within 1000 linear ft of a residential zone or school or 500 linear ft. from a place of worship. They recognized the Commission's concern with the location in a primary commercial zone. This creates a use within the I-40 zone that is substantially less impactful than other allowed uses. The Town will receive a 3% municipal tax. There is nothing different in the concept that was presented before except for the location. In the recent elections, Massachusetts had an attempt to reverse the legalization of recreational marijuana, but it failed by a wide margin.

Mr. Weaver stated that the 3% tax is in addition to the State sales and excise taxes. This applies only to adult use sales, not the medical use sales. They believe there will be a market in Wallingford. This will redeploy vacant space. They expect to employ 11 people who will be paid competitively. These are tangible economic benefits.

Mr. Farrell stated that they understand that putting the retailer in a primarily commercial area is not appropriate. The I-40 zone is more appropriate.

Commissioner Seichter noted comments made at the August public hearing indicating that things have changed since cannabis was prohibited in 2021. Public Act 20-21 legalized recreational cannabis in the State but gave towns the option to regulate it, deny the approved use, or do nothing, which would mean that cannabis is an approved use. The Town had a public hearing, and many spoke in favor of the regulation. It passed unanimously. He stated that his position has not changed. This is another opportunity to decide where the Town will go. A similar application was denied in the Spring because our regulations state that any use must be legal under local, state, and Federal laws. He gets that the State can regulate cannabis, but the Federal government has the right to enforce its laws. He is not swayed because other municipalities have approved it or because it will bring the Town revenue. If this is approved, the Commission needs to do away with the regulation banning cannabis because it won't make sense. He is opposed to this application.

Commissioner Sanders stated that he is opposed. This is the third time this has been discussed. There is a distinction between medical use and recreational use. The Federal government rescheduled medical marijuana but did not decriminalize marijuana. If the request were based on medical marijuana, that would be something that can be discussed. Wallingford has a choice. This will have lasting consequences. He noted the 3% tax revenue. Mr. Weaver agreed that in any business, the big winner is

the business. The State designed the program to remunerate communities. He stated that there are currently people in Wallingford using cannabis. Those products are often unregulated and untested. Having a store in town will move people away from the unregulated products. Commissioner Sanders stated that the big winner in this is the State, with 10% excise plus sales tax. What is the cost to Wallingford? The Town is already negatively impacted by recreational marijuana use. Substance abuse is already a problem. Regulations are guardrails to protect people. Once the product leaves your premises, the Town is responsible for dealing with irresponsible consumption. He wants to know what the residents want.

Commissioner Benham asked about the regulations on the cannabis retailers from the Department of Consumer Protection. Mr. Farrell stated that a cannabis retailer is almost analogous to a pharmacy. The supply chain is very regulated. They won't be producers but will rely on licensed producers in Connecticut that provide pharmaceutical-grade products. The consumer should be able to rely on the fact that the product they consume is regulated. The State legislature made the cannabis marketplace so consumers can rely on it. This is a highly regulated marketplace, not a smoke shop. Customers have to show ID and be on camera, as well as staff. There is high security.

Commissioner Camire questioned the need for the carve-out retailers. Mr. Farrell replied that there are only so many licenses in the State. He doesn't see a producer coming to Wallingford. Commissioner Camire clarified that under State law, this is legal. Mr. Farrell confirmed. Mr. Camire asked if package stores can sell THC beverages. Mr. Farrell replied yes. It is allowed in the license. Commissioner Camire asked how they will handle cash. Mr. Weaver replied that there are retail platforms that will help manage everything from inventory to cash. He stated that cash has to be tracked like the product. There will be surveillance in place. The volume of transactions will be less than a liquor store. Commissioner Camire stated that he had mixed feelings on this issue. There is evidence that cannabis use can trigger psychotic episodes in those genetically predisposed. Under Federal Law, this is still a Schedule I drug. It is worth considering carving out just retailers or just allowing all cannabis establishments. He asked where smoke shops are regulated and if some aspects of this regulation would apply to them as well, including the required distance from residential areas and schools. If we are going to do this, he would like a more comprehensive look. Enforcement is tricky.

