

Wallingford Planning & Zoning Commission
Monday, July 13, 2020
Remote Meeting
MINUTES

Chairman Seichter called the meeting to order at approximately 7:05 p.m.

Pledge of Allegiance was recited by all.

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

Staff: Kacie Hand, Town Planner; Tom Talbot, Planner.

Absent: Armand Menard, Alternate.

Chairman Seichter explained how the meeting would be conducted in the remote environment.

Approval of Minutes – June 8, 2020

Commissioner Venoit: Motion to accept the minutes of the June 8, 2020 meeting as submitted, seconded by Commissioner Fitzsimmons: Second

Vote: Unanimous

Chairman Seichter noted that the following applications will not be heard this evening.

5. Site Plan (Multi/Family Conversion)/W. Ulbrich/71 Curtis Avenue. No action

8. Site Plan/D.T. Warren Family Trust/809 North Main Street Ext.No action.

PUBLIC HEARING

#1 Zoning Text Amendment/§4.24 Rental Housing Opportunity District/Sunwood Dev. #502-20

Commissioner Matarazzo noted all new correspondence pertaining to this application for the record. Inter-Departmental Referral dated May 11, 2020, from the Town Engineer; Correspondence dated June 29, 2020, from Tom Talbot, Planner to Sunwood Development Corp.; Memorandum dated May 14, 2020, from Alison Kapushinski, Town Engineer to Tom Talbot, Planner; application for zoning regulation change dated March 27, 2020.

Bob Wiedenman, Jr. of Sunwood Development reported that he had mailed the public hearing notice to all abutting properties last week as required. This included all the residents in the Towers. There are two changes to the current RHOD zone one being Section 2.1 referring to the maximum size of the parcel and raising it from 3.5 acres to 4 acres. They are in the process of acquiring abutting property which would add about a half-acre to this project. The second section to be modified is Section D6d referring to the setback requirements. These are currently for 30 foot rear yard setback. They are requesting a reduction to 20 feet, but only in the areas where the property abuts other open space or another multifamily community, in this case, the Towers condominium property.

Mrs. Hand reminded the Commission that the regulation change is not specific to this project or this property. She noted that she had no objections to the proposal and stated that it is consistent with the intent of the regulation. She reminded the Commission that these changes would apply to any application that might use this regulation, although this regulation is unlikely to get used in many other locations.

Chairman Seichter invited public comment, but hearing none asked for a motion to close the public hearing.

Commissioner Venoit: Motion to close the public hearing for application #502-20 Zoning Text Amendment/§4.24 Rental Housing Opportunity District/Sunwood Development.

Commissioner Fitzsimmons: Second

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

Commissioner Venoit: Motion to approve application #502-20 a Zoning Text Amendment for Sunwood Development Corp. to amend §4.24.D.1 and §4.24.D.6.C Rental Housing Opportunity District (RHOD) of the Wallingford Zoning Commission to increase the maximum plot size permitted and to reduce the rear yard requirements on certain portions of a site as submitted for 320 effective 7-17-20 because it fits within the character of the zoning reg.

Commissioner Fitzsimmons: Second

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

#2 Zoning Map Amendment (R-18 to RHOD)/Sunwood Dev/52 Woodhouse Avenue #503-20

Commissioner Matarazzo noted all new correspondence pertaining to this application for the record. Inter-Departmental Referral dated June 5, 2020, from the Fire Marshal; correspondence dated June 29, 2020, from Tom Talbot, Planner to Sunwood Development Corp; application for a change of the official zoning map dated June 5, 2020.

Bob Wiedenman, Jr. of Sunwood Development shared a map that showed the piece of property they are asking to be included in the zone as well as the current property that is zoned RHOD. He explained that they received a variance for a lot line revision to incorporate a portion of #52 into their overall parcel. This increases the property from approximately 3 acres to 3.5 acres. This made for a more practical way of developing the site with the sewer line that runs parallel with the eastern side of the property.

Mrs. Hand asked for verification that the required notices were sent. Mr. Wiedenman confirmed yes for both the zoning amendment and the map change.

