

DRAFT

**Wallingford Planning & Zoning Commission
Monday, September 14, 2020
Robert F. Parisi Council Chambers
Town Hall – 45 South Main Street
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; JP Venoit, Vice-Chair; Jim Seichter, Chairman; Steven Allinson, Alternate; Jaime Hine, Alternate (voting for R. Matarazzo).

Staff: Thomas Talbot, Planner.

Absent: Rocco Matarazzo, Secretary; Armand Menard, Alternate.

Chairman Seichter read a meeting protocol provided by Janis Small, Corporation Counsel on how the meeting would be safely conducted in the COVID-19 environment.

Approval of Minutes – August 10, 2020

Commissioner Venoit: Motion to approve the Planning and Zoning Minutes of the August 10, 2020 meeting as submitted, seconded by Commissioner Fitzsimmons: Second

Vote: Unanimous to approve as presented

Chairman Seichter noted that the following Public Hearing item will not be heard this evening.

1. Special Permit (Fill and Excavation)/Pfizer/21 Toelles Road No Action Requested

NEW BUSINESS

2. Site Plan/D.T. Warren Family Trust/809 North Main Street Ext. #210-20

Commissioner Fitzsimmons noted all correspondence pertaining to this application for the record. Correspondence dated August 4, 2020, from Rosalind Page, Winterbourne Land Services, to James Seichter, Planning and Zoning Commission; correspondence dated June 18, 2020, from Thomas Talbot, Planner, to David T. Warren Family Trust; Interoffice Memorandum received July 2, 2020, from Department of Engineering to Planning and Zoning Commission; Inter-Departmental Referral dated June 10, 2020, from the Fire Marshal; Memorandum dated September 3, 2020, from Erin O'Hare, Environmental Planner to Tom Talbot, Acting Town Planner; Memo dated September 9, 2020, from Department of Engineering to Planning and Zoning Commission; Updated comments from the Fire Marshal dated September 11, 2020.

Rosalind Page, Winterbourne Land Services, 604 Center Street, Wallingford, and David McDonald, trustee of the property, 210 North Airline Road presented for the applicant. Ms. Page explained that they are requesting approval of a proposed storage garage for vehicles associated with the current use on the property, which is a Funeral Home. The property is located at 809 North Main Street Extension and with Wal *Mart to the north and west and commercial buildings to the south. The property is in an RF 40 zone. The building was originally a restaurant back in the 1980s. The funeral home has been there for many years. The applicant received a variance from the ZBA for the rear yard setback, which is 50 feet in this zone. The variance is to put the proposed storage building 20 feet from the rear property line. The structure will be 1,920 sq ft. The applicant has received Inland Wetlands Commission approval for the stormwater management system. Ms. Page explained the existing traffic flow and parking on the property. The storage garage will house the hearses and other funeral vehicles in what was formerly a treed area. The building will be a Morton building and will have three overhead doors on the south side and one person door on the east and north. Ms. Page also proposed a 2,800 sq ft asphalt extension to the existing parking. Three parking spaces will be removed to allow for access. Seven more spaces will be created along the south side. Three parking spaces for employees only will be in front of the garage doors. As part of the Inland Wetlands approval and part of the Planning and Zoning application, Ms. Page reported that they are working with the Town Engineer to improve the small stormwater swale that acted as a high-level overflow for the existing dry well system in the parking lot. They developed a larger detention area which will allow for some stormwater detention bio-filtration to improve the quality of the stormwater discharge. There is an outlet that ties into the existing Wal *Mart system. She provided a copy of the site operation and maintenance plan that is required by the Town Engineer and Inland Wetlands, to the Town Planner. Ms. Page noted that one comment of the Engineer was that the current pipe that goes from the final dry well out into the swale is 15 inches, and she'd like it revised to 18 inches with a 1% pitch. The applicant has agreed to make that part of the final revised plan. Also, the Town Engineer requested that the 15" pipe have a 12" cap to downsize it. They have agreed to do so. Ms. Page confirmed that the dry wells are all existing, which was another question from the Town Engineer. She noted that they are adhering to RF40 zoning regulations.

Chairman Seichter asked if there are garage doors on the south side of the building. Ms. Page replied yes. Chairman Seichter asked if the three spaces in front of the garage are for employees only. Ms. Page replied yes. Chairman Seichter asked if no need to access that building when there is activity on the property. Ms. Page replied yes.