Commissioner Leonardo stated that he also has mixed feelings. He likes the location better and the Special Permit, which gives the Commission more leeway. We should reevaluate vape and smoke shops. He thinks we need more regulation. He does not see this changing use, and a denial won't mean there will be no cannabis use in Town. Does this fit the character of the Town?

Commissioner Kohan clarified that the retailer would be open seven days a week. He appreciates the change to the I-40 zone. He noted that the debate on cannabis has been going on since the 1800s. The Federal Government still hasn't allowed cannabis research. The State went through the same argument when they passed Bill 12-01 allowing cannabis sales in chapter 4.20.H. The State decided that it's okay. This is a business decision, not a health decision. The State does regulate what can be displayed as signage on the establishment. It is legal in Connecticut.

Commissioner Camire likes the degree of signage regulation and wants it applied to smoke shops.

Chairman Fitzsimmons quoted the purpose of zoning regulations: "The function of this board is to regulate the height, number of stories and size of buildings and other structures, the percentage of the area of the lot that may be occupies, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence and other purposes, to regulate the height, size and location of advertising signs and billboards within the limits of the Town, to divide the town into districts of such number, shape and area as may be best suited to carry out the purposes of the statute, to regulate the erection, construction, reconstruction, alteration, and use of buildings or structures and the use of land in accordance with a comprehensive plan, to lessen congestion in the streets, to secure safety from fire, panic and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate adequate provision of transportation, water, sewerage, schools, parks, and other public requirements with full consideration of the character of the districts and their suitability for particular uses, to protect historically , architecturally and culturally significant buildings and sites, to encourage energy-efficient patterns of development, encourage use of solar and other renewable forms of energy, protect subsurface water supplies and protect against sedimentation of waterways and erosion caused by wind, rain and water movement, and to conserve the value of buildings, encourage the most appropriate use of land throughout said Town." He stated that this is a land use board. The Economic Development Commission reported that this is an industry providing jobs. This is a text amendment. In 2021, cannabis was discussed at the request of the Office of the Mayor, and the Commission had to make a determination. Now we can think about changing the regulations. He noted the number of businesses that are licensed to sell liquor and firearms in town. Whether you are for or against, they are all licensed. The revised amendment takes into account the Commission's feedback, and the use will only be allowed by Special Permit. It will not be close to a residence, schools, or churches.

Mr. Pagini stated that in 2021 he was given guidance from the Mayor's office to prohibit cannabis. Now there is no guidance from the Mayor. The decision is up to the Commission.

PUBLIC COMMENT

William Butka stated that he was active in law enforcement for 46 years. He is opposed to any change that will allow the sale or production of cannabis. This opens the floodgates. Cannabis has negative impacts on public health. He read some current headlines regarding recreational marijuana and quoted from a study. Training police officers to be certified drug recognition experts is expensive. Will the potential revenue offset the cost of lives? It's up to us to protect public health.

Natalie Melma spoke on behalf of her daughter, Valerie Melma. She is opposed to the change. She works in substance abuse prevention. Valerie's father misused marijuana, and there have been consequences to the family. The marijuana being produced is very strong. Adults already have access in

nearby communities. She asked the Commission to consider the cost to families and caregivers. This expands the availability.

Cheryl DeGenova stated that she cares deeply about the health and safety of the community. She is concerned with recreational cannabis. In 2021, this Commission voted to prohibit cannabis establishments. What has changed since then? What benefit outweighs the risk? She asked the Commission to maintain the prohibition.

Rocco DeGenova, 7 Regent Court, stated that he serves on the Wallingford Committee on Aging. He went to the Senior Center and spoke to the seniors. They don't support a cannabis dispensary. They have seen the negative effects of recreational cannabis on young lives.