Sue Borzenski, 100 Woodhouse Ave, Wallingford, asked via the chat field for an explanation of the expansion and stated that she did not receive the mailing. Ms. Borzenski indicated that she wanted to know what was happening on the property. Mr. Wiedenman explained where the property is and that the notice was sent to everyone with property within 500 feet of the property. He checked his mailing list and found her name. Chairman Seichter asked if there was any verification of receipt required. Mr. Wiedenman reported that due to the pandemic receipts were not required. Tom Talbot confirmed that

it needs to be posted on the town website or sent by regular mail is acceptable and due to an Executive Order, no signature is required. If it was sent by regular mail, it meets the requirement. Mr. Talbot noted that he has a copy of the list the mailing went to. Mrs. Hand asked if the time frame still applies and Mr. Talbot indicated he didn't know. Mr. Wiedenman stated that the time frames did not change. There was an Executive Order in January or February on this because of the concern with hand delivery and visiting the post office. Mrs. Hand agreed that the applicant met the requirement for mailing

Commissioner Venoit: Motion to close the public hearing for application 503-20 a Zoning Map Amendment (R-18 to RHOD)/Sunwood Dev/52 Woodhouse Avenue

Commissioner Fitzsimmons: Second

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

Commissioner Venoit: Motion to approve application 503-20 a Zoning Map Amendment to the official zoning map of the Town of Wallingford for Sunwood Dev from R-18 (single-family residential) to RHOD (Rental Housing Opportunity District) for a .5 acre parcel located on the eastern portion of the property located at 52 Woodhouse Avenue as shown on the map entitled Property and Topography Survey lot line revision land of Mario R and Stella Moutinho of 52-56 Woodhouse Avenue Wallingford, CT dated 1/16/20, effective date 7/17/20 because it fits within the character of the zoning regulations.

Commissioner Fitzsimmons: Second

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

#3 Special Permit/TC Realty, LLC/122 Center Street #405-20

Commissioner Matarazzo noted all new correspondence pertaining to this application for the record. Inter-Departmental Referral dated May 18, 2020, from Fire Marshal; correspondence dated June 16, 2020, from Tom Talbot, Planner, to Angelo and Catherine Casablanca Irrevocable Trust dba TC Realty, LLC; Inter-Departmental Referral dated May 18, 2020, from Fire Marshal; correspondence dated June 24, 2020, from Steven Lazarus, Lazarus & Sargeant to Thomas Talbot, Planner; Memorandum dated June 30, 2020, from Department of Engineering to Planning and Zoning Commission; Correspondence dated July 8, 2020, from Steven Lazarus, Lazarus & Sargeant to Thomas Talbot, Planner; Site Plan dated 7/9/20 for Apartment Conversion, 122-128 Center Street, Wallingford, CT; Interoffice Memorandum dated July 9, 2020, from Erik Krueger, Senior Engineer to Tom Talbot, Planner.

Steve Lazarus of Lazarus & Sargeant of Wallingford presented for Anthony Capobianco. The property is above Wallingford Lamp & Shade and The Hubcap. It is currently vacant and technically currently office use. The use of second-floor space in the downtown area for residents is a very desirable use and the owner decided that that would be the best use for his property. Because the new Town Center Regulations require a change of use when there is a change from any use to residential. It also requires the entire site to be brought into compliance with the current parking regulations. There are elaborate formulas for ways that those parking regulations might be reduced. The property is a test for how well the new regulations can be applied to an existing very difficult and very tight situation. The parking requirements drive this project. By regulation, 15.7 spaces are required, and right now there legitimately isn't a single designated parking space on the property. He stated that the Town records

indicate there are two or three spaces, but it is a poorly defined space. They looked at the reduction in parking requirement regulation. Because there will be mixed uses in the buildings, there's a reduction of 2.5 spaces because of shared mixed-use. They also took advantage of a bicycle rack reduction and designating one for public use. Lastly, they would like to take advantage of the designated downtown parking improvement fund fee in lieu of spaces, since they are still short 8 spaces. This leaves 4 spaces which are the minimum for the residences, which are two 2-bedroom apartments. He explained how they got the spaces. In order to improve the approach to parking, they are working in collaboration with the adjacent site, which has the same owner. There will be an access easement through adjoining corner property. They have also suggested that the property on the corner have the access lanes changed to one way to make parking work. There are two 1,200 sq ft, 2-bedroom apartments. They will not disturb the windows on the front. Façade was restored by WCI. It's a beautiful building and there will be no change to the front of the building. All changes will be in the back. The entrance to one or both apartments will be in back so it will be cleaned up.