Commissioner Hine asked how employee parking is designated. Mr. McDonald replied that they will be marked no parking but that staff will know to park there. They will only be needed if we have a very large service. Any cars in the garage would already be out. Commissioner Hine asked when cars go down the south aisle of the parking lot, once a car reaches the west end toward the garage and keeps going straight into that corner, is there space enough to turn around? Ms. Page replied that this parking area is the standard 60 feet wide with a 24-foot aisle. So if parking spaces are filled, might have to back out. Commissioner Hine clarified that if the employee spaces are taken, they would have to back out. Ms. Page replied yes. She noted that there are arrows directing traffic. They foresee this as mostly employees only and a little bit of overflow.

Thomas Talbot added that based on the extent of the work shown to the rear of the proposed building and as a result of their wetlands application, he suggested a bond of \$4,000 instead of \$3,000.

Commissioner Venoit: Motion to approve application #210-20 Site Plan WT Warren Family Trust 809 North Main Street Ext. Site Plan for a 1,920 sq ft detached garage for the David T. Warren Family Trust at 809 North Main Street Ext. as shown on plans entitled “Improvement Location Survey, Proposed Storage Garage, Land N/F David T. Warren Family Trust, 809 North Main Street Extension, Wallingford, CT” dated 5/22/20, revised to 7/13/20, subject to:

1. **Comments in a letter from Thomas Talbot, Planner to David T. Warren Family Trust, dated 6/18/20 including a \$4,000.00 sedimentation and erosion control bond.**
2. **Comments and recommended conditions of approval in Memo of Alison Kapuchinski, Town Engineer to Planning and Zoning Commission dated 9/9/20.**
3. **Comments of Fire Marshal to the Planning and Zoning Commission dated 6/10/20.**

Commissioner Fitzsimmons: Second

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

Chairman Seichter declared the application approved.

3. Site Plan/Generations Ob/Gyn/150 South Main Street #211-20

Commissioner Fitzsimmons noted all correspondence pertaining to this application for the record. Inter-Departmental Referral dated August 12, 2020, from Fire Marshal; Memo dated September 2, 2020, from Department of Engineering to Planning and Zoning Commission, correspondence dated September 3, 2020, from Thomas Talbot, Planner to Generations Obstetrics and Gynecology, P.C.; Interoffice Memorandum dated September 4, 2020, from Erik Krueger, Senior Engineer to Tom Talbot, Acting Town Planner; letter dated September 9, 2020, from John Schmitz, BL Companies to Thomas Talbot, Planner; Updated Inter-Departmental Referral dated August 4, 2020, from Fire Marshal; Memo dated September 14, 2020, from Department of Engineering to Planning and Zoning Commission.

Joseph Porto with the law firm of Brett, Porto, Parese, and Colwell, 2319 Whitney Avenue, Hamden represented the applicant, Generations Obstetrics and Gynecology. He explained the modifications to the site plan for 150 South Main Street. The property is presently the home of the Lachlan Fitzgerald law firm and is in the central limited business district zone. It is a two-story office building on a half-acre lot. The obstetrics office will occupy the first floor, which is about 2,200 sq ft and the law firm will move to the second floor which is approximately 2,000 sq ft. Base on that, the regulations require a total of 23 spaces with 15 for the medical office and 8 for the law firm. The ZBA has granted a variance to reduce the parking by one space. The modification to the site plan leaves the existing curb cut and driveway as is. There is no change to the exterior or the building and no illumination. Regarding the occupancy of the building, the law firm has four lawyers and the expectation is that one or more of the lawyers will be

frequently out of the office. The applicant has four locations with seven physicians. The expectation is one doctor at this location for 4 to 5 days a week. They feel the parking space provided is more than sufficient. Atty. Porto continued that the modification to the site plan meets the requirements of the zone in which it sits and is consistent with the comprehensive plan of development.