Rep. Mary Mushinsky stated that her main concern is the effect on academic advancement and the workforce. Cannabis use affects critical brain function, learning capacity, and workforce readiness. National data show that 80% of new users are between the ages of 12 and 20. Regular use in young people can lead to a drop in IQ, reduced motivation, and reduced earning potential. This affects employers as well. This is not a good fit for Wallingford.

Shawn Doherty, Executive Director of the Wallingford Family YMCA, noted that the YMCA recognizes that cannabis is legal under Connecticut law. He asked if the proposed amendment is consistent with the vision of the POCD. The YMCA provides safe places and promotes healthy lifestyles. Expanding opportunities for cannabis retail does not advance community goals. On behalf of the YMCA Board, staff, volunteers, and members, he asked the Commission to uphold the vision of a healthy, family-friendly Wallingford.

William Dickenson, 112 Grieb Road, stated that he opposes the application. He noted that the Connecticut Health Department is silent on this issue of medical marijuana. The FDA hasn't tested marijuana. It is not prescribed by a doctor with specific dosages. The health risks include addiction, abnormal brain development, and cannabis psychosis. We need a lot more information. He shared a recent CDC alert.

Diane Mark with the Coalition for Better Wallingford stated that they opposed the application. They run targeted prevention programs in schools, among other programs. Opening this would actively undo their work. A storefront gives a false sense that it is risk-free. Cannabis compromises mental health and puts a strain on local health services. This will fundamentally alter the Wallingford character of a proud family-first community. Today's cannabis contains higher levels of THC.

Nicolina Kotto, youth representative to the Coalition for Better Wallingford, stated that the Commission needs to consider how this will affect younger generations. Does normalizing cannabis align with encouraging healthy habits? She understands that there are economic benefits, but that shouldn't be the priority. If there are dispensaries in town, that implies it's okay.

Patricia Cole, 50 North Street, stated that she is opposed. She doesn't believe that there is a need for more dispensaries. Today's products are more potent than in the past. She read from a Yale study published earlier this year regarding marijuana and motor vehicle fatalities. There has been an increase in fatalities associated with cannabis use. Users will find a way to get it. The Town should not facilitate it.

Alexandria Johnson, North Main Street, stated that she opposes the application. She knows the damage done by marijuana use. Keep the strict regulations as they are. You read that the purpose includes health and wellness as well as where to place these things.

Jessica Wysocki, 76 Knollwood Drive, reminded the Commission that there is no such thing as legalized distribution of marijuana. The Town must follow Federal code or will be legally liable for damages. She likes investing in health and public safety.

Bob Gross, Long Hill Road, stated that he'd be surprised if this was approved. He doesn't see the benefit to the Town.

Ms. Mushinsky read a statement from Rajan Doring, Sherhan Drive. The Commission needs to ask what they want Wallingford to be. Cannabis retailers don't advance the vision. The town already has substance abuse problems. Planning & Zoning decisions shape what Wallingford will look like in the future. Strengthen the town by investing in people.

Atty. Ceneviva thanked the public for their heartfelt comments. He stated that the State has permitted the use of cannabis and that the State of Massachusetts just re-approved its law allowing it. This is an opportunity to provide cannabis in a regulated fashion. It will not be sold to children. Cannabis is more regulated than alcohol.

Mr. Farrell stated that this is a regulated market, which is better than an unregulated market.

Mr. Weaver agreed that there are problematic uses. The State has taken that into account. There are allotment limits. The dosages are restricted. The staff will be on the lookout for problematic use. Their low- to moderate concentration products are for responsible adult use.

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

Commissioner Kohan: Motion to close the public hearing for application #507-26 – Section §6.34 7 §4.8.C – Cannabis Retailers for a Zoning Text Amendment to Sections §6.34 and 4.8.C.14.