Chairman Seichter asked for more information on the fee in lieu of parking spaces. Mrs. Hand replied that she is meeting with the Town Attorney on this issue. Mrs. Hand asked for the drive aisle dimensions. The dimensions are more like 20 on the one way in but vary with the property line on the way out. This is an existing condition and it works pretty well. Mrs. Hand asked about the northeastern most space and the corner. Mr. Lazarus indicated that it is probably a little more than 12 feet. Mrs. Hand stated that she is glad to hear of the easement from the corner property but stated that they may need a cross easement. Mr. Lazarus replied that they welcome a condition that the easement arrangement is acceptable to the town's Legal Department. Mr. Talbot noted that the regulations state the fee in lieu of parking spaces is \$2,000 per space.

Chairman Seichter asked about parking spaces 1, 3 & 4, and the dumpster. Mr. Lazarus replied that spaces impervious pavers so no change in stormwater distribution on the site. He also noted that the dumpster will be completely fenced in, at least on three sides as it's against the building. Chairman Seichter noted that parking space #1 and the dumpster needs approval from the Electric Division. He asked for clarification that other than the four parking spaces, there are no other improvements to the parking lot at this time. Mr. Lazarus replied that it is likely to happen sooner rather than later as the property owner anxious to improve the combined parking area.

Mrs. Hand asked about space #4 and the ability to back out safely. Mr. Lazarus agreed that every spot requires careful driving but #4 can back up for 50 feet. Mrs. Hand noted that the space that is to be available for the public is part of the new regulations and is part of the special permit. The Commission has discretion over whether or not to allow that and what happens in exchange for making that space. There is sort of a bonus towards the parking for making that space publicly available which was to encourage provision for public parking spaces that can be used for people going to multiple sites. Typically one space is not enough. In this case, it is adjacent to other parking spaces that in the future could be made part of a larger public parking area. She asked how the parking space will be designated. Mr. Lazarus okay with signage and striping. Welcomes a condition that the designation of that parking space needs to be acceptable to the planning office.

Chairman Seichter complimented Mr. Lazarus on taking full advantage of the new Town Center regulations to make the project work.

Commissioner Venoit: Motion to close the public hearing for application 405-20, Special Permit for TC Realty, LLC to permit two second-floor apartments in an existing structure at 122 Center Street zoned Town Center District.

Commissioner Fitzsimmons: Second

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

Commissioner Venoit: Motion to approve application 405-20, a Special Permit for TC Realty, LLC to permit two second-floor apartments in an existing structure at 122 Center Street as shown on plans entitled Apartment Conversion 122 to 128 Center Street, Wallingford, CT dated 4/30/20 revised to July 8, 2020, subject to the following conditions:

- 1. Comments from Thomas Talbot, Planner to TC Realty LLC, dated 6/16/20 as applicable**
- 2. Comments and recommended conditions of approval and interoffice memorandum from Erik Krueger, Senior Engineer, Water & Sewer Divisions to Thomas Talbot, Planner updated 7/9/20**
- 3. Comments of Allison Kapushinski, Town Engineer to Planning and Zoning, dated 6/30/20**
- 4. Comments from Fire Marshal dated 6/10/20**
- 5. Final plans will have impervious pavers where represented**
- 6. The dumpster will be screened**
- 7. Designation of parking spots and appropriate signage to be acceptable by the Planning Department**
- 8. Recommendation of the cross easements to be approved by the Planning Department**

Commissioner Fitzsimmons: Second

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

NEW BUSINESS

4. Site Plan/Sunwood Development/52 and 88 Woodhouse Avenue #204-20

Commissioner Matarazzo noted all new correspondence pertaining to this application for the record. Correspondence dated June 29, 2020, from Tom Talbot, Planner to Sunwood Development Corp.; Interoffice Memorandum dated July 8, 2020, from Erik Krueger, Senior Engineer, Water & Sewer Divisions to Tom Talbot, Planner; correspondence dated April 16, 2020, from Paul Mozzicato, CT Department of Transportation to Christopher Juliano, Juliano Associates, LLC; Memorandum dated May 27, 2020, from Alison Kapushinski, Town Engineer to Inland Wetlands and Watercourses Commission; Memorandum dated April 17, 2020, from Alison Kapushinski, Town Engineer to Christopher Juliano, Juliano Associates; correspondence dated July 9, 2020, from Alison Kapushinski, Town Engineer to Kacie Hand, Town Planner; Site Layout Plan Proposed Residential Development Land of Fairway Apartments LLC #88 Woodhouse Avenue, Wallingford, CT.