John Schmitz, Civil Engineer, Project Manager, BL Companies of 355 Research Parkway, Meriden, explained the site plan. He noted the Elks Lodge to the north and residential to the south and east. He showed the existing and new parking and explained how they added seven spaces. The parking is pushed closer to the east side with a proposed retaining wall and drainage improvements and infiltration chamber to handle the stormwater runoff. The new dumpster pad location is no longer in setback. They have moved parking spaces away from the dumpster and added spaces to the rear which are stripped out for turnaround since this is a dead end. There is also a new handicapped space and a ramp to access the building. He explained the plan to extend the existing white vinyl fence along the south and east to buffer the existing residential uses. They will be keeping the existing six-foot of trees and landscaping to the east. He summarized that they are just adding seven or eight parking spaces.

Commissioner Fitzsimmons referred to page SP1 of the plan. He asked for clarification on the number of spaces. Atty. Porto replied that the medical office requires 15 and the law office eight, with a total 23 required. They are providing 22 and they have a variance to remove one. Commissioner Fitzsimmons stated that the heavier user would be the medical office. He stated that he is concerned about the parking. He asked where overflow will go. Mr. Schmitz replied that there are 22 spaces and there is parking on the street for another 2-3 cars along their frontage. Commissioner Fitzsimmons noted because the property abuts residential, he is concerned about on-street parking. There is not a great deal of space before the next curb cut. Mr. Schmitz replied that at the rear of the lot, two spaces are stripped out for no parking, so someone can turn around if all the spots are full. Commissioner Fitzsimmons asked if he heard correctly that no trees will be removed. Mr. Schmitz replied that they are clearing on-site to accommodate parking. Some trees will be removed. Along the rear, the eastern side, they will preserve all trees and vegetation. Commissioner Fitzsimmons asked if there was going to be a fence at the rear. Mr. Schmitz replied yes, a retaining wall, and a vinyl fence on top of the retaining wall.

Commissioner Allinson asked how much support staff or each office will be parking there. Atty. Porto replied that the medical office has one staff member with the physician and the law firm has no more than five staff in total. He noted that it is anticipated that some staff will continue to work remotely. Commissioner Allinson, so that means a surplus of three spaces for the law firm, and a surplus of 13 spaces for the doctor office. Atty. Porto concurred. Commissioner Allinson asked how many appointments the medical office would have per hour. Atty. Porto didn't know. Commissioner Allinson asked if the parking spaces were sufficient for the amount of usage. Atty. Porto noted that the use has a number of spaces required. If the Commission is concerned that the parking spaces required per use in the regs are not sufficient, it should amend the regulations. He stated that they are giving what regulations say is needed plus the additional parking on the street. They feel parking is sufficient, particularly with only one physician in the office 4-5 days and the law office 2-5 people most days. Commissioner Allinson stated that he'd like to know what the usage of spaces will be and how much surplus.

Mr. Talbot reported that the applicant made significant changes from the original application. They comply with the regulations. His only concern is at some point it would be difficult to use the whole building for medical. He suggested that be considered. He stated that what they proposed is within the regulations and within the parameters of the variance they received.

Chairman Seichter stated that he is comfortable with the explanation of parking. He asked if the vinyl fence could also be used around the dumpster so that it looks neater. Atty. Porto agreed.

Commissioner Venoit: Motion to approve application #211-20 Site Plan for the conversion of 2210 sq ft of existing first-floor general office to medical office use and an expanded parking area for Generations Obstetrics and Gynecology, P.C. at 150 South Main Street, as shown on plans entitled "Proposed Parking Lot Expansion, 150 South Main Street, 150 South Main Street Wallingford CT" dated 7/27/20, revised to 9/9/20 subject to:

- 1. Posting of \$2500.00 site sedimentation and erosion control bond before the commencement of site work.**
- 2. Comments from the Fire Marshal to the Planning and Zoning Commission dated 8/12/20.**
- 3. Comments from Erik Krueger, Senior Engineer, Water and Sewer Divisions, to Planning and Zoning Commission, dated 9/4/20.**
- 4. Completion of site work/parking before medical office occupancy.**
- 5. Comments and recommended conditions of approval in Memo of Alison Kapuchinski, Town Engineer to Planning and Zoning Commission dated September 2, 2020.**
- 6. Installation of a vinyl fence around the dumpster.**

Commissioner Fitzsimmons: Second

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

Chairman Seichter declared the application approved.

4. Site Plan/MRC Global/15 Sterling Drive #212-20

Commissioner Fitzsimmons noted all correspondence pertaining to this application for the record. Inter-Departmental Referral dated August 6, 2020, from Fire Marshal; Correspondence dated September 8, 2020, from Thomas Talbot, Planner to MRC Global (US) Inc.