Commissioner Leonardo: second
Vote: Unanimous

Commissioner Sanders stated that once the cannabis leaves the premises, the Town is responsible for the outcomes. He thanked the public that spoke. He suggested adding to the Motion that Section 4.16.C, item 4, be revised to include preschools, early childhood education centers, and day care facilities instead of just schools. He also suggested standardizing all the distances to 1,000 ft.

Commissioner Seichter noted that the public is not in favor of this application. Every Town can make its own decision. He doesn't see the benefit to the community.

Commissioner Leonardo stated that he supports the Federal government looking at the safety of cannabis. We are not changing the demand for cannabis, just allowing the use of something people are already using. At the end of the day, cannabis is already in town. We aren't stopping it by denying this application.

Commissioner Kohan stated that it sounds like Wallingford has a drug problem with five substance abuse organizations. This retailer would not increase the demand. One legalized retailer won't change things. Wallingford used to be known for the most bars and package stores per capita in the State. He supports this as a business decision. This is a highly regulated business. The applicant will make sure it's well run.

Chairman Fitzsimmons thanked the public for coming out and providing input. He stated that this is a land use application. State law made it possible. The request is to add a retail use, not a dispensary. This is a first step. Next would be the Special Permit application. This would be allowed only in this industrial zone. This is a permissible product according to the State of Connecticut.

Commissioner Kohan clarified the change to the school definition in Section 4.14.C item 4 and stated that he will leave the distances as is.

Mr. Farrell replied that he would accept that.

> **Commissioner Kohan: Motion to approve application #507-26 – Section §6.34 and §4.8.C – Cannabis Retailer for a Zoning Text Amendment to Sections §6.34 and 4.8.C.14 to add Cannabis Retailer as an allowed use by Special Permit in the I-40 9industrial District on language dated October 7, 2026 with the addition of Section C item E with the addition of preschool, daycare and early childhood education centers added, because of the legalization of cannabis in Connecticut through Senate Bill 12.01 codified under Chapter 4.20.H regulation of adult use cannabis as such that this text amendment will allow for a viable business opportunity in Wallingford.**
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> **Commissioner Leonardo: Second**
> **Vote: Kohan – yes; Leonardo – yes; Seichter – no; Sanders – no; Chairman Fitzsimmons – yes**.

The application is approved.

2. **Text Amendment request for KSCGH Partners LLC to add a new section §4.27 entitled "Mixed Use (MU) District" floating zone to the Town of Wallingford Zoning Regulations #505-26**

Commissioner Leonardo noted the new correspondence including a draft amendment dated October 28, 2026; an email dated November 3, 2026 from Rachel Shamaly, Zoning Enforcement Officer, to Kevin Pagini, Town Planner; a document of changes and explanations dated November 3, 2026.

Atty. Dennis Ceneviva, Ceneviva Law Firm, 721 Broad Street, Meriden, presented the revised amendment. He noted that this is a continuation and that the revised draft was distributed. The revisions are based on comments from the prior meeting. These include limiting potential locations to the WI and IX zones, as well as prohibiting uses including pawn shops, cannabis sales at retail, vape and smoke shops, and massage parlors. They removed the term 'character' from Section F.2 and replaced it with potential impact. Regarding the minimum size, Town staff felt 40 acres was appropriate, but it doesn't matter to his client. The concept is to have a nice mixed-use district like the one in Cheshire. They want to give the Commission latitude. The applicant will need to bring a conceptual site plan to an informal meeting with staff first.

