

DRAFT
Wallingford Planning & Zoning Commission
Wednesday, December 9, 2019
Robert F. Parisi Council Chambers
Town Hall – 45 South Main Street
MINUTES

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

Pledge of Allegiance was recited by all.

Roll Call: Present: Steven Allinson, James Fitzsimmons, Regular Member; Alternate; Jamie Hine, Alternate; Jeff Kohan, Regular Member; Rocco Matarazzo, Secretary; JP Venoit, Vice Chair; Jim Seichter, Chairman.

Staff: Kacie Hand, Town Planner

Absent: Armand Menard, Alternate

Approval of Minutes – November 13, 2019

Mr. Venoit: Motion to accept the minutes of the November 13, 2019 meeting as submitted.

Mr. Kohan: Second

Mr. Fitzsimmons: Abstain

Vote: Unanimous

Chairman Seichter noted that the following applications will not be heard at the request of the applicant.

Special Permit (distribution operation & office)/Benchmark Land Development, LLC/988 East Center Street #411-19 Applicant requested to be carried over to the January meeting.

Special Permit (warehouse & distribution center)/J. Dewey (on behalf of BL Companies)/ 425 South Cherry Street #414-19 No action is requested).

OLD BUSINESS

3. Site Plan (addition to existing Dunkin' Donuts)/M. Rocha/682 South Colony Road #227-19

Ms. Hand reported that we have not received revised plans and they are out of statutory time. We did not receive the formal withdrawal, so she recommended denying the application. They can resubmit if they choose.

Mr. Venoit: Motion to deny Site Plan #227-19 (addition to existing Dunkin' Donuts)/M. Rocha/682 South Colony Road due to lack of required documentation.

Mr. Fitzsimmons: Second

Vote: Allinson – yes; Fitzsimmons – yes; Kohan – yes; Hine – yes; Matarazzo – yes; Venoit – yes; Chair Seichter – yes

Special Permit #227-19 denied.

NEW BUSINESS

4. Site Plan (site improvements/TLB Architecture, LLC/739 North Main Street Ext. (Community Pool Park) #237-19

Commissioner Matarazzo noted all correspondence pertaining to this application for the record. Correspondence from Michelle Bjorkman, Supt. Of Recreation to Town Planner, dated November 21, 2019; Letter to the Town Planner from Jon Walworth, Volunteer to the Pool Committee dated November 26, 2019; correspondence dated November 27, 2019 from Town Planner to TLB Architecture referencing Site Plan Application #237-19; Interoffice Memorandum dated December 5, 2019 from Erik Krueger, Senior Engineer, Water and Sewer Division to Town Planner; Memorandum dated December 6, 2019 from Rob Baltramaitis, Department of Engineering to Planning and Zoning Commission; Memorandum dated December 6, 2019, from Erin O'Hare, Environmental Planning to Town Planner; correspondence dated December 4, 2019 to Town Planner from Mike Fortuna; attached set of plans and an additional set of plans dated December 4, 2019.

Mike Savinelli, Vice Chair of Park & Rec Commission and Chairman of the Pool Committee, introduced Mike Fortuna, Principle of TLB Architecture. Mr. Fortuna gave an overview. He explained that the plan is to remove the existing pool completely (45,000 sq ft) along with the bathhouse and filter plant building by the street. The proposal is for a new 8000sq ft swimming pool, bathhouse, splash pad, sand volleyball, activity lawn, shade pavilion, playground and reorganized parking. The passive walkway on the original plan will be removed at the request of the inland wetlands. The pool has a 4 lane lap pool, a water slide, volleyball and basketball. The proposed building is a little smaller than the existing bathhouse building with two sides and a portion in the middle. There is an entry point with a shade canopy. The central portion houses two individual changing rooms and the lifeguard area, so in shoulder seasons when the pool is closed but the splash pad open you can close the main locker rooms and still have toilet facilities.

