

Wallingford Planning & Zoning Commission

Monday, March 12, 2018

7:00 p.m.

Robert F. Parisi Council Chambers

Town Hall – 45 South Main Street

MINUTES

PRESENT: Chair James Seichter; Commissioners James Fitzsimmons; Jeffrey Kohan; Rocco Matarazzo , Secretary; Steve Allinson and James Hine, Alternates; Kacie Hand, Town Planner.

Chair Seichter called the Meeting to order at 7:08 p.m. and the Pledge of Allegiance was recited. He announced that Item #4 under “Old Business” Site Plan (construction of loading area & associated site changes)/ Ferti Management Corp./155 East Street - **#201-18 – would not be heard tonight pending Inland Wetlands & Watercourses Commission approval.**

Chair Seichter announced that Mr. Hine would be voting in place of Vice-Chair J.P. Venoit.

Approval of Minutes – January 10, 2018 & February 14, 2018 – **TABLED**

PUBLIC HEARINGS

1. Special Permit(existing offices to residential apartments/parking reduction/new restaurant/café)/J.Hall/50 South Main Street and 361 Center Street - **#401-18**

Mr. Matarazzo read the Legal Notice and noted all correspondence for the record: Interoffice Memorandum to Kacie Hand, Town Planner, from Erik Krueger, Sr. Engineer, Water and Sewer Divisions dated March 2, 2018; Interoffice Memorandum from Erik Krueger, Sr. Engineer, Water and Sewer Divisions to Kacie Hand, Town Planner, dated Dec. 21, 2017; Interoffice Memorandum from Erik Krueger, Sr. Engineer, Water and Sewer Divisions to Kacie Hand, Town Planner, dated Jan. 31, 2018; Copy of correspondence from Jeffrey Gordon to Kacie Hand, Town Planner, dated Feb. 16, 2018; Memorandum to Kacie Hand, Town Planner, from Justin Rosetti, dated March 7, 2018; Correspondence from Rob Baltramaitis, Town Engineer, to Jeffrey Gordon, dated Feb. 15, 2018; Correspondence from Jeffrey Gordon to Kacie Hand, Town Planner, dated Feb. 16, 2018; Correspondence from Jeffrey Gordon to Kacie Hand, Town Planner, dated March 1, 2018; Correspondence from Kacie Hand, Town Planner, to Law Dept. dated March 7, 2018; Site Plan dated 11/30/17; Correspondence from Jeffrey Gordon to Kacie Hand, Town Planner, dated March 7, 2018.

Appearing in front of the PZC was Jeffrey Gordon, President, Codespoti Associates and Milton Gregory Grew, Project Architect.

Mr. Gordon said based on the last meeting, the Applicant clearly delineated and memorialized the cross-easements. He said the revision map was dated March 12, 2018. He pointed out the 24 ft. wide easements to the Post Office property and the bank property. Mr. Gordon said the easements are designated as floating easements, which could

be re-located if the Post Office or bank property becomes redeveloped. Mr. Gordon said the Applicant was trying to zero in on a formula to allow the partial conversion of the office building into apartments and the timing and phasing to go with the commercial shell building. He said the property is being marketed and will build to suit.

Mr. Gordon said the garden level apartments were approved by the ZBA, so there are the ground floor and upper level apartments at a 50% ratio. He said this amounts to Certificate of Occupancy being held for one floor of apartments until the shell of the commercial building is substantially completed waiting for a fit out.

Chair Seichter asked for clarification of “garden level” apartments. Mr. Gordon explained this would be the lowest level (walk-out) level. He said the two proposals involve either the ground floor level apartments or second floor levels get held back. He said Ms. Hand’s preference is to hold back the main floor which would coincide with mixed-use building. Mr. Gordon said the Applicant agrees to either option.

Ms. Hand said if this project is going to be split up by floor, she recommended the main level be the hold-out floor, noting that if there wasn’t to be a commercial aspect to this project, the main level would be looked upon as the commercial level. Ms. Hand said the Applicant in their email has made the argument of what this means from a development and financial standpoint in terms of encouraging development if it is by floor. She said from a procedural standpoint, this setup makes it easier for the Applicant, but pointed out the original recommendation was a full 50%.

Mr. Gordon spoke about the leverage the Town would have to ensure the commercial structure was completed. He said he calculated eight apartments would generate approximately \$140,000 in rental revenue a year. Mr. Gordon said this is a good holdback and a good incentive to complete the project. Mr. Gordon noted the Applicant prefers eight units instead of eleven units to be held back. Mr. Grew told the PZC that from a safety and construction perspective, it would be better to have an entire floor, whether it is the ground level or second floor, not be split up. He said this is a safer proposal to have one entire floor not available for rentals, versus an entire floor not available for rentals.

Mr. Fitzsimmons said he was having a problem with the Certificate of Occupancy. He asked about the variance received for the ground level units being contingent upon the parking. He noted there still wasn’t a standalone approval, stating PZC approval was still needed. Mr. Gordon said he believed this was not by Special Permit. Mr. Fitzsimmons said the Applicant’s letter from last Friday alludes to something that has previously come before the PZC, noting the last sentence “this overall building C.O. may seem like a minor issue, but could be an issue with a lending institution in releasing construction draws in the project funding.”

Mr. Fitzsimmons asked if the plan is for us to release the C.O.’s as the project progresses, the letter indicates the Applicant is seeking a C.O. in order to obtain funding or financing. Mr. Gordon said there are draws, releases, inspections and a logical breaking point for each. He said if one constructs a house, the roof, windows and siding must be installed. He said it is little nuance to the Applicant to have a C.O. per apartment. He said he hasn’t experience much of this and noted the building has to be at a level where the fire safety and health issues are in place and release apartments as the Applicant goes on which he said was fine, but wasn’t used to doing.

Mr. Fitzsimmons noted he performed a site visit last weekend, at S. Main Street and Center Street and was concerned about this application as it pertains to the Special Permit criteria, i.e., appropriateness of location and use. He noted there is a standalone commercial and residential unit, and to him, is not quite the mixed use that he

would have envisioned. He said this is a single building lot with a two different addresses but the mixed use is being done separately. Mr. Fitzsimmons said he was concerned about parking because the parking is not joined, the uses are standalone, and the Applicant is trying to tie it together through the issuance of the C.O. Mr. Fitzsimmons said his concern on behalf of the Town and the PZC, is that there needs to be assurance this is a true mixed use. He said there can't be the residential and have an empty shell of a commercial building vs. a building that was all together, which is predominant in the area.

Mr. Grew said he believed it was made clear this wasn't what he envisioned if this were a vacant lot. He said this is a solution to an existing problem where there is a three-story occupiable building that in its current use and location, is a white elephant. Mr. Grew said this was done with a lot of input from Ms. Hand to entirely change the use of the existing building to something appropriate for the site and location (residential), but put a commercial component in its own location which would be usable by the public at the streetscape along Center Street. Mr. Grew said he is involved with other developments in other cities in CT and sometimes end up with vacant first floors for a much longer period than renting out the residential. Mr. Grew said it would be foolish to tear down the existing building to force something. Mr. Gordon said he worked for the New Haven redevelopment agency and has never come across a parcel that is shaped like this: two separate parcels, two separate frontages, so this sort of lends itself to two separate structures. He said the Applicant is trying to play the cards he has and are offering a viable solution for a very unusual piece of property. Mr. Grew said the garden level apartments will have an entrance on the Center Street end of the residential building. He said they would be parking in the lower level so as to be able to walk into the door. He said the parking is blended between the two uses.