Mr. Talbot read into the record a letter dated July 7, 2020, to Tom Talbot, Planner from Bob Wiedenman. This is a series of responses to Mr. Talbot's earlier correspondence with Mr. Wiedenman. Mr. Talbot read the letter. "Comment 1, no variance information will be added to the plans. Comment

Number 2, no response necessary. Comment number 3, plans will be revised to show signs and conformance with sign regulations noted. Comment 3, Lighting will be provided throughout the community by way of lighting mounted on each building. Lighting for the parking lot in the southeast corner will be provided by light poles shown on the revised plan. These lights will comply with Section 6.26 of the zoning regulations. Comment 3c, recreation areas are provided in the rear of each building. Notes will be added to plans showing the location of these areas. Comment 3d, if requested by the Commission, we can discuss the snow surge areas expected to be utilized. Comment 3e, refuse area is located for section b12 of the RHOD regulations. Comment 3f and g, zoning tables will be revised as requested. Comment 3h, there is no access easement in favor of 52 Woodhouse Avenue but they retain their rights to use their existing driveway and no rights are lost as a result of our development. Comment 3i, additional landscaping will be provided at the north end of the parking area as requested. Comment 3j, affordability plan rent calculations will be updated at the time the townhouses are offered for rent. This information is provided to help explain how rental rates are determined. Comment 3k, parking is provided per the RHOD parking regulations as revised and also provides additional parking for 90 Woodhouse Avenue, as it has been historically. Please let me know if you need additional information or clarifications for any of our responses.

Bob Wiedenman, Jr. of Sunwood Development shared the landscape plan with parking, buildings, driveways, grass, and landscaping. The project has an affordability component under 830G and the proposal is for 36 units. This is similar to what was previously approved without the additional half-acre of land. The density is down from the previously approved single apartment building. It was located behind a gas station. The property is split into 4 townhouse-style buildings of 36 units with 11 of them affordable. There will be 32 two-bedroom and 4 three-bedroom units. He stated that the site plan meets all the requirements of the now revised regulations. He reported that he submitted the application to the CT DOT who reviewed it and approved with minor modifications. The requested changes have already been incorporated in the plan that the Commission has. Parking was intentionally located between the buildings to try to give it a visual buffer and hid it from view from the abutting property owners and also from the streets. He reported that there was a question about 90 Woodhouse Avenue, located to the south of the parking area. The properties were owned by a single family, there was, historically, use of 5 parking spaces in the old driveway that went back to the commercial building that's currently on the site. They had an easement to provide 5 parking spaces for that property. He stated that they have added 4 spaces to stay within the requirements and to comply with the parking requirements of the parking regulations as well as comply with the easement. Mr. Wiedenman explained how additional landscaping was added at the northern end of the property as requested. As a clarification, he stated that on 52-56 Moutinho property has 4 or 5 spaces and a driveway with a two-car garage serving a three-family house. They have historically use the access driveway which was at one time a paper street. Sunwood Development has agreed to maintain the driveway and allow its continued use. Mr. Wiedenman stated that per the regulations the affordable and market-rate units will be identical on the interior and exterior. The affordable units are dispersed and not consolidated. He pointed out the planned affordable units with three in building A, 4 in building B which includes one three-bedroom unit and four in building D. He noted that if these were for sale certain units would be deemed as affordable. In this case, his interpretation, as long as they maintain 30% and keep them dispersed, don't need a specific assignment of affordable units. So if a tenant no longer qualifies for the affordable unit, they can stay in the unit. This allows that particular household to stay in the property.

The next available unit would become an affordable unit. So the affordable units may change location, but they will maintain the number.

Mrs. Hand agreed with his interpretation and asked for verification that there are no affordable units in building C. Mr. Wiedenman confirmed and stated that it is because those units are elevated and have parking underneath. But if the next available unit for affordable is in building C, it would be used as affordable

Mr. Wiedenman reviewed the site lighting and stated that all the units have front porches with reset down lighting that would be full cut off and comply with regulations. He pointed out some pole lighting in the lot in the South East Corner with full cut off. Details will be provided. He stated that the light does not intrude on adjoining properties. Mr. Wiedenman noted that one requirement is that at least 1500 sq ft of land be available for passive recreation. He explained that they are well in excess with close to 20 or 30,000 square feet. He noted that the green space behind the units is common space not private backyards for the units.