Gary Guimond, of Richter & Cegan Landscape Architects explained the site plan. He stated that there would be a 40 ft front yard, 30 foot side yards and rear yards. The parking lot was reconfigured to get 116 spaces including handicapped spaces adjacent to the bathhouse and playground and the entrance uses the current curb cut. There is parking in the turnaround loop at the end which is sized to accommodate emergency vehicles and busses can turn. There is a pull off space for food trucks. He noted that the improvements are all outside the green belt line. He explained the planting plan, which includes retaining some of the mature trees. He reported that there are more than the required setbacks for the building. The reconfigured parking lot is pulled away from the steep slope below the cemetery and they added a retaining wall.

Jon Walworth, former traffic engineer, summarized the traffic analysis. He stated that there is no ITE substantive information on municipal pools. He described how they developed a trip generation study for the current facility, evaluated data provided by Park & Rec for 2014, 2016, 2017, 2018 and part of 2019, including the swim program busses and staff. They added 16% to anticipate an increase in use through 2040. They determined the peak hours and concluded that there would be 88 peak trips using

private vehicles between 1 and 2pm on weekdays and the estimated use of the parking lot was 85%. So they would be well below the 100 maximum trips mandated in the zoning regulations.

Mr. Kohan asked if they looked at comparable traffic data from other town pools. Mr. Walworth reported that they found no other town collected the data they needed on municipal pools.

Mr. Kohan asked for clarification of the 16% increase that was added to the formula. Mr. Walworth stated that it was to account for expected increased use. Mr. Fortuna added that it also includes an expected bump in tag sales or memberships and a bump in actual attendance. Mr. Kohan asked if the other amenities would increase traffic. Mr. Walworth noted that people using the other amenities, such as the sand volleyball or picnic area were not likely to be there during the peak hours of 1 – 2pm on weekdays. So, based on the peak hours of use, he was confident with the maximum of 88 vehicles.

Mr. Fitzsimmons complimented the design and asked about the number of parking places. Mr. Fortuna indicated that they currently have 98 spaces including two handicapped and the new facility will have 116 including 5 handicapped. Mr. Fitzsimmons asked if bus parking is included. Mr. Fortuna replied that busses don't stay after drop off and the loop in the back of the parking lot is for the busses to turn around. This gets the busses off of the street. Parents would drop off in the front of the building.

Mr. Fitzsimmons asked how many food trucks they are planning for. Kenny Michaels, Director of Parks and Rec replied that zoning regulations affect the food trucks, and how many consecutive days they can be there. He stated that they may apply for a variance at a future date. Ms. Hand noted that the restrictions are because it is a residential zone and the limitation is the on the number of days any particular trucks can be there. Mr. Fitzsimmons asked if they would be continuing the snack bar. Mr. Michaels confirmed that for the future they are only doing food trucks.

Mr. Fitzsimmons asked for clarification of the season for the pool. Mr. Savinelli explained that it is from Mid-June to Mid-August but there is a potential for the season to be extended depending on weather. Mr. Fitzsimmons asked if the hours could be extended. Mr. Fortuna replied that the lights they are using are not for night swimming. Mr. Fitzsimmons asked if the pool was for town use only and Mr. Savinelli replied as of right now yes. Mr. Fitzsimmons asked if the facility would be available for rental. Mr. Michaels replied that they currently do rent the shade structures and would continue to do so.

Mr. Hine asked if the identified peak traffic hours were in any way due to busses. Mr. Walworth replied that he observed a larger group of people coming after lunch and the people already there stayed. The Busses and instructors came at 2:30pm. Mr. Hine asked how weekend use affected traffic. Mr. Walworth replied that weekend traffic doesn't show the same numbers as the peak hours that they found during the week. It was mentioned that there is a fully actuated signal for pedestrians and that with more parking on the grounds there should be less pedestrian traffic.

Mr. Seichter asked what the impact would be on the traffic study if non-residents were allowed. Mr. Seichter suggested making a condition of approval that the pool is for residents only. If there is a decision to allow non-residents, they would have to come back with a modified plan.