Mr. Fitzsimmons said he wished the building was inconsistent with others on S. Main Street because it appears to be a setback. He asked if the façade on S. Main St. would be changed. Mr. Grew noted the façade will be completely changed, with the mansard look being changed, completely reside the building and construct an entrance portico. He said both architectural proposals address all of the goals and intention of the Incentive Housing architectural guidelines. Mr. Fitzsimmons pointed out Water and Sewer Division comments noting their concern about the lines of the commercial building and the lateral not running beneath the proposed restaurant building and asked if this has been addressed. Mr. Gordon said the Applicant came up with a design working with Erik Krueger, Sr. Engineer, Water and Sewer Divisions, where the manhole will be replaced on Center Street under the building to another structure with a ductile iron pipe, with a grease trap for the proposed restaurant and a required manhole inspection. He said Mr. Krueger came back with his sketch which was incorporated into the construction document.

Mr. Fitzsimmons asked the commercial building on Center St. and how the delivery truck would make deliveries, noting there would be a challenge for a delivery truck to pull into the site. Mr. Gordon said the delivery trucks would be able to access underneath with no problem depending upon the building height. Mr. Fitzsimmons asked about the rooftop usage of the commercial building on Center Street. He asked if there would be a wall or screening so the restaurant would be open-air but not open side. Mr. Grew said on the top floor, third floor, part of this will be enclosed and the other half will be an open roof deck on three sides, Center St., the rear and the Post Office side. He said there will also be a pergola.

Chair Seichter asked if the proposed buildings were on the map and what designs are being done as far as refacing the existing building. Mr. Grew said he plans on keeping the brick veneer, and completely remove the mansard projection and completely reside the upper story with a composite siding and use projections of the bands of the windows to create shadow lines and variation in design with a composite metal panel which would match up with

the metal panel proposed on the commercial building. He said along the upper edge of the roof, there will be a metal coping with a green access color, with the same being on the commercial building. He said a two-column portico will be constructed to cover the entrance. Mr. Grew said on the commercial building, the proposal is for vertical access for the three-story building by installing stairs to the top front façade to allow three-stories of glass and one of the dining areas over the drive through and over that the pergola and railing over the roof deck. He said the metal panels would match the window projections on the residential building. He said green frames will be used for the curtain wall to match the commercial building.

Ms. Hand said most of her comments have been addressed and the partial C.O. has been addressed. She noted the Town Attorney concurred what was stated by the Building Official that partial C.O.'s could be issued, providing there was sign-off by the Water and Sewer Divisions and the Fire Marshal and the building was safe for occupancy.

PUBLIC COMMENT

Joe Mira, Economic Development Commission, said the EDC is strongly in favor of this project as presented, separating the main floor until the commercial shell is erected.

Lucille Casagrande, 25 Turnberry Road, said she was opposed at every level. She said she couldn't understand why the Zoning Board of Appeals allowed approval of the sub-terranean apartments which she said isn't allowed anywhere. She said she was told lower level residential units aren't allowed on North and South Main Streets and to her knowledge there aren't any. Ms. Casagrande spoke about the density noting that the S. Main Street project is ½ an acre and 22 apartments, 44 units should be allowed in the Incentive Housing Zone. She said this is too many apartments for this piece of property. Ms. Casagrande told the PZC she has been involved with downtown development for many years and strived to have commercial on the first level and residential above it. She said the Applicant is talking about combining the property. She said the answer is to have two buildings, with each with commercial on the first floor and residential above it which could have been done on S. Main and Center Streets.

Ms. Casagrande said she doesn't understand why one building will be made total residential and why it was approved and why the totally commercial building is needed on Center Street. Ms. Casagrande spoke about the façade improvements, noting that instead of trying to make the two building compatibles, the Applicant should have tried to make the two buildings compatible with the streets they are on. She said the PZC should consider some of these aspects and noted eight units at 650 sq. ft. per unit will bring in \$140,000 in revenue She said this is \$1,500 per unit for 650 sq. ft. She said she doesn't know of any units this small, speaking as a real estate agent, this would be difficult to rent in Wallingford Center.

Ms. Casagrande spoke about the restaurant, noting the PZC should absolutely not approve this until there is a tenant. She said restaurants are hard to rent, noting Brother's Restaurant which was on the market for years. She said this shell of a building may never be rented and is opposed to approval of this project.

Debbie Gross, 114 Long Hill Road, asked about the \$140,000 for eight units being called a holdback. Mr. Gordon explained that if the units aren't rented for a year, the monthly rent is multiplied by the number of units which comes out to between \$130,000 to \$140,000 a year. Chair Seichter said there is nothing being held back, but a lost opportunity of renting these units. She asked how \$1,500 a month rent was arrived at for a 650 sq. ft. apartment when she hasn't seen this in town.

Mr. Gordon explained they are looking at a \$1,400 a month range for new apartments with granite countertops, laundry and storage facilities and wood flooring. He said these apartments aren't competing with older apartments in the area and noted he believed there would be a market for these apartments. Ms. Gross asked about the rooftop restaurant in the midst of commercial and residential. She said this rooftop restaurant might create some noise and echoing effects and visibility to the neighbors and is concerned. Chair Seichter said the height of the rooftop restaurant would be 30 ft. Mr. Grew said the rooftop restaurant would be on the third floor and the floor of it would be 22 ft. to 24 ft. and will be doing the final design after the increased height in this zone is approved. He pointed out that outside dining is permitted whether it is on the ground or on a roof deck of a building. Chair Seichter said this is part of the application.

Ms. Gross said she didn't know how this would fit, being on rooftop with residential dining, she is opposed.

Bob Gross, 114 Long Hill Road, said he received a letter in the mail regarding property he owns downtown, stating the zone his property is in would be changed from 1 to a CA-6 which this proposed building is in. He noted his letter stated he couldn't have residential on the first floor, but pointed out the PZC is considering approving a large piece in the center of Town to residential. He asked if he could get his property changed to do the same. Chair Seichter said that wouldn't be permitted. Mr. Gross asked how this project was being approved and noted he didn't believe basement apartments were being approved in this area of Town. He said he was confused on how one person can be allowed to do something, while others can't.

Chair Seichter said this was explained at the lower level, the garden apartments were approved by the ZBA. Mr. Gross asked if the PZC had to approve this. Chair Seichter said the ZBA approved this for residential on the lower level. Chair Seichter said the PZC has a say on this application but as far as saying there can't be residential on the lower, garden level, this has been approved by the ZBA. Mr. Gross wondered that if he wanted to build an apartment in his basement, he would just go to ZBA and if there are two egresses and doors, get approved, charge \$1,000 a month and make a profit. Chair Seichter noted that anyone can go to the ZBA for any type of a variance, but it is up to the ZBA to make a decision.

Mr. Gross asked what the hardship that allowed the Applicant to build in the basement. Ms. Hand said what was discussed was the change in elevation and from a planning standpoint, we want to see a building on the road, but pointed out this is an existing building and is not on the road. She said having commercial on the road, in exchange for residential set far back from the road, is still consistent of what we are trying to do with these Regulations. Mr. Grew said he made the presentation to the ZBA and said the first floor in the zone was required to be non-residential and we had to decide what would be the first floor in a building which has two street fronts with walk-outs. He said the view of the ZBA was that it wasn't the street level or shouldn't be the street level that is considered commercial so the six apartments were approved on street level. Mr. Gross said he was totally confused over this.