Commissioner Camire asked about the gross floor minimums of 25% residential and 25% commercial. Atty. Ceneviva replied that the concern was that nothing would be 90%. This would be an overall master plan. Other towns have used minimums to get mixed use. Commissioner Camire clarified that the underlying zones have been changed to just the WI and IX. Atty. Ceneviva replied that the change was based on conversations with the Town Planner. They made certain the underlying requirements will remain unless modified by the Commission. The underlying uses wouldn't be the same, but other regulations would stay, such as watershed protection. Commissioner Camire stated concern about avoiding spot zoning and asked if there is a list of potential parcels in town. Mr. Pagini replied that he has identified 6 possible properties with at least 40 acres; whether all 40 can be developed or not is something else. Commissioner Camire clarified that the property the applicant owns would work. He asked about the change to apartment sizes to avoid restricting it to 1-bedroom and studio. Atty. Ceneviva stated that suggestion came from the Commission. Commissioner Camire asked about the 150 ft. buffer width and setbacks. Mr. Pagini replied that it is based on comments from the public. They also wanted a 150 ft distance to residential, and the WI currently has a 60 ft. setback. The intent was to buffer the existing residential properties. Atty. Ceneviva stated that for the buffer along Rt. 68, the Town staff wanted to avoid large parking lots at the road to make the property more attractive. This gives the Commission flexibility to consider the impact. Commissioner Camire asked if the 50% open space is standard. Mr. Pagini replied that it came from the Town Engineer and Water & Sewer. They are concerned with overall impervious surface. Commissioner Camire noted that this proposal fits with the POCD.

Commissioner Leonardo stated that 40 acres seems fine, but he is open to increasing it to 60 acres. He asked about building height and whether it can be reduced from 50 ft. Atty. Ceneviva noted that it is a maximum. As the plan comes together, the Commission can look at where it fits in the surrounding area. It was reduced from the maximum in the underlying zone.

Commissioner Kohan said this floating zone is a major undertaking. He stated that this gives the Commission legislative power and broad discretion. He stated that he looked at Guilford's mixed-use regulation and suggested including the following purpose statement: "to permit and facilitate a development of comprehensively planned mixed-use development", and stated that this includes certain types of businesses and residential uses. He noted that this proposal uses a maximum density of ten units where Guilford used six. Permitted uses in the Guilford regulations include outpatient medical facilities, research labs, and vet offices. They list several accessory uses and structures such as outdoor dining and satellite receivers. He suggested that building design reviews be done before the plan is submitted. He also suggested requiring a statement on how the development relates to the neighboring areas and the potential impact. Under residential requirements, he suggested adding buffering to residential district boundary lines and buildings, roadways, driveways, parking areas, and signs. Overall, he thinks the text amendment is good.

Atty. Ceneviva noted that he looked at Guilford's and other towns' regulations. He stated that a lot of what was mentioned is already in there, just worded differently. He didn't include a comprehensive list of permitted uses, including other uses determined by the Commission that are consistent with the intent of these regulations. That provides more flexibility. He noted that a narrative statement is already part E.2, the zone change application. The statement includes the proposed uses, special design considerations, architectural themes, and how it is consistent with the surrounding area. The proposal will be comprehensive. In E.1, there is an informal process to review issues with design before the plan is presented formally. The Commission can approve, modify, or deny an application.

Commissioner Seichter noted that some of the items mentioned at the last meeting are not included in the changes. He is concerned that the development could end up being 75% commercial. He would like the minimum residential percentage to be increased to 35%. He would like the setback for Rt. 68 to be 100 ft. and the setback for residential should be 150 ft. He stated that he is not in favor of drive-through businesses. He stated that he sees some benefits and recognizes the guardrails.

Atty. Ceneviva stated that a minimum of 35% residential is not inappropriate. He stated that the setback for Rt. 68 was a collaborative decision. The number is a minimum. The intent is to make it look more like a town setting. Commissioner Seichter noted that it reads "not greater than," so it is a maximum. Atty. Ceneviva noted that any development on Rt. 68 would require an OSTA permit due to new curb cuts. They want to avoid a lot of parking in the front.