Ms. Hand noted that program decisions do affect traffic. She noted that even if they hit the 100 cars during peak hour trips, there is already a controlled light. She noted that the Town Engineer was not anticipating problems from a traffic study. She noted that since they are calling this a site plan and not a special permit based on the trip generation being under the peak 100 trips, she noted that they are not far under the 100 trips. Ms. Hand stated that it is appropriate for the Commission to understand how the programming works and that if they ever allow non-residents to get tags, they'd have to come back to the Planning and Zoning Commission. Mr. Savinelli stated that they are comfortable with that.

Ms. Hand explained how she recommended to the applicants that they submit a site plan application instead of the special permit because the use is existing in a residential zone and programming doesn't significantly affect what's happening there. The commission needs to formally make that determination.

Mr. Kohan stated that he looked at the regulations and can see how it could be a special permit due to the size and intensity of the proposed use. He stated he wouldn't have an issue if it's not a special permit. He asked if it would make a difference in the design of the pool. He was concerned with the proposed size. It is a tremendous reduction and a reduction of lap lanes. This was discussed at Town Council, where the developers were asked for a plan with additional lap lanes as well as the potential cost. He asked if that had been done. Since this is a site plan, he asked if we could deny the application if we don't think the pool is large enough. Ms. Hand stated that she didn't see how the Planning and Zoning can say the pool is too small, special permit or not.

Chairman Seichter stated he had no disagreement to proceeding with the Site Plan vs. a special permit.

Ms. Hand stated that the majority of her comments were addressed with a few minor details to be ironed out, but they have no bearing on the commission decision. She asked that her comments be a condition of approval. She noted two things that were left out of her comments. One was brought up by the Environmental Planner, that she suggests be an additional condition of approval. A dewatering plan needs to be developed due to the high water table. She spoke to the Town Engineer and it is typically done as part of the bid process down the line, so the Commission doesn't usually have a lot of involvement in the dewatering plans. Her recommended condition is that the dewatering plan is to be designed by a professional engineer and reviewed and approved by town staff, including the engineering department, the environmental planner and planning and zoning staff and then reviewed as part of pre-construction meeting. This is all standard but it didn't come up until later in the process.

Ms. Hand noted a second new condition for a storm water management plan. She thinks it's there but just needs to be re-titled and referenced on the site plan.

Chairman Seichter asked if we need to see a new plan since the walking path has been eliminated. Ms. Hand stated that, if the commission approves, then the remaining conditions are ironed out with all the boards and then a final plan would be submitted. This Commission can include that condition if they want to.

Chairman Seichter opened the hearing for public comment.

Chris Shortell, of 18 Casella Drive, stated that he is a big supporter of the project. He stated that lap lanes were discussed at Council but no motion was made. He asked if the Council made a motion to add funds for two extra lap lanes, what would that mean to the process? Chairman Seichter replied that it would depend on if it changed the size of the pool. Whether there are lap lanes or not within the pool is not as important as the size of the pool. Ms Hand replied that if nothing about the site design itself changed, they wouldn't have to come back. If it necessitated a change to the site designs, the pool gets a little bit bigger, that would necessitate an approval. If it were minor, it could be handled administratively. Mr. Savinelli replied on behalf of the committee that they did studies on the lap lanes and found that, based on utilization, there was no evidence that more lanes were needed. Mr. Shortell stated that more lanes would allow for swim meets as well as allowing the use of the lane area for regular pool use. Mr. Shortell then asked what the effect would be if the Town Council wanted to add lights for night use. Chairman Seichter replied its possible handle that administratively. Ms Hand noted that there is the physical change and then the programming change. So if the programming significantly changed and impacted traffic generation, as Swim meets would, it could trigger a special permit. If the impact is not significant, a minor physical change, it could be handled administratively. Mr Fortuna noted that if they want to add night swim lights, would need higher poles, which would be against the regulations. Mr. Shortell asked what size pool would blow up the plan. Mr. Seichter replied that the Commission is considering the plan as presented. If it changes, they need to come back to Commission. If change increases activity at pool, the commission needs to look at. Change in pool design would change the plan. Ms. Hand commented that this just means they would have to come back to Commission, but it would not necessarily be a deal breaker. Mr. Savinelli noted that the current pool is not fully utilized. He reported that they have done a lot of research and believe the pool size is adequate. The splash pad will divert some people from the pool.