Tim Ryan, Economic Development Commission, said this was an exciting project, noting there is a development in the Town Center that we have been working on for nearly two years. He said this is a culmination of a collaboration and corroboration and recognizing this property is unique in its own way. He said this project will enhance the center of Town and has confidence in the owner that what was presented will be built. He asked the PZC to support this project.

Lucille Casagrande asked the PZC if they worked hand in hand to get this variance approved. Chair Seichter said the PZC absolutely did not work with the ZBA. Ms. Casagrande said Ms. Hand stated these basement apartments are

being allowed to get the property developed and to work with a plan she doesn't understand, noting she has been focused on the downtown since 1986. Ms. Casagrande noted that Ms. Hand stated she was very comfortable with the lower level apartments approved. Chair Seichter noted there were no members of the PZC that took part in the discussions and meetings with the Applicant. He said the EDC had meetings with the Applicant as well with the Planning Dept. Ms. Casagrande said she shouldn't have used the word "Commission".

She said various people in the Town were willing to forego the Regulations in existence to get this project downtown, which she said wouldn't be much of a benefit. She suggested bringing commercial to the downtown to benefit the downtown; and residential to the downtown which will support certain types of businesses. She said she remains opposed to this project and if this goes forward, in the future, she will be proven correct.

Joe Mira, speaking as a resident and business person of Wallingford, said a few comments were made out of context. He said this Applicant is not being approved for residential solely in this building, it is a mixed-use property and involves commercial which happens to be in this location and the commercial property is not attached. He said the property is vacant and the Town is losing money and with the rent, people will be coming into the downtown. He said this project is a long time coming and residential property will be needed because of the amount of development now occurring. He said for the tax rolls and the vision of the downtown, this is a good project for the tax rolls.

Mr. Fitzsimmons asked about the phasing and the step-by-step process. Mr. Grew said part 1 would be the existing building. He said the Applicant will first do the final design on the conversion of the existing building to residential apartments. He said the Applicant has actively begun marketing the commercial building and once there is an increased height limit approved for this zone, the Applicant will embark on the final design for the commercial building. He said the apartments would be ready for occupancy before the commercial building was completed. Mr. Grew said the entire building will have a sprinkler system and all the mechanicals and structure will be completed, as well as the exterior and whatever floor the PZC deems forward to hold back for C.O., the central corridor, elevator and life safety systems will be completed. Mr. Grew said for the apartments held back, they may not be 100% completed. He said once the shell is in place for the commercial building, regardless of whether or not there is a tenant, the Town would be in the position to release the C.O.

Mr. Fitzsimmons asked what floor would be done first for residential if PZC approved this project. Mr. Grew said the PZC will be telling the Applicant what floor can't be 100% finished and the other floors will then be finished. Mr. Fitzsimmons said he is having a tough time with the phasing and because residential and commercial will be done separately. He said he would rather not split up the use because he is concerned the residential will be completed and there will be an empty shell of a building on Center Street. Mr. Gordon said it is the Applicant's desire to lease the building and will market it strongly because he needs this to have a complete project. Ms. Hand said a certain number of units would be granted a C.O. before anything is done with the commercial building. She asked the PZC at what point the C.O. for the last set of units would be approved. Mr. Hine said there has been a sign at the property for a few weeks and asked if anyone expressed interest.

Mr. Gordon said there have been a few inquiries. Mr. Hine said he was struck by the narrowness of the lot. He said he was having a hard time envisioning where the proposed commercial building would be put on the side where it comes out to Center Street. He said the Applicant will try to fit a two-car driveway and to the left will be the restaurant. Mr. Hine said the problem he is having with the project is that he personally believes we are trying to fit

a square peg in a round hole and is nervous that we are jumping at a project to fill a space which hasn't been filled in a while instead of being patient to see what develops in this area as time moves on. He said if we wait, he wonders if a better project would come along or another opportunity would come along as this area of the downtown develops. He said he has full faith the Applicant is proposing this in legitimate and serious fashion.

Mr. Kohan asked Ms. Hand about the C.O., asking if there was a timeframe for the Applicant. Ms. Hand said this is the purpose of the suggestion of withholding the other C.O.'s. She said she wasn't comfortable to just agreeing to not just occupying the units because this is not enforceable, but if the C.O.'s can be held indefinitely, this is the assurance the commercial building will be constructed. She noted an approval is good for five years with up to five years of extension from the PZC. Mr. Matarazzo said it is good the property is being looked at with some goal in mind for use, but noted it is a difficult property. He asked if there was any thought to add on to the existing commercial building bringing it to S. Main St. Mr. Gordon said the desire was to have something right out to the street for the streetscape. Mr. Grew said if the S. Main St. portion was added onto, there would be no parking in that area.

Mr. Grew noted this building was constructed in the early 70's and the heights are fine for residential but not for commercial. Mr. Matarazzo said upon approval, he would like to see something more aesthetically pleasing taking into consideration the public comments. Mr. Grew said a range of height between 35 ft. and 40 ft. could be proposed. He said currently the roof is at 36 ft. and noted mechanical equipment would be screened. He said if the height was increased, the Applicant would probably construct a parapet. Ms. Hand suggested 40 ft. noting the current building height is 30 ft. Chair Seichter asked how the PZC could state height up to 40 ft. Ms. Hand said this would be a statement allowing an approval if the Regulation gets approved. She said what was discussed that she could sign off as an Administrative Approval if the Regulation was changed for a higher building and the Applicant could be made to return.

Mr. Fitzsimmons said he was uncomfortable with this because this Applicant would be the first with the height change. Ms. Hand explained the Applicant would not have an approval for the taller height and if the new height gets approved, she could approve it administratively. Mr. Fitzsimmons said currently, the Applicant is applying under the current Regulations, and would not be in favor of extending the Regulations on a potential future action. Mr. Grew said the Applicant understood that if the PZC raises the height in that zone, the Applicant would come back with a modification to the permit requesting the height be raised. Chair Seichter said he believed this was the understanding when this was discussed at the first meeting. Mr. Allinson asked if all the proposed units would be 650 sq. ft. Mr. Grew said there were various sized apartments. He noted all the units are one-bedroom and range in size from 634 sq. ft., 650 sq. ft., 599 sq. ft., 625, sq.ft., 604, sq. ft., 626 sq. ft. and one unit that is 524 sq. ft. Ms. Hand said she believed the units went up to 755 sq. ft. Mr. Grew acknowledged there would be one unit at 755 sq. ft.

In answer to Mr. Allinson's question about the garden level apartment sizes, Mr. Grew said they would range in size from 634 sq. ft., 626 sq. ft. 655 sq. ft. and 569 sq. ft.

Chair Seichter said this is a challenging piece of property and is looking at the mixed-use component which is attractive for the Town. He said this property sat idle for years. He said this is not the most ideal project, but commended the Applicant in being creative and the EDC in working with them in an attempt to get this property developed. He said his issue was how many C.O.'s could be issued until the shell of the commercial building is completed. He said he understood it would be easier to have the garden level and the second floor developed first

and the main street level left vacant until the shell is developed. He said he would rather see 50% to have the six units at the garden level being occupied and the second floor the upper floor having five units completed to be occupied, which would mean three units left on the second floor and eight units on the main street level not to be occupied until the commercial building is constructed. He said this creates more incentive to have something done on the commercial building. He noted the Building Official as well as Corporation Counsel indicated this is an option that can take place as far as the 50%.

Chair Seichter entertained a motion to close the Public Hearing.

Mr. Fitzsimmons: motion to close the Public Hearing at 8:35 p.m. Mr. Kohan seconded the motion.

Vote: Unanimous

Chair Seichter entertained a motion on the application.