Commissioner Sanders asked what problem this solves. Does it add complexity to the regulations? When applied, does it adhere to the underlying zone or provide autonomy to the site from the zone? Atty. Ceneviva replied that the bulk standards that are not changed by this amendment would still apply. Commissioner Sanders stated concern that it appears to be hard for developers to have an informal conversation with the Town. He asked if the word 'shall' should be replaced with 'may' in the introduction where it says 'shall a floating zone be applied'. He stated that he would like to see more than a 35% residential minimum. Regarding the section on prohibited uses, how is 'significant' being defined? Atty. Ceneviva stated that there was intent to put in language which gives the Commission

protection. Significant means more than 50%. Commissioner Sanders suggested including libraries, gaming halls, pool halls, and churches as permitted. He stated concern with subdivision and asked how that would work. Atty. Ceneviva replied that they would have to file a subdivision application. The OCSP would be fully effective. One developer could take the residential component, and another take the commercial. The plan wouldn't change, just the owner. Commissioner Sanders asked if there is any detriment to looking at re-subdivision to see if it should be permissible. A different applicant could come with an aggregation of properties and then break them up after the approval, then do something in conflict with the underlying zone. Atty. Ceneviva stated that that can't happen, as they have to provide an overall Conceptual Site Plan for approval. If modified, they would need to come back with the modification. The concept gives the Commission flexibility. Who does the building is not relevant. Commissioner Sanders stated that he wouldn't want the property split apart afterwards. Regarding the heights of 50 ft., this is more than is allowed in the WI and IX zones. They allow increases based on increased setback. There are reasons the building heights are there. He would prefer to see the underlying zone drive the building heights. He asked if there should be setbacks between buildings within the property. He suggested allowing the underlying zone setbacks to apply to borders. Regarding the number of bedrooms, this needs to be clarified to get closer to the spirit requested. For the front yard setback on Rt. 68, in the WI it is 200 ft; in the IX it is 60 ft. Regarding the statement 'open space unless reduced by the Commission'. Future Commissions end up with something subjective instead of being guided by regulation. This needs to be tightened.

Mr. Pagini noted that the difference between 'may' and 'shall' is defined in the regulations. Shall is mandatory. May is permissive.

PUBLIC COMMENT

Jessica Wysocki, 72 Knollwood Drive, stated that floating zones violate planning and zoning regulatory code if applied discriminately. Standards must be publicly published for each zone. The Commission needs to follow Federal and State laws. She asked why a lawyer is drafting zoning language instead of the Commission. This should go through the POCD Committee and IWWC. Watersheds have been redrawn to allow illegal development. Conserved land property deeds are being hidden from the public. She accused the Planning & Zoning Commission and the POCD of stealing Wallingford's conserved land.

Dave Bouvier, President of the Fairlawn Farms Associations 4, 5, 6 Homeowners Association, asked the Commission to include a minimum of 60 acres, a 150 ft buffer for all development adjoining residential property, and a 40 ft height limit near neighborhoods. The Commission should identify properties that are impacted by this proposal. The scale needs attention. Important provisions are not defined, particularly whether the density is calculated on the entire district or only its residential portion. He doesn't favor drive-through businesses. He is concerned about operating hours, noise, and lighting. He recognizes that this is a complicated process. The regulation should require input from the Town's Fire, Police, Engineering, and Water & Sewer Officials. The Association does not oppose reasonable development, but there needs to be clear, established guardrails.

Joe Solato, 21 Promontory Drive, stated that this amendment is better than last month's. They are trying to fit a square peg into a round hole. We still don't know what the plan is. They are trying to change the zone to fit what they want to build. He stated that he doesn't like the section on subdivision as it's too ambiguous. There should be a public hearing for all of the parcels. The text is not there yet and should not be approved.