Mr. Shortell plan includes all the options on the plan being considered, including splash pad, sand volleyball, etc. Mr. Shortell noted that there were options for the splash pad to include additional elements. How would that decision affect the plan? Chairman Seichter replied that the splash pad on the plan doesn't indicate the number of elements. Mr. Savinelli noted that the committee has not made a decision on the details of the splash pad yet, just the number of elements.

Mr. Shortell stated he was concerned that usage of the pool before 2012 was higher. He acknowledged that a lot of that was out of town usage. He noted that he is concerned that enhancing property, which will attract more traffic. Mr. Shortell asked for a list of comparable pools to look at in the state. Mr. Fortuna agreed to provide a list of the pools they have done in Connecticut.

Joe Dahl, 9 Dell Court, stated that he has lived in the neighborhood next to the pool all his life. He stated his concerned about the lighting. His house is about 25 – 30 feet above the pool and the light poles are 30 feet high, so when the leaves are off the trees the lights are in your face. Mr. Dahl shared photos. Mr. Fortuna replied that the old light poles are being replaced with 14 foot poles with the light

directed down. They will be placed near the building entrances and exits and in the parking lot. The new lighting will be well below the current light level.

Mr. Dahl asked why no concessions within the new buildings. Mr. Savinelli replied that they reviewed this topic with the committee and the Mayor and decided they didn't want to get into the food business.

Mr. Dahl asked about plans for use of the volleyball court and pavilions after the pool closes. Mr. Savinelli replied that they are going to have a shoulder season depending on weather conditions. The playground and volleyball courts may be open earlier or stay open later than the pool itself. The pool area is closed in winter and closes at dusk.

Mr. Hine asked if the facility will be built all at the same time or phased in. Mr. Savinelli replied that the Town Council asked that it be built all at the same time.

Mr. Hine asked for clarification that our role is not to determine the right size of the pool but to make sure the plan meets regulations. Ms. Hand concurred that compliance with zoning regulations is our concern and whether the use is compatible with what's already there.

Mr. Fitzsimmons asked for clarification on the shoulder season. Mr. Savinelli replied that they expect the splash pad and everything but the pool to potentially be open from May to October depending on weather.

Mr. Venoit: Motion to approve Site Plan (site improvements)/ TLB Architecture LLC , 739 Main Street Ext. (Community Pool Park) #237-19. Site plan for an existing Special Permit use for TLB Architecture, to allow modifications to the existing public pool facility, including but not limited to: reduction in existing pool size (reconstruction); construction of a splash pad, activity lawn, sand volleyball court, and playscape; construction of new bath house buildings, picnic pavilion, and shade structure; and associated parking, site, and drainage improvements; as shown on plans entitled "Wallingford Community Pool Park, 739 Main Street Ext, Wallingford, CT 06492", dated 11/05/2019 and supplemental sheets revised to 12/02/19 and 12/03/19, subject to:

- 1. Interoffice Memorandum from Erik Krueger, Senior Engineer – Water and Sewer Divisions, dated December 5, 2019**
- 2. Compliance with all comments in the letter from Kacie Hand, Town Planner, to TLB Architecture, LLC, dated November 27, 2019**
- 3. Dewatering plan to be designed by a professional engineer and reviewed and approved by Town staff, including the Engineering Department, Environmental Planner, and Planning and Zoning staff. Dewatering to be reviewed as part of pre-construction meeting.**
- 4. Stormwater management plan to be properly titled and submitted as separate document; reference to compliance with Stormwater Management Plan to be added directly to final plans.**
- 5. Non-town resident use would need to come back to planning and zoning.**
- 6. Elimination of the walking path in wetlands to be included in final plans.**

Mr. Fitzsimmons: Second

Vote: Allinson – yes; Fitzsimmons – yes; Kohan – yes; Hine – yes; Matarazzo – yes; Venoit – yes; Chair Seichter – yes

Site Plan #237-19 approved

BOND RELEASES AND REDUCTIONS

Ms. Hand reported both were ready to be released.