Mr. Fitzsimmons: based on the totality of the record, a motion to approve a Special Permit (residential use not on the first floor, reductions in the parking requirement) for J. Hall to convert the existing office building into 22 residential apartments and to construct a 5,930 sq. ft. commercial building at 50 South Main Street and 361 Center Street, as shown on plans entitled "Proposed Site Development Plans, 50 S. Main Street & 361 Center Streets, Wallingford, Connecticut", dated November 30, 2017/December 8, 2017, revised to 2.5.18 and 2.7.18, subject to the following conditions:

- 1. The two properties are to be merged.**
- 2. Designated Public Parking spaces shall be posted via signage and marked on the property; the nature of such postings/markings to be approved by the Town Planner and the Town Engineer. These spaces shall be striped in accordance with the color of public parking spaces in the Town Center area (currently green).**
- 3. The following easements/requirements for the subject property shall be posted on the Land Records:**
 - a. Easement to the public for access/travel/parking in the area of the publicly designated parking spaces as shown on final plans, and indicating the number and location of such parking spaces; such easement shall indicate that the location and/or number of these publicly designated may be modified in accordance with the Zoning Regulations and subject to approval of a Special Permit modification from the Wallingford Planning & Zoning Commission.**
 - b. Requirement that the Town may require the northwestern-most parking spot, which is to be landscaped, to be converted to a parking space as shown on the approved plans.**
 - c. Merger of the two properties which indicates that the property may not be divided in any way unless a modification of this Special Permit condition is approved by the Wallingford Planning & Zoning Commission, which approval shall be subject to, at a minimum, approval of the Wallingford Water and Sewer Division**
 - d. Requirement that, subject to compliance with the Wallingford Zoning Regulations, particularly in regard to parking requirements, the Town of Wallingford may require full paved installation of access/accesses to adjacent property/properties as shown on final approved plans and discussed at the meeting, but subject to relocation as determined by the Town of Wallingford; such construction shall be in accordance with the requirements of the Town of Wallingford and shall be the sole responsibility of the owner of the property at the time that said installation is required by the Town.**

- e. Access easements to the adjacent properties in for future accesses, in final locations to be determined by the Planning & Zoning Commission or their designee at the time that construction is required.
 - f. Easement to the public regarding access to any seating/public amenity area that is intended to be available to/usable by the general public
4. Certificates of Occupancy for the residential dwelling units shall be issued as follows: six garden units and five units on the top floor shall be issued first and any additional Certificates of Occupancy to only be issued after the shell of the commercial building on Center St. is completed.
 5. Memorandum from the Dept. of Engineering to the Planning & Zoning Commission, dated January 10, 2018, regarding "PZC App 3401-18/Special Permit/50 S. Main Street & 361 Center St."
 6. Comments from Ed Rizzo, Chief Engineer, Electric Division, dated 12/14/17.
 7. Comments from Mike Gudulski, Fire Marshal, dated/received December 15, 2017 by Planning & Zoning.
 8. Interoffice Memorandum from Erik Krueger, Sr. Engineer, Water and Sewer Divisions, to Kacie Hand, Wallingford Town Planner, dated December 21, 2017.
 9. Letter from Kacie Hand Town Planner, to John Hall, dated December 29, 2017.
 10. Comments of the Town of Wallingford Building Official dated March 7, 2018.
 11. Comments of the Town of Wallingford Water and Sewer Divisions Sr. Engineer March 2, 2018, December 31, 2017 and January 31, 2018.
 12. The Applicant shall post a bond in the amount to be determined by the Town of Wallingford Town Planner for S&E control.

Second by: Mr. Kohan

Vote: Hine –NO; Fitzsimmons – yes; Kohan – yes; Matarazzo – yes; Seichter – yes.

Application approved.

2. Zoning Text Modification/PZC Section 4.26/Town Center District (TC) - #901-18

Mr. Matarazzo read the Legal Notice and noted all correspondence into the record: Zoning Text Amendment for the Wallingford Planning & Zoning Commission to create (A) new zoning Regulations 4.26 Town Center District, that will include but not be limited to the following components: allow for mixed-use development with densities of up to 32 units per acre; allow for decreased/modified parking requirements generally consistent with parking requirements for the CA-6 zone approved in June 2016, and create new/modified building form and site layout standards appropriate to the Town Center; (B) add to 2.2 "Definitions", associated with the creation of a Town Center District; (C) make associated changes to other sections of the Zoning Regulations to remove references to the CA-6 zone and/or where appropriate to reference the Town Center zone, namely, 3.1 establishment of districts; 4.5.D.3, commercial CA; 5.1.B, schedule of lot and building requirements; 6.9. Signs and 6.12., landscaping/screening and buffer areas. The proposed Regulations are available and any questions may be directed to the Planning & Zoning Dept. at the Town Hall, 45 S. Main Street or at 203-294-2090. Proposed Regulation in its entirety is also filed at the Town Clerk's Office, 45 S. Main Street. and is posted for viewing at the Town of Wallingford website; a proposed zoning text amendment application 901-18 dated 2/26.18; Inter-Departmental Referral dated 2/14/18; Interoffice Memorandum to Kacie Hand Town Planner to Erik Krueger, Sr. Engineer, Water and Sewer Divisions, dated March 1, 2018; correspondence from John Walworth to Kacie Hand, dated March 8, 2018; correspondence from Steven

Marcarelli, dated Kacie Hand, dated March 8, 2018; letter dated March 8, 2018 to Kacie Hand, Town Planner, from Steven Marcarelli; Memorandum from Janis Small, Corporation Counsel, to Kacie Hand, Town Planner dated March 8, 2018.

Chair Seichter noted the PZC has been working on these Regulations for a long period of time, and there has been at least three to four workshops on this issue. He said one of the items given to the PZC in their packets were extensive comments by Corporation Counsel. He said some of these comments will be discussed. He said he expects comments from the public also, but stated he didn't expect action to be taken this evening on these Regulations because a few issues were raised that could be resolved in one meeting.

Ms. Hand clarified that letters and Legal Notices were sent to property owners in the proposed zone, and stated that if someone received just a copy of the Legal Notice, they are within 500 ft. of the proposed zone, and if someone also received the letter, these people are also in the proposed zone. Ms. Hand said this Regulation is something that came out of the Plan of Conservation & Development. She said the Consultant was asked to look at a section specific to our area and one of the recommendations that came out of this was to create a Town Center and a Regulation specific to the Town Center. Ms. Hand said the CA-6 zone, which is the "pseudo" Town Center currently, CA zones exist in other parts of Town, but a CA-6 zone doesn't. She said the difference is that the CA-6 has zero setbacks currently. She said some of these things are not changing.

Ms. Hand said the proposed Regulation is proposed as a brand-new section of the Regulation, whereas the CA-6 would become obsolete and there would be a Town Center Regulation. Ms. Hand said essentially what the Regulation looks to do is to further promote mixed-use development in the Town Center area that will stimulate appropriate and in-character development in the area and redevelopment, but creating mixed-use and including building form standards. Ms. Hand said there is a move in the planning field towards form-based zoning. She said this is a hybrid of both standard Euclidian zoning which is use-based and also formed-base zoning which will create options in the area for potential users, businesses and developers. Ms. Hand said this will also ensure the Town is getting the type of development appropriate for the Town Center and consistent with what is desired in the Town Center which she said was buildings close to the road, buildings close to one another to create a pedestrian-friendly street wall. She said supportive residential use may also be permitted. Ms. Hand said the residential use creates another component level and a level of vibrancy in the Town Center. Ms. Hand noted that in the Town Center, the primary focus is on commercial use. Ms. Hand said the proposed zone would currently allow residential use on upper stories, but would require a Special Permit. She said as proposed, residential use would be permitted by-right within the zone. She noted currently, there is no restriction under that Special Permit provision and no restriction on density which is on a case-by-case basis. She said the proposal would make residential use on the upper stories by-right and there would be a proposed limit to the density which would be the maximum number of dwelling units per acre. She said the minimum lot size would be 25,000 sq. ft., which is slightly over ½ acre and consistent with the downtown apartment zone. Ms. Hand pointed out that many lots in the Town Center area that are not 25,000 sq. ft. would be grandfathered in.