Chairman Seichter asked if there is a time period for the affordability. Mr. Wiedenman replied there has been no change from the original plan which had a 50 year affordability period. He noted that this is in excess of the 830G requirement. Chairman Seichter asked for a brief overview of the affordability plan. Mr. Wiedenman explained that the original proposal was for a single 3 story building with 36 units. A single-family house was also on the property that has been torn down. The originally proposed affordability component was similar. The biggest difference is that the units are larger. One change was that a private for-profit company was managing the affordable units. Sunwood Development is working on an agreement with the Wallingford Housing Authority, who manages other 830G properties. He will provide that agreement when it is finalized. If it doesn't work out, they will find another suitable 3rd party to oversee the plan compliance. He noted that there are calculations dated from 2013 that were not updated because the units won't be available for rent until 2021. He stated that the figures will be updated but the same formulas will be used to calculate the maximum rent at both the 60 and 80 percent levels. Chairman Seichter clarified that the date doesn't drive the income numbers. Mr. Wiedenman agreed, stating that the regulations call for the Median income amount based on the day the lease is signed. That's how it's written in the affordability plan. It's a HUD calculation, not something we create. 10 of the affordable units will be 2-bedroom and one 3-bedroom.

Mr. Talbot noted that most of his comments were addressed. He asked about the designated common space and stated that he is uncertain if it complies with the spirit of the original RHOD regulation. The regulation mentions a specific area and includes the language of picnic tables, benches, etc. The Commission needs to determine what they want to see. Mr. Talbot asked about lighting referred to in the plan for the southwest lot as 'typical'. There were no details on the lighting in the plan. He noted that the final plan needs to clearly show the five parking spaces dedicated to 90 Woodhouse Ave. Mr. Wiedenman replied that the recreation areas are big enough for picnic tables, benches, etc. and that they could provide some. There is more than enough green space. As for lighting, he agreed to provide details on the pole lights in the southwest lot. Regarding the five spaces for 90 Woodhouse, he explained that the easement referenced 5 spaces in the previous site plan. He noted that the southwest

lot will probably be for overflow parking, so doesn't expect a problem. He agreed to work with the property owner to assign specific spaces and modify the easement to accommodate that.

Commissioner Fitzsimmons asked what the target market is for the units. Mr. Wiedenman replied that the market is people dissatisfied with apartment living. They expect young professionals, working-age and some families, but there is no particular market. Commissioner Fitzsimmons noted a concern about sufficient parking. He thought with the southwest lot would be used more often than predicted. He noted 4 handicapped stalls with one in the southwest lot serving 90 Woodhouse. He stated that this is a better plan than the one approved in 2014 but is not certain there is enough parking. Mr. Wiedenman replied that there are now two handicapped spaces in front of building C and none in the southwest lot. He noted that the building with garages has the space in front of the garage door even though it can't be counted. Commissioner Fitzsimmons asked if there are two parallel spaces on the northern driveway. Mr. Wiedenman replied that there are now three, with one in front of the mailboxes. Commissioner Fitzsimmons asked where the snow shelf is. Mr. Wiedenman indicated that it has not been designated yet but he pointed out areas that could be used. Commissioner Fitzsimmons asked if the final plan could include a designated snow shelf. Mr. Wiedenman agreed. Commissioner Fitzsimmons stated that he'd like to see the 1500 sq ft recreation area designated for passive recreation. Chairman Seichter agreed. Mr. Wiedenman indicated the most appropriate area and agreed to add benches and tables and shade trees.

Commissioner Kohan stated that he liked the plan for the recreation area and believes the proposed parking is fine. He asked for more information on the 5 parking spaces for 90 Woodhouse and if it was part of a purchase years ago. Mr. Wiedenman replied that there is nothing that shows the easement. Both properties were owned by the same family and parking was always allowed. The agreement was formalized when the apartment building proposal was done. He stated that they will designate the five spaces in the southwest lot and leave one space for snow. He explained that they usually designate one space per unit and the remaining are visitors/overflow, so they will probably just number these five spaces.