Mr. Venoit: Motion to release the bonds for:

5. Sunwood Development/9 South Street

6. Sunwood Development/44 West Street

Mr. Fitzsimmons: Second

Vote: Unanimous

REPORTS OF OFFICERS AND STAFF

7. Administrative Approvals

- a. Change of Use/Affinio/71 North Turnpike Road, Suite 4

8. 2020 Meeting Schedule for PZC

Ms. Hand noted that the date of the March meeting changed.

Mr. Venoit: Motion to accept the 2020 Meeting Schedule for Planning and Zoning.

Mr. Fitzsimmons: Second

Vote: Unanimous

9. ZBA Decisions of November 25, 2019.

Ms. Hand reported a garage with prior variances had an application to build a house above it that was denied. She noted there is no ZBA meeting in December because they did not receive any applications.

Upcoming Meetings

Ms. Hand distributed the current Town Center Regulations that need to be clarified. Included are proposed modifications to wording to make it more user-friendly. There is very little change to the intent. She noted a question raised by property owners in the zone regarding the use of office space. This was the only thing that became more restrictive in that zone, restricting office use to 2nd floor or the rear of buildings. There have been a lot of internal discussions about this. Ms Hand recommended scheduling a workshop to include this item over the next few months. Chairman Seichter agreed.

Ms. Hand reported that she will have the IX/IV and watershed language ready for the next meeting. She recommended a workshop for that as well. She also noted that the letters with the outcomes of the fall Aquifer Protection District inspections will be ready for the next meeting. It might be appropriate to hold a meeting as the Aquifer Protection Agency, which would allow you to review those reports and ask questions. If the Commission is interested, not all of the sitting P&Z Commissioners have participated as Aquifer Protection Agency members before, it might be a good time to review or have a discussion of

what the charge is and what is done during the inspections. Several of the locations need to submit re-registrations. This is really an administrative process based on the statute. Ms. Hand recommended having a discussion about what it is before she sends the reports to the Commission. She recommends convening the Aquifer Protection Agency immediately after the January P&Z meeting. Mr. Kohan reported that he was unable to attend an inspection due to a legal issue. He recommended using that meeting to review the legal jurisdiction of the Commission. He thanked Ms. Hand for the information she provided. Chairman Seichter asked for a workshop in January to discuss the text amendments to the Town Center regulations as well as to continue our discussion on adding additional uses to the IV/IX zone. Ms. Hand agreed to send a poll to find a good date.

Mr. Venoit: Motion to add the Aquifer Protection Agency discussion to the January Planning and Zoning Meeting.

Mr. Fitzsimmons: Second

Vote: Unanimous

Ms. Hand clarified that the Commission would be acting as a separate agency for that discussion, so it's technically a separate meeting and will be posted as such.

10. Zoning Enforcement Log

Ms. Hand provided an update on the cemetery. She reported that she had a productive meeting with Public Works Director/Town Engineer and the Town Attorney. Preliminary plans have been drawn up to address the two design issues causing the site violations, the drainage issue and slope of the driveway. They are making progress toward addressing those issues. They also discussed the easements that need to be provided between the two properties. So there is significant forward motion toward compliance.

Chairman Seichter asked if we could see what action can be taken on Cheap Auto Rental since it's back to where it was before, if not worse. Ms. Hand reported that she has been working with the Assistant Town Attorney and agreed to re-raise the issue. Chairman Seichter also suggested looking at North Colony Auto Repair, which is also overcrowded with cars, to see what action can be taken. Ms. Hand is aware and agreed to look into it. Ms. Hand announced that Amy Torre started this week as the full time Zoning Enforcement Officer, which should help cover issues like this.

Mr Kohan announced that Thursday the Regional Planning Meeting will discuss Meriden's POCD and planning the January dinner. He is acting chairperson and will try to have the dinner in Wallingford. He is inviting as speaker a subject matter expert on Transit Oriented Development. The meeting is open to commission members.

Mr. Venoit: Motion to Adjourn the December 9th Planning and Zoning meeting at 8:30pm.

Mr. Fitzsimmons: Second

Vote: Unanimous

Respectfully submitted
Cheryl-Ann Tubby

Recording Secretary