Ms. Hand said because the Town is encouraging larger scale development, a higher maximum density will be permitted if the 25,000 sq. ft. is met. She said this is meant to have property owners work together and combine lots, and to encourage developers to look at more cohesive, slightly larger-scale developments. She said one would still be permitted to do something on an undersized lot, which would be grandfathered in for size, providing the

other Zoning Regulations were complied with. She said for the undersized lots, the maximum would be 26-units per acre, and if it is a compliant lot at 25,000 sq. ft. as proposed, one could go up to 32 units potentially per acre.

Ms. Hand said there are some expansions and exceptions, notably, pawn shops, which have been removed including the sale of certain items related to tobacco and vaping paraphernalia. She said adult uses have also been removed. Ms. Hand said accessory uses that have come up in the past several years were added for people who want to have special events in the Town Center associated with their businesses, with controls added to them. She said this relates to Town-sponsored events, farmer's markets, mobile food vendors two times a year on private property and things of this nature. Ms. Hand said in 2017 the PZC adopted modifications to the parking requirements in the CA-6 zone which have been coopted from the CA-6 zone and incorporated into the new Town Center zone with some changes. She said the idea behind this Regulation is to acknowledge the parking needs in the Town Center are different from parking needs on Rt. 5. She said the level of parking is not needed for every building, i.e., the parking Wal-Mart has on Rt. 5 in Town Center.

Ms. Hand said this is because there is shared parking in Town Center and mixed uses so there is fluctuation in the peak demand of uses and public parking, i.e., Town-owned parking, public parking and Town-owned leased parking. She said she doesn't want to see a large amount of paving. She said the standard parking requirements around Town will be reduced, with several provisions allowing for someone to potentially reduce or address their parking requirements in another way, i.e., a fee-in-lieu of parking provision, a provision to make some parking available as public parking it would count as a greater amount, and a shared parking provision based on different peaks for different uses. She said all of this would be by Special Permit, which means the PZC would review all of these applications.

Ms. Hand said the PZC would likely say no to someone proposing to make one space available to the general public. She said the Town is trying to create co-operative parking. Regarding building form standards, Ms. Hand said some of this came from the Incentive Housing Zone which permits the Town by State law to have architectural full-blown design standards which is not normally allowed under Zoning. She said building materials can't be dictated but can regulate building forms, i.e., the location of the building on the lot, and the site design. Ms. Hand said currently there are already zero setbacks in the CA-6 zone. She noted the building would have to extend a certain portion of the width of the lot so there would be a street wall instead of gaps; there is a provision which encourages interconnections between lots and window requirements and the layout of the building on-site which include changes to the buildings and jogs in the building to discourage a blank looming street wall as well as roof requirements. She said this Regulation would allow the maximum building height to increase to 45 ft. or four stories. She said there could be four stories that go up to 45 ft. Ms. Hand said there are also some changes to the requirements for the layout of the parking and requirements specific to parking garage similar to the IHZ. She said under this, the garage would have to be behind a commercial component, with the exception would be for a corner lot on a secondary road. She said some of the landscaping and design components would have to be complied with.

Mr. Fitzsimmons said that he supports the Town Center Regulations and noted he discussed at numerous workshops his concerns regarding the parking. He said he is still not in favor of what is being proposed, but the greater Regulation is fine. He pointed out the Town has an active and engaged ZBA which waives parking requirements for all the restaurant uses downtown, it was difficult to see how someone would use the Fee in Lieu of Parking. He said he supports the bulk of the Regulations and appreciated the Corporation Counsel's advice. He said he was anxious to move forward.

Mr. Hine noted that one of the comments the Corporation Counsel made was in respect to indoor facilities. He asked the Town Planner if she planned on addressing this issue. Ms. Hand said it was up to the ZBA but noted she and Atty. Small spoke about this. She said she didn't think the Town would be getting any skating rinks, but taking out some of the less likely references probably makes sense. Mr. Hine said he didn't think he would be in favor of a skating rink coming and bowling alleys in the downtown, but the yoga studios were fine.

Chair Seichter echoed some of Mr. Fitzsimmons comments noting a lot of time was spend discussing this issue. Chair Seichter said he and Mr. Fitzsimmons have a difference when it comes to parking, noting that Mr. Fitzsimmons would like to see closer to a zero parking. Chair Seichter said what is being offered currently is a compromise. He said we do have parking lots in Town, but one of the major parking lots is on the Wooding property and is temporary. Chair Seichter said a number of parking lots in Town are in disrepair and until there is improvement in the parking lots the Town has, this zero parking doesn't seem to be a viable option. Chair Seichter said he would prefer to see the bowling alleys and skating rinks eliminated from the downtown.

PUBLIC COMMENT

Craig Fishbein, Grieb Road, said he shared concerns about the parking. He said if the PZC is disappointed in what the ZBA has done, he noted Meriden in the past has brought a lawsuit against the ZBA. Mr. Fishbein said he has shared the frustration of Regulations being developed with Carte Blanche going on elsewhere. He disagreed with the bowling alley and skating rink being eliminated noting that at Fenway Park, across the street, there is a bar with a bowling alley downstairs. He noted that the Town wanted young urban professionals to live downtown and if they have children, there is nowhere for them to play. He said we want a walkable downtown where people can do a lot of activities. He recalled the movie theater on Center Street, saying this enhanced the downtown. He asked if the Public Hearing would be continued. Chair Seichter noted there would be a continuation of the Public Hearing.

Bob Gross, Long Hill Road, asked if the map given the PZC was set in stone. Chair Seichter said the map is a separate part of the Regulation, and the PZC is looking at the Regulations now and the map will be taken up on the next agenda item. Mr. Gross asked about the 45 ft. and wondered if he was in a CA-6 zone with three properties, one small property undeveloped, could he build something 45 ft. high and did he need a size of a lot. Ms. Hand said if a property is in the CA-6 zone, any building can be built up to 45 ft. She said this was meant to be primarily commercial. Mr. Gross asked what the purpose of going so high in the downtown. Chair Seichter said this would allow for a four-story building. Mr. Gross wondered why there was a need to make Wallingford downtown more urban looking. Chair Seichter said the point was to try to encourage some development. He said one of the challenges with the properties are smaller parcels especially in the IHZ where there hasn't been a lot of activity, probably because of smaller properties. He said he envisions people acquiring one or two properties and do some development.

Mr. Gross said property could still be accumulated by constructing three-story buildings instead of four stories. Chair Seichter said it comes down to economics. Ms. Hand said the existing buildings in the Town Center area was looked at and there is a four story building. She said the design of the top story is meant to be minimized with its presence. Mr. Gross said it will still be an urban look and will still be 45 ft. high. Mr. Gross noted that allowing subterranean apartments is something and once the precedence is set, other people will ask why they can't have this. He said he hoped the Town would take the ZBA to task on some of these approvals, because they are outrageous they are being allowed. Chair Seichter noted the PZC has taken this into consideration and the PZC has issued comment

letters regarding some of the applications going to the ZBA with concerns. He said with most of them, it has been to no avail.