Mrs. Hand stated that she agreed with Mr. Talbot's comments for the conditions and pointed out that there is an increase in the number of bedrooms from the apartment proposal. That is what impacts the parking requirements. She indicated that she had no concerns with parking. She noted that the recreation space designation should be one of the conditions. She noted that the affordability plan suggests a condition that the final affordability plan, including that the designated oversight entity be approved and deemed compliant by the Town Planner before the first certificate of occupancy is issued. She also stated that the DOT approval should be a condition. She asked if the engineering comments can be addressed and would like to see these comments be made a condition. She stated that this is an improved project. She noted that the view from the street was an issue before. She asked what the back of the buildings will look like. Mr. Wiedenman stated that the total of bedrooms is 76. He replied that landscaping will break up the back of the buildings. He noted that they are two-story buildings without basements so the buildings can be a little lower. He stated that they will be improving the fencing that is currently behind the gas station. He agreed that they need to be creative to make the back of the buildings attractive. Mrs. Hand suggested the written responses from Mr. Wiedenman be made a condition.

Chairman Seichter noted that building B has 12-foot arborvitae and suggested the same for Building D. Mr. Wiedenman stated that the fence will be replaced with a vinyl or wood 6 ft fence and he agreed that tall plantings would be added. Chairman Seichter referred to the July 9, 2020 memo from the Town Engineer regarding the easement for the proposed drive for Moutinho and asked if it was addressed. Mr. Wiedenman replied that he understood that this is not a formal easement. Because this was a paper street, all the properties had certain rights. When the property deed was deeded to the prior owner the rights were not extinguished. He stated that there is no intent to take away these rights. They will now improve and maintain the driveway. Chairman Seichter asked Mrs. Hand if she concurred with the lack of need for an easement?. Mrs. Hand stated that it is more of a legal question. She stated that we will accept as long as there is some sort of legal perpetual right to access. Christopher Juliano of Juliano Associates replied that the deeds go back to Katherine Street and Edward Street that were never built. The rights were deeded to various parties subject to the use by any abutting property owner. Those who have frontage on that road, or access, continue to have access. The deed continues to be subject to the rights of others to use these paper streets for access. This is similar to the neighbor on the eastern side, who has access on Captain Street down to Florence. That landlocked property has the right to continue to use and build a driveway to get to Florence Street. We cannot extinguish those rights. To satisfy the Town Engineer, we can create an easement for the property at 52 to legitimize the access. Their right to access is in our deed. Mr. Wiedenman stated he'd be happy to do that. Chairman Seichter mentioned the communication from DOT dated April 16, 2020. He suggested making those comments a condition even though Mr. Wiedenman claims addressed.

Mr. Talbot suggested adding a requirement that the affordable units be shown on the final site plan; add parking for 90 Woodhouse to be clearly designated on final site plan; lighting details to be shown on the plan; provision for snow shelves on the final plan; the provision of a 1500 sq ft common open space as discussed; Town Planner's conditions regarding final affordability plan to be approved by the planning office prior to the issuance of a Certificate of Occupancy; include the written responses from Mr. Wiedenman to Mr. Talbot's comments dated July 7, 2020; creation of a formal easement for 52 Woodhouse as discussed; and include the comments for DOT dated April 16, 2020, concerning access onto Woodhouse Avenue.

Commissioner Venoit: Motion to approve application 204-20 site plan for Sunwood Development to construct 36 dwelling units in four buildings on 3.19 acres at 88 and portions of 52 Woodhouse Avenue as shown on plans entitled Site Layout Plan Proposed Residential Development, Land of Fairway Apartments LLC, 88 Woodhouse Avenue, Wallingford CT, dated 3/23/20 revised t 7/10/20 subject to the following conditions:

- 1. Letter from Thomas Talbot, Planner, to Sunwood Development, dated 6-29-20 as applicable**
- 2. Comments and recommended conditions of approval in Inter-office memorandum from Erik Krueger, Senior Engineer, Water & Sewer Division to Thomas Talbot, Planner, dated 7/8/20.**
- 3. Comments from Allison Kapushinski, Town Engineer, to Inland Wetlands and Watercourse Commission dated 4/17/20 and 5/27/20**
- 4. Sediment and Erosion Control Bond to be set by Town Planner and posted before the commencement of work**
- 5. Final plan with a snow shelf shown on plans**

6. **Comments as represented from Robert Wiedenman in the memo to Thomas Talbot, Planner, updated 7/7/20**
7. **Final DOT approval**
8. **Plantings to be included behind building D for screening**
9. **Final plans to show a representation of affordable units on plan**
10. **Final plan to include designated parking spaces for 90 Woodhouse**
11. **Final plans representing 1500 sq ft open space on plans**
12. **A formal easement for parking at 50 Woodhouse Ave**
13. **Lighting details to be shown on the plans**
14. **The final affordability plan should be verified and approved by the Town Planner before issuance of the certificate of occupancy.**