Michelle Dalipoali, 10 Trailside Drive, stated that she still doesn't see anything for noise, light, and truck loading. She asked about the term residential units. She asked if it will be only apartments and no townhouses. In Part D, it mentions rooftop utilities will be concealed from the view of pedestrians. What about the abutting residences? She stated that the maximum height of 40 ft. for residential should also apply to commercial buildings. In Part 6, the applicant stated that they want to do something like Stonebridge in Cheshire. If so, ranch-style condos should be included. In Part D, Section 5, townhouses are not mentioned. Regarding minimum buffer strips in Part 6, they need to define the height of the berm and a minimum number of rows of appropriate evergreens. In Part 10, the schedule of lot and building requirements table, it should clarify maximum commercial and residential building heights. We need more modifications to the text. The Commission needs to look out for the best interests of residents.

Anthony Citerella, officer of Fairlawn Farms Association 1, 2, & 3, stated a concern with setbacks from residential properties and the height of buildings. A detailed plan would be appropriate.

Carl Fister, officer of Fairlawn Farms Association 1, 2, & 3, wants to know as much as possible in advance, including about lighting.

Atty. Ceneviva stated that he understands the concerns, but there is no plan yet. They can't submit a plan for mixed use because the zone doesn't exist. He worked with staff to create the text amendment. It is designed to provide discretion and latitude. When he has a plan, he will be happy to share it with the neighbors before submitting the application.

Chairman Fitzsimmons asked about the timeline. Mr. Pagini replied that the application needs to be acted on tonight. An option is to close the public hearing, but they will not be able to receive any additional information. Chairman Fitzsimmons noted that the other option is for the applicant to reapply.

Atty. Ceneviva stated that if they close the public hearing, they will have more time to make a decision. He noted that there is a noise ordinance, so noise wouldn't be part of the land use amendment. This amendment permits mixed-use projects.

Commissioner Camire stated that the language of the amendment is okay. He prefers the 35% residential minimum. This amendment does not create a mixed-use district. It outlines what an applicant needs to provide, including a conceptual site plan, for approval of the zone. This is followed by

a Site Plan application. So there will be multiple steps to the process. This just creates the possibility for that to happen. He believes the amendment is well thought out and supports it.

Commissioner Leonardo agreed with the 35% residential minimum. He stated that he is good to move to the next step. A lot of concerns will be addressed in future steps.

Commissioner Kohan stated that there is a lot of misunderstanding of what the Commission is trying to do. The key is the floating zone. This is a methodology to facilitate planning versus the Euclidean planning in place now. This will enhance the development process and give the Commission broad discretion to act as a legislative body. He noted they are not required to approve a project even if all the requirements are met.

Commissioner Seichter commented on the setbacks for Rt. 68 and the setbacks on residential and commercial properties.

Commissioner Sanders asked about the heights for commercial versus residential. He confirmed that they were 50ft. He is concerned about the autonomy from existing zones. If developers can't bring projects because of our regulations, that is a problem. He would like to see an example. It looks like we have to pass this to see what it is.

Chairman Fitzsimmons quoted the Economic Development Commission that this is a coordinated approach to development. He likes the concept. He stated that floating zones are allowed in Connecticut. This is another planning tool. This is an applicant-driven request. He asked for objections to allowing no more than one drive-through in Section C.13. Consensus was no objections to the one drive-through.

Commissioner Seichter added that the maximum setback for Rt. 68 should be 50 ft, and for both residential and commercial it should be 150 ft. Atty. Ceneviva noted that the underlying zone for the existing office building is 100 ft, so it would need to be grandfathered. There is no plan to remove it.

Mr. Solato asked if the application can be continued since there are outstanding issues. Chairman Fitzsimmons replied no.

Ms. Wysocki reiterated that floating zones violate Planning & Zoning regulatory code if they are applied discriminately, and they need to have publicly published standards and requirements for floating zone allowances. She restated her concern with watershed land being stolen.

Chairman Fitzsimmons asked if the Commission is okay with the proposed setbacks of 50 ft and 150 ft.

Commissioner Leonardo replied that he is okay because extending them might hinder other development. He asked if there is a DOT setback on Rt. 68. Mr. Pagini stated that the right-of-way there is unusually large. The wording for the setback from the road could be changed to a minimum of 50 ft.