Lucille Casagrande, asked the PZC what their ultimate vision was for the downtown. She wondered if it this worked economically, or did the PZC have a larger vision of what the downtown should be and what our sense of community in the downtown should be. She noted Mr. Gross asked the PZC if he could construct a building between two houses 45 ft. tall and the answer was yes. She asked if the PZC was trying to stuff in as much as possible because you think that we are going to rent to people who come to the downtown and say this place is ugly and don't want to live here. She said she hoped something would be done with the way the downtown looks as opposed to how many people live there. Ms. Casagrande asked if the PZC had to go to these extremes to make this ultimately viable. She said 45 ft. was too much. She said the PZC should think about the ultimate goal and noted she didn't want to see 45 ft. buildings in the downtown and be a hodgepodge of buildings, some 30 ft. high and some 45 ft. high. She said she didn't want to see a bunch of little skyscrapers and asked the PZC to consider this.

Michael Glidden, 90 Northford Road, said the PZC's approach to Euclidian zoning isn't visioning what the community wants or what is good for the community. He said the PZC should be looking at a form-based code which places emphasis on the public realm. He said the PZC is no longer having the conversation of uses, but looking at façade treatment and where the public is. Mr. Glidden pointed out the City of Hartford has a form-based code and just eliminated parking standards within their Regulations. He noted there has been no cry or stymieing of development in Hartford. He suggested Wallingford scrapping the parking Regulations and let the market dictate the intensity of the use and what uses should co-habitat with each other.

Mr. Glidden said there is no regulating plan. He asked if the Corporation Counsel reviewed the waiver provisions for the parking Regulations. He said in CT, there is a recent court case which states Planning & Zoning Commissions cannot issue waivers, and this is only a power granted statutorily to the Zoning Board of Appeals. Mr. Glidden said this is a technical issue that should be reviewed by the Corporation Counsel. He said the way to get around this is master planning, getting into form-based code or larger approach, not what is being done tonight. Mr. Glidden noted on the Section regarding signage, and asked if this was a new Section in the Regulation or if an existing one was being deleted. Chair Seichter noted this wasn't a new section. He said he believed Atty. Small has indicated over time that the PZC needed to look at our Regulations concerning signs in general throughout the Town. Ms. Hand explained this is an existing provision that is remaining, but as a result of a U.S. Supreme Court case, the entire sign Regulation section needs to be revisited.

Mr. Glidden suggested this be removed, noting the U.S. Supreme Court stated that zoning regulations cannot create classes based upon usage in the sign Regulations and pointed out there is another flaw. He said he hoped the Town Attorneys have looked at this and consider removing it. Mr. Glidden noted that Wallingford's Town Center is envied by many and try to artificially replicate it, i.e. Blueback Square. He said Wallingford lacks creativity and the vision to look forward, and noted that currently Southington, North Haven, Berlin, Hamden and Meriden are experiencing Grand List growth that Wallingford isn't seeing and said we can't afford to be in second place. Mr. Glidden said during his tenure on the ZBA, he stressed the fact of asking for hardships. He told the PZC to look at the ZBA logs and appeal a decision.

Ms. Hand noted that Atty. Small reviewed the entire section and the provisions in the Regulations are not waiver provisions and have specific conditions which were deemed acceptable by Atty. Small.

Joe Mira, EDC, commended the PZC on trying to take action to improve the downtown area. He said he has heard for years about improving the downtown. He said there has been public input and the PZC has come up with a real plan that encourages economic growth. He pointed out society's trend that point to people wanting to live downtown. He said the mixture of buildings will give us commercial, residential and a community and Wallingford will have the best of both worlds. He said the past will be married to the future and there will be economic growth.

Debbie Gross, Long Hill Road, commended Mr. Glidden for his effort on talking about form based code. She said she agreed with Mr. Glidden who advocates looking at things past and in the future, based on the look at what fits instead of making hasty decision and his comments should be taken to heart.

Milton Gregory Grew, 241 Main Street, Woodbury, licensed building official, said in item 16, under 4.26B(16), regarding the requirement that only handicap accessory units can be located on the ground floor, noted that there are State Statutes which state that Municipalities cannot have regulations in Town which supersede the State Building Code. He said in most cases, ground floor units would wind up being accessible, but there are three levels of accessibility in the State Code. He said he didn't understand what the reason would be to have this and not let this be the building code. He said the Building Official should determine what is accessible and what isn't. Mr. Grew spoke about the Federal Fair Housing Act, which sets the standard on where accessibility is required, except where there is a building of less than four units.

Ms. Hand noted that there is no requirement to have handicap accessible units on the first floor, it just that they would potentially be allowed on the first floor where no other residential units would be. She said this isn't an attempt to dictate or override the State, but in order to have handicap accessible units on the upper floor, there must be elevators. Ms. Hand spoke about the energy efficiency component. She said this is an attempt to remind Applicants that the Town is looking for sustainable and energy efficiency components which the Statute allows the Town to do. She said this could be removed if it were problematic to people. Ms. Hand said these are intended to be hybrid Regulations between form-based and Euclidian zoning.

Bob Gross, Long Hill Road, asked what handicap accessible mean. Ms. Hand said the apartment would have to be handicap accessible for ADA compliance. Mr. Gross said to him this means the people just have to have accessibility to the apartment. Ms. Hand said this should be reviewed by the Building Official. Mr. Gross said this is just to enter the apartment, the people would be responsible for what goes on inside the apartment. Ms. Hand said under the ADA requirements, the entire apartment would have to comply. She noted if ADA didn't require this to be done, it wouldn't have to be done.

Milton Gregory Grew noted the ADA doesn't address residential just the building code and noted there is no such term anymore as handicap accessible it should be accessible for disabled persons. He said there are three types of accessible units in the building code: the accessible unit, the Type A and Type B unit. He said to tread carefully stating that certain units have to handicap accessible because this may be going beyond Federal requirements. He said one finds accessible units in hotels which would be to a higher level. He said the Town may be opening up Pandora's box on these ground-floor units labeling them handicap accessible. Ms. Hand asked Mr. Grew if he had a better language suggestion. Mr. Grew said suggested leaving this alone and state there has to be four units and the Federal Regulation will take over.

Bob Gross, Long Hill Road, suggested the PZC take one step back and do a workshop considering the comments of Mr. Glidden. Chair Seichter said this is one of the things the PZC was discussion amongst them. He said the Public

Hearing will be continued to April and to have another workshop on this, prior to the next Public Hearing. He noted a four-story building would be appropriate in certain areas in the downtown.

Vin DiNatale, 8 Taylor Lane, asked about the parking and managing a parking lot with a mixed-use development versus reserving.

Ms. Hand said the idea of reducing the parking requirements is based upon the idea that other parking is available on a first-come-first-served as permitted availability and didn't see how further this could go realistically. She said limiting hours for some of these public spaces is also an option. Chair Seichter said the general opinion of the PZC that another workshop on this be scheduled and continue the Public Hearing.

Motion by Mr. Fitzsimmons to continue the Public Hearing on the Zoning Text Modification/PZC Section 4.26/ Town Center District (TC), to the May 14, 2018.

Mr. Kohan: Second

Vote: Unanimous

Workshop scheduled for April 30 at 7 p.m.