Commissioner Fitzsimmons: Second

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

6. Site Plan/V. DiNatale/382 Center Street #208-20

Commissioner Matarazzo noted all new correspondence pertaining to this application for the record. Correspondence dated June 29, 2020, from Tom Talbot, Planner to Vincenzo DiNatale; Memorandum dated June 30, 2020, from Department of Engineering to Planning and Zoning Commission; Interoffice Memorandum dated July 2, 2020, from Erik Krueger, Senior Engineer, Water & Sewer Division to Tom Talbot, Planner; Property & Topographic Survey, Land of DiNatale Realty LLC, #382-#384 Center Street, #8 & #10 Wallace Avenue, Town of Wallingford, CT

Steven Lazarus of Lazarus & Sargeant presented with Vincenzo DiNatale, of 8 Taylor Lane, Wallingford, the property owner. Mr. Lazarus explained that the site plan is based on the concept to reduce the degree of non-conformity on this site. This has been a long path to find an acceptable way forward. The record for the property is a 1 bedroom and 2 bedroom residence. The proposal is to make it two townhouses. To reduce the nonconformity, they will reduce the footprint from 1,320 sq ft to just over 1,000 sq ft. A lot of effort has been put into making this a nicer place to live. The 1st floor will be recessed and raised several steps above the sidewalk to make it more private. The impact on the site is limited. It is a very tight site. There are currently two parking spaces. They have created a small area for a dumpster and a small lawn. The windows and orientation are toward Wallace Street, not toward the parking space behind. There are no windows on the back because of building code requirements for when building on a property line and respect for fire separations. Mr. DiNatale stated that the addition lawn area matches what was developed on the northern side of the property.

Mrs. Hand referred to the Town Engineer's comments such as the backing up into the Town Right of Way and dumpster access. Mr. DiNatale replied that the paved area on the plan already exists. They looked at reconfiguring parking. The total property is less than .1 acre. The site now uses a paved area for parking and the dumpster. Moving the dumpster would compromise the lawn area. Mrs. Hand asked if the paved area is a driveway or parking. Mr. DiNatale replied that plan presented is an A2 survey by a licensed land surveyor. The residential units are currently vacant and there's no parking there. The fence between the properties has been removed and the hope was for an arrangement with the adjoining properties but it didn't happen. There are no easements. It is not a driveway, it is parking

for that property. There is no relationship with any of the adjoining properties. Mr. Lazarus noted that Wallace Avenue is more a parking access lane and not really treated as a street, so backing out into the street is not a problem in this neighborhood. Mrs. Hand noted that the Commission will have to determine if that is a pre-existing condition and we know that there is no formal access. She stated that this is a reminder that when we write regulations we need to bear in mind that representations being made at the time for specific properties might not be what we actually end up have come before us. We did write regulations designed for what we'd like to see happen in the Town Center that was not based on any particular property.

Mr. Talbot stated that the Commission has to make a determination whether the proposed location of the dumpster complies with zoning regulations regardless of any other considerations. He noted the engineering comments from June 30th on the extension of the sidewalk across the driveway/parking area. The Town Engineer is concerned. It looks more like a pull through to get back behind 357. If it's going to be turned into a driveway, you need to extend the sidewalk across the front of this existing property.

Chairman Seichter asked how the dumpster is accessed if there is parking in front of it. Mr. DiNatale stated that whether the sidewalk is raised or lowered, they are agreeable with whatever the Commission wants. They expect low-frequency use of the dumpster with designated pick up times. The alternative is to move it to the lawn area or use canisters that move. This way it is out of sight and screened. Chairman Seichter asked for information on the fencing around property lines and the dumpster. Mr. DiNatale replied that it would be vinyl and consistent with the adjacent property, as well as covering all four sides of the dumpster. He noted that he is aware of issues with refuse companies damaging gates.

Commissioner Fitzsimmons noted the June 30 memo and asked if the staff is in favor of the driveway apron and heavy-duty concrete sidewalk. Mr. Talbot and Mrs. Hand replied yes if it is becoming parking spaces. Commissioner Fitzsimmons stated the applicant is making a good effort to provide parking. It's not ideal but he supports the driveway apron and concrete sidewalk. He supports engineering and P&Z effort for driveway apron and heavy-duty concrete sidewalk.