Atty. Ceneviva agreed.

Commissioner Sanders asked about building heights and the size of buildings. He asked that the height for residential be changed to 40 ft. as a maximum. He asked that the language in Section D 5 be changed from "or three bedroom" to "and three bedroom".

Commissioner Camire suggested that after 'units shall include studios, 1, 2, or 3 bedrooms". Commissioner Sanders agreed.

Commissioner Camire noted that in the WI and IX the building heights are 60 to 80 ft. based on use. He suggested 50 ft. across the board.

Commissioner Leonardo stated that because it's a maximum, when we have a plan, we can make a better judgment on whether it fits. We have flexibility.

Chairman Fitzsimmons stated that he is okay with the 50 ft. maximum. Consensus was 50 ft.

Commissioner Sanders asked if the Commission's preference is 60 acres or 40 acres. The consensus was 40 acres.

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

Commissioner Kohan: Motion to close the public hearing for application #505-26 – Section §4.27 – Mixed Use Floating Zone for a Zoning Text Amendment for KSCGH Partners.

Commissioner Leonardo: Second
Vote: Unanimous

Commissioner Kohan: Motion to approve application #505-26 – Section §4.27 – Mixed Use Floating Zone for a Zoning Text Amendment to add a new Section §4.27 to add a new floating zone district entitled Mixed Use District as a floating zone to the Town of Wallingford Zoning Regulations on language dated July 10, 2026, and revised to November 3, 2026, with the following changes:

- **Section B: change the 25% to 35%**
- **C.13: leave permitted use of one drive-through**
- **Item 5 Residential Requirements: remove the 'and' after studio.**
- **C.1 add massage parlors to prohibited uses; and**
- **Item 6 changes to read "Rt. 68 shall be determined by the Commission with a minimum of 50 ft."**

Because of the opportunity to facilitate development of mixed residential and commercial properties while maintaining wide approval control of the Planning & Zoning Commission.

Commissioner Leonardo: Second

Vote: Kohan – yes; Leonardo – yes; Seichter – yes; Sanders – no; Chairman Fitzsimmons – yes.

The application is approved.

There was a question of whether the change to residential requirements should have been to remove the word "or" instead of "and".

REPORTS OF OFFICERS AND STAFF

5. **Discussion on updates/remarks**

Mr. Pagini reported that Water and Sewer conducted a comprehensive inspection of the properties with regulated activities in the Aquifer Protection District and will follow up in the next few weeks. He reported that the Bike Racks are being installed.

6. **Discussion on violations at Center Street Cemetery**

Chairman Fitzsimmons noted that there have been complaints. The representative had to leave due to the late hour. He stated that the discussion will be tabled until the December meeting.

7. **Administrative Approvals** – noted as approved
   a. **144 North Branford Rd/DiMario #226-26**
   b. **1299 Barnes Rd/El-Sayed #227-26**
   c. **970 North Colony Rd/Stabach #228-26**
   d. **85 North Colony St/Dinsar, LLC #316-26**
   e. **184 Highland Ave/Nunez #RA-26-03**
   f. **210 Center St/The Confetti Bar, LLC #317-26**
   g. **326 South Colony Rd/Aldammad #229-26**
   h. **370 Center St/Dinatale #318-26**

8. **ZBA October Decisions**

Commissioner Camire questioned the size of the garage approved in application 26-015 and the size of the sign in application 26-016.

Mr. Pagini noted that application #26-015 had been declined in the past and reduced the size for this new application.

9. **ZBA Notice of November 16, 2026** – no comment

Chairman Fitzsimmons asked for the 2027 meeting schedule.

ADJOURNMENT

Commissioner Kohan: Motion to adjourn the Wallingford Planning and Zoning Commission for Monday, November 9, 2026, at 11:25 pm.

Commissioner Leonardo: Second
Vote: Unanimous

Respectfully submitted,
Cheryl-Ann Tubby
Recording Secretary