3. Zoning Map Amendment/PZC/Town Center (TC) - **#902-18**

Mr. Matarazzo read Legal Notice and noted all correspondence for the record: Application for change to the official zoning map dated 2/20/18; proposed Town Center (TC) Zoning District Map; Inter-Departmental Referral dated Feb. 14, 2018, signed by the Fire Marshal; Letter from Adam Mantresis to Kacie Costello, Town Planner, dated 3/6/18; Correspondence from Bob Gross to Kacie Costello, Town Planner, dated March 6, 2018.

Chair Seichter said no action will be taken on the map this evening and this will be discussed at the next workshop.

Ms. Hand provided an overview. She showed the proposed location of the actual zone if it were approved and the proposed zone boundaries, noting the majority in the existing CA-6 zone with some proposed extensions. Ms. Hand the when the POCD update was done, it was Town Center boundary zones were discussed. She said part of this was based upon the public outreach, survey, and the visual survey at Celebrate Wallingford along with the posted survey. She said the Electric Division boundaries for their electric rate reduction for the Town Center areas were also reviewed. She said the PZC decided to incorporate all of these components into the proposed zone.

Ms. Hand said some members of the public contacted her expressing concern about their properties that were proposed to be added into the zone. She said the only areas where one is looking at houses is within those areas (CLB zone the limited business district), and is one or two properties deep. Ms. Hand said she believes the Regulation envisions a larger more cohesive development and a more commercial oriented development. She said the CLB was created to allow for multi-family or office within the existing building providing it maintains the residential character. She said the intention is for this CLB to be a buffer between the residential zone and the fringes. Ms. Hand pointed out the property on Academy St. and the two properties on N. Main and Academy St. which are currently in the CLB zone and are proposed to be moved to the CA-6 zone. She said this is a natural place to end this boundary. She recommended reverting back to the original CA-6 line.

Ms. Hand pointed out the area along S. Colony Street, (Quinnipiac, South Colony, Stella's Pizza Plaza, the Portuguese Club and 65 S. Colony). She said the owner of the plaza has raised a concern regarding the parking reduction which is based on the idea there is other public parking available and shared options. She said there have been issues with these properties regarding adjacent clients of other buildings using their parking. She noted the Parking Regulations don't and can't allow someone to park on someone else's private property. She said this raises the question, is this area appropriate to be incorporated into the Town Center zone where parking requirements are being reduced.

Ms. Hand noted that across the street, there is parking on Prince Street, but across the street there is parking but necessitates walking.

PUBLIC COMMENT

Robert Blanchard, 39 Curtis Avenue, noted his family has property on S. Orchard St. and the map shows the entire cemetery as well as the block of houses into this map. He said he didn't understand the rationale of including this property, noting the entire block area is residential. Ms. Hand said that area was not intended to be included on the map, just the cemetery area and should be removed.

Mr. Fitzsimmons: Motion to continue this Public Hearing for the Zoning Map Amendment/PZC/Town Center (TC) to the May 14, 2018 PZC meeting.

Mr. Kohan: Second

Vote: Unanimous

OLD BUSINESS

4. Site Plan (construction of loading area & associated site changes)/Ferti Management Corp./ 155 East Street - #201-18 - TABLED

NEW BUSINESS

5. Site Plan (2 retail buildings, Tractor Supply)/NERP Holding & Acquisitions Co./801 North Colony & 6 Beaumont Roads - #203-18

Mr. Matarazzo noted all correspondence into the record: Application #203-18, dated 1/24/18 signed by the Fire Marshal; Sanitary Sewer Extension Profile Map/legend, no date with another section of map with no date; additional section of map stamped "Tractor Supply Co." with no date; Correspondence dated March 1, 2018; #203-18 dated 1/24/18 signed by Erin O'Hare, Environmental Planner; Interoffice Memorandum to Kacie Hand, Town Planner, from Erik Krueger, Sr. Engineer, Water & Sewer Divisions, dated March 1, 2018; Correspondence to Kacie Hand Town Planner, received Jan. 24, 2018; Letter from James Cassidy, Hallisey, Pearson & Cassidy, to Kacie Hand, Town Planner, received Jan. 24, 2018; Statement of Use received Jan. 24, 2018 for the Proposed Tractor Supply Co. and Proposed 7,225 sq. ft. Retail Building located at 801 N. Colony Rd & 6 Beaumont Rd; Packet referencing Traffic Impact Assessment and a Set of Plans received March 7, 2018.

Chair Seichter said the plan has yet to receive Inland Wetland & Watercourses Commission approval, so the PZC cannot act on this plan. Chair Seichter said normally, the PZC doesn't discuss an application prior to IWWC approval.

He said Ms. Hand noted there are several items the Applicant would like to discuss to get the PZC's feel on the application. He asked the Applicant not to get into any depth, but focus on the items needed to be discussed.

Appearing in front of the PZC was Atty. Dennis Ceneviva, Ceneviva Law Firm; Jim Cassidy, Project Engineer and Kevin Solley, Traffic Engineer.

Atty. Ceneviva noted this application has been revised in its submission and was originally supposed to include two buildings on two parcels, 801 N. Colony Rd. & 6 Beaumont Rd. Atty. Ceneviva said the plans have been revised to be just the one Tractor Supply Building. He said the parcels are 4.37 acres in combined size. The proposal is to construct a 19,097 sq. ft. Tractor Supply store with 81 parking spaces, including a truck delivery area and a 15,000 sq. ft. fenced outdoor sales area to the rear of the building. Mr. Cassidy went over the site plan. He noted the parcel at 801 N. Colony Rd is presently used as an auto repair facility storage yard, and the other parcel has a 3,500 sq. ft. building out front and was used as a service station with the back portion of the property used as a contractor's yard. Mr. Cassidy pointed out a watercourse off to the north, near the Walmart Plaza. He said the Applicant is seeking to develop the property with one building. He said the original application was for two buildings. He said this would be a new retail store known as Tractor Supply which caters to "gentlemen" farmers or people who have a large piece of property. He said Tractor Supply sells, tractor implements, lawnmowers, splitters, equestrian supplies, clothing, apparel, animal food, hardware and small tools.

Mr. Cassidy said the Applicant was originally looking to have a 7,200 sq. ft. store with an unknown tenant and was causing issues, so this was removed from the application. He pointed out a gray area to the north on the site plan, which he labeled a display area, with a footprint of 15,000 sq. ft. with an eight-foot high chain link fence to store tractor implements and tractors and plows and corralling for fence, hay and wood pellets. He said there would also be a 1,000 propane dispensing unit on the pad. He said to access the site, there will be a driveway approximately 200 ft. from the intersection of N. Colony up Beaumont Rd. up to the site. He said this driveway will provide access to the main parking lot. Mr. Cassidy said the parking area has 73 parking spaces. He said there will be a second driveway at the easterly end of the property to access the rear of the building for delivery vehicles. He said there will also be a large paved area to allow the delivery vehicles to turn around. Mr. Cassidy said there will also be an additional eight parking spaces to be utilized as employee parking for a total of 81 parking spaces. He noted Regulations allow for 76.4 spaces.

Mr. Cassidy said there will be a seasonal sidewalk display area in front of the building where log splitters, lawnmowers and snow blowers will be displayed. He said to the north, there will be a permanent trailer display. He showed aerial shots of other Tractor Supply Stores, i.e., Guilford and Vernon CT. Mr. Cassidy went over site circulation. He pointed out three elongated angle spaces on the site plan and explained to accommodate larger vehicles and vehicles with trailers. Mr. Cassidy said the building will be one-story and the front will be 125.4 ft. wide. He said galvanized corrugated steel siding will be used with a pop out gable on the front of the building and two awnings over the front walk-in area.