Commissioner Kohan echoed Commissioner Fitzsimmons's comments and stated that he supports the application.

Commissioner Matarazzo stated that he supports the application. He also suggested replacing the dumpster with the bins that are brought to the curb manually. He supports the parking apron and sidewalk.

Chairman Seichter agreed with the recommendation for bins instead of the dumpster as it eliminates the problem of broken gates and access to the dumpster. Mr. DiNatale agreed. Chairman Seichter indicated they would still need the vinyl fencing. Mr. DiNatale agreed that there would still be a corral for the bins.

Commissioner Venoit: Motion to approve application #208-20 Site Plan DiNatale 382 Center Street Site Plan for Vincenzo DiNatale to construct approximately 2,000 sq ft two-story, two-unit apartment building on 0.09 acres at 382 Center Street as shown on plans entitled Land of DiNatale Realty, LLC, 382-384 Center Street, 8 & 10 Wallace Ave, Town of Wallingford dated 5/20/20 subject to the following conditions:

1. **Comments from Thomas Talbot, Planner to Vincenzo DiNatale dated 6/29/20 as applicable**
2. **Comments and recommended condition of approval in Interoffice Memorandum from Erik Krueger, Senior Engineer, Water & Sewer Divisions, to Thomas Talbot, Planner, dated 7/7/20**
3. **Comments of Allison Kapushinski, Town Engineer to Planning and Zoning Office dated 7/2/20**
4. **Sediment and Erosion Control bond of \$1,000 to be posted before the commencement of work**
5. **Maintain screening for trash receptacles which will be roll-out totes.**
6. **Install driveway apron and a heavy-duty concrete sidewalk per Town standards to take place at the crosswalk in the sidewalk ramps as noted**

Commissioner Fitzsimmons: Second

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

#7. Site Plan (Accessory Apartment)/R. Doolittle/4 Mellor Road #209-20

Commissioner Matarazzo noted all new correspondence pertaining to this application for the record. Inter-Department Referral dated June 2, 2020, from Fire Marshal; Interoffice Memorandum dated July 9, 2020, from Erik Krueger, Senior Engineer, Water & Sewer Division to Tom Talbot, Planner; photos of property; Apartment Floor Plan Doolittle Accessory Apartment 4 Mellor Road, Wallingford, CT.

Steven Lazarus of Lazarus and Sargeant presented for the applicant Mr. Doolittle. This is an accessory apartment that will be inserted into the house with no changes to the outside. There is ample parking and the space is appropriate in volume for an accessory apartment. The apartment is 712 sq ft and will have one bedroom. It is less than the percentage allowed for the overall percentage of the total building. It is entirely above the existing garage. This is a straightforward insertion of an accessory apartment into an existing house.

Commissioner Venoit: Motion to approve application #209-20 Site Plan for Doolittle for a 712 sq ft accessory apartment at 4 Mellor Drive as shown on plans entitled Doolittle Accessory Apartment, 4 Mellor Drive Wallingford, CT, dated 6/20 subject to:

1. **Comments from the Water and Sewer dated July 9, 2020.**
2. **Final inspection by our Zoning Enforcement Officer.**

Commissioner Fitzsimmons: Second

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

BOND RELEASES AND REDUCTIONS

11. 3G Construction/344 Grieb Road

Mr. Talbot recommended the release of the bond for 3G Construction/344 Grieb Road.

Commissioner Venoit: Motion to release the bond for 3G Construction/344 Grieb Road.

Commissioner Fitzsimmons: Second

Vote: Unanimous to approve

REPORTS OF OFFICERS AND STAFF

12. Administrative Approvals There were no questions.

Noted as approved:

- a. Change of Use/Constitution Real Estate/91 South Main Street #303-20
- b. Survey Waiver/M. Desjardins/713 7th Ridge Road #804-20
- c. Survey Waiver/D. Behun/289 North Airline Road #805-20
- d. Survey Waiver/Gaetano's Home Improvement/111 Grandview Avenue #806-20

13. ZBA Decisions June 15, 2020, There were no questions.

14. ZBA Notice for July 20, 2020, There were no questions.

15. Zoning Enforcement Log There were no questions.

Commissioner Venoit: Motion to approve adjourn at 10:03 pm.

Commissioner Fitzsimmons: Second

Vote: Unanimous

Respectfully Submitted,
Cheryl-Ann Tubby
Recording Secretary