Mr. Cassidy went over some of the concerns by Town Staff. He noted the front parking area grade which was requested to be lower, so as to not to bring in as much fill. Mr. Cassidy pointed out the topography which drops off which forms a ravine between the Applicant's property and the AT&T line. He said he cannot achieve a 2:1 slope in this area and suggesting installing a 1.5 to 1 rip-rap slope. He noted the Regulations call for a 2:1 slope. He said if this 1.5 to 1 rip-rap slope is not allowed, a small section of a retaining wall will have to be installed. He addressed Dept.

of Engineering's comments regarding the interconnection between the two parking areas. Mr. Cassidy explained there are two separate parking areas. He said the back area is for unloading and loading product and to allow customers to come through. He said to get to the other parking lot, one would have to come out to the road. Mr. Cassidy said it was recommended that a drive aisle be installed to the north side of the area, pushing the building closer to the property line. He said the issue is there is a tractor display area for a tractor trailer or larger vehicle to maneuver. He said this is a totally and separate area for loading and unloading. He said if there ever was another user in the future that was higher and intense use, the concrete pad could be converted to an additional parking area with a drive-aisle through it, to make the interconnection, which would increase the parking to an extra 30 spaces.

Ms. Hand said she commented about the storm water basin in front and her concern that this is very deep and filled with stone with no protection. She said there is one storm water basin on Beaumont Rd. across from the pool which is similar. She asked the Applicant to agree the basin cannot be stone and has to be landscaped and consider safety measures or if it would be possible to make the storm water basin more shallow. She said the Applicant discussed the possibility of installing railings in the vicinity of the parking spaces.

Mr. Cassidy said a guiderail has been incorporated along the edge of the parking area but could be extended across the face of the basin. He said the basin cannot be made shallow because of the outlet control and a minimal slope from the outlet to the basin. He said the Applicant has proposed landscaping instead of stone on the basin. Ms. Hand pointed out some of the street trees are located between the basin and the road, so the guardrail on the side would be acceptable.

Chair Seichter said this would work for the PZC. Ms. Hand said she agreed with the comments regarding the parking lot interconnection. She said one of the concerns is the large swath of pavement behind the Tractor Supply Co. She said she spoke with the Town Engineer and it is understood large vehicles need to turn around in this area.

Mr. Fitzsimmons said he visited the site on Saturday and said he was always in favor on an interconnection and noted this is an internal connection. He said whether it is Home Depot or Lowes, the entire parcel can be driven around and said he would rather see these parcels interconnect. He noted the photo of the Guilford Tractor Supply shows one lot.

Mr. Kohan said his thought on the parking area to the right was for trailers. He suggested signage stating truck access only. The Applicant agreed. Mr. Kohan said this would work for him, rather than the interconnection. Mr. Matarazzo said this was adequate as it is. Chair Seichter said the general consensus from the PZC is by labeling the truck access only and indicating the parking spaces were for employees only, would be acceptable for the PZC.

Ms. Hand spoke about the retaining wall. She noted Regulation is the 2:1 and the Regulations don't allow for another option. She said the grading could be looked at or a retaining wall installed. She said the Town Engineer didn't have an objection to the retaining wall. She said the alternative would be for the Applicant to seek a variance. Mr. Cassidy said the other item was the new traffic study because the original study included the 7,200 sq. ft. building which was eliminated. Chair Seichter said the study was just received and was not reviewed by the PZC.

PUBLIC COMMENT

Jim Mira, EDC, said this project involved 18 months of work and have an opportunity to have a strong retail brand to come to the Rt. 5 retail corridor. He said the EDC supports the application and will be a vast improvement to the area.

Chair Seichter entertained a motion to continue this application to the April PZC meeting.

Mr. Fitzsimmons: Motion to continue Site Plan application submitted by NERP Holding & Acquisition Co. to the Regular PZC April meeting.

Mr. Kohan: Second

Vote: Unanimous

EXTENSIONS

6. Special Permit/Old North Colony Properties, LLC/12 Old Colony Rd - **#404-09**

Ms. Hand said this was a Special Permit from 2009 for filling and material storage the Applicant is seeking a one-year extension to April 9, 2019. She said she had no objections.

Motion: A motion by Mr. Fitzsimmons to approve the extension as recommended by the Town Planner.

Mr. Kohan: Second

Vote: Unanimous

RECOMMENDATION FOR ROAD ACCEPTANCE

7. Portion of Docker Drive servicing the Knollwood Place Subdivision - **#103-08**

Ms. Hand said this was not ready for road acceptance.

8-24

8. Water Main replacement/Water & Sewer Divisions/Ward Street, South Orchard & South Whittlesey Avenue

Ms. Hand said this was for water main improvements.

Mr. Fitzsimmons: Motion to recommend to the Town Council, the water main replacements submitted by the Water & Sewer Divisions

Mr. Kohan: Second

Vote: Unanimous

BOND RELEASES & REDUCTIONS

9. Site Plan/M. Rocha(Dunkin Donuts)/682 South Colony Road - **#239-15**

Ms. Hand said this was not ready

10. Subdivision/ Timberwood Homes/530 Church Street, Yalesville - #101-16

Ms. Hand said there is a recommended reduction to \$39,400 and Engineering approves.

Mr. Fitzsimmons: Motion to approve bond reduction to \$39,400 as recommended by the Town Planner and Town Engineer

Mr. Kohan: Second

Vote: Unanimous

DISCUSSION

11. Subdivision/DiNatale/605 N. Elm Street - #101-17

Ms. Hand said the PZC recently approved this subdivision, but the Applicant now wants to modify the lot lines. She said this would normally be considered a lot-line revision, and it wouldn't require an approval, but because this was a recently approved sub-division, Ms. Hand said she believed the PZC should have some eyes on it before any action was taken. She said the Applicant is moving the basin which originally was on one lot to another lot. She said she and the Town Engineer reviewed this and the Applicant was required to change the easement and maintenance references. She said everything complies.

Mr. Fitzsimmons: Motion to approve the changes and revisions to the subdivision to revision existing lot 4 and lot 5 lot lines as submitted on the plans.

Mr. Kohan: Second

Vote: Unanimous

ELECTION OF OFFICERS – TABLED

REPORTS OF OFFICERS AND STAFF

13. ZBA decisions of February 20, 2018

Ms. Hand noted the ZBA denied both applications which were a large garage/motor home storage type buildings. She said there may be a new application at some point.

14. ZBA Notice for March 19, 2018

Ms. Hand said there is an application for a porch variance.

15. Zoning Enforcement Log

Ms. Hand told Mr. Fitzsimmons she talked to the Law Dept. and has a report which she will send out. She said the two pending cases are the Bristol-Myers case regarding the Regulation change which is awaiting a decision and the other is the winery Regulations, where a decision is being awaited. She said in reviewing the referrals to the Law Dept. , both are back in our court.

16. 2017 Annual Report

Ms. Hand said there were a few corrections made from last month. Chair Seichter noted some typos and wording he believed needed changes on the Report.

Mr. Fitzsimmons: Motion to approve the 2017 Annual Report as amended.

Mr. Kohan: Second

Vote: Unanimous

ADJOURNMENT

Mr. Fitzsimmons made a motion to adjourn the Meeting at 10:50 p.m. Mr. Kohan seconded the motion which passed unanimously.

Respectfully submitted,

Cynthia A. Kleist

Recording Secretary

ADJOURNMENT

Mr. Fitzsimmons made a motion to adjourn the Meeting at 10:50 p.m. Mr. Kohan seconded the motion which passed unanimously.

Respectfully submitted

Cynthia A. Kleist