Dominic Barnes, 51 Carriage Drive, Wallingford, the local branch manager of MRC Global of North Haven, CT. He explained the modifications to the site plan for 15 Sterling Drive. The plan is to change the scope and use of the southeastern most parking lot. Put a fence around it and use it for outside storage for steel and polyethylene gas pipe. There are no drainage issues. He reported that they signed a seven-year lease on the warehouse which is being built out right now. They are looking to change the

use of that outside parking lot to store pipe. He reported that they supply Eversource energy and other companies with gas pipe and that's the scope of our business.

Chairman Seichter asked where the fence is on the plan. Mr. Talbot replied and identified the sheet in the packet with the fencing as the fourth sheet. Chairman Seichter asked if there are two access points. Mr. Barnes replied that the main access point is a 50-foot wide double swing gate and that they will be removing the island. He noted that this lot is set up high and you really can't see it from the road, but they do propose a seven-foot-high fence with privacy slats facing Sterling Drive and then a six-foot-high regular chain link fence around the rest of it. The top entrance and exit would not be used. It would be here in case it was needed.

Chairman Seichter asked Mr. Talbot about the 25 % reduction in parking. Mr. Talbot replied that there is a section of the zoning regulations that, in this zone, allows for a reduction of required parking by up to 25% based on the documented use of the property. They have to show that there is some portion of the site that can be used for parking. He reported that they have done that. They are taking 187 spaces of 492 and converting it to outside storage. So first they are asking for the reduction, and then they want to make use of that reduction for outside storage. He noted that this portion of the site is not visible from the street. Chairman Seichter noted that after the reduction, there are still 305 spaces that are going to be available for parking. Mr. Talbot confirmed that 305 spaces will be left. He also noted that if the uses within the building change and they need more parking, there is still substantial space for parking.

Commissioner Kohan asked if it is truly outside storage, will there be any temporary shelter or structure with a roof. Mr. Barnes confirmed that the only thing they debated was putting a 20-foot connex box for personal storage of hand tools. But other than that, just stacks of pipe.

Commissioner Hine asked how high the stacks of pipe will be. Mr. Barnes stated that they should be close to seven feet high at max. Polyethylene pipe usually stacks in 5-6 bundles high. They might have a little bit poking over the fence. Commissioner Hine verified that the parking lot is not currently being used. Mr. Barnes confirmed it has been empty for 25 years.

Tim Ryan, Economic Development Specialist, reassured the Commission that he has been working with Mr. Barnes for several months on the project. He has viewed the operation and feels this is a company Wallingford would be proud to have. He thanked Mr. Barnes for bringing his business to Wallingford and noted that this is a significantly larger site for them. He stated that the Economic Development Commission supports the application.

Commissioner Venoit: Motion to approve application #212-20 Site Plan for MRC Global to convert 187 existing parking spaces to outside storage at 15 Sterling Drive as shown on a plan entitled "MRC Global, 15 Sterling Drive Wallingford, CT – Proposed fence line with gating and island removal" received August 6, 2020, subject to:

1. **Comments of Planner Thomas Talbot to MRC Global dated September 8, 2020, concerning the dating of plans.**

Commissioner Fitzsimmons: Second

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

Chairman Seichter declared the application approved and he appreciated their locating in Wallingford.

BOND RELEASES AND REDUCTIONS

5. **Special Permit/Center Earth, LLC/893 North Colony Road #411-15**

Mr. Talbot reported that this is ready to be released.

Commissioner Venoit: Motion to approve releasing the bond for Special Permit/Center Earth, LLC/893 North Colony Road application #411-15.

Commissioner Fitzsimmons: Second

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

REPORTS OF OFFICERS AND STAFF

6. **Administrative Approvals**

Mr. Talbot reported that the following have already been approved.

- a. Survey Waiver/Gapski/22 Welcome Street #810-20
- b. Survey Waiver/Swanson/54 Washington Street #811-20
- c. Survey Waiver/Pickett/36 Wooding Road #812-20
- d. APD Permit/Abdelsalam/1191 North Colony Road #71-20
- e. Survey Waiver/Parisi/1262 Barnes Road #813-20
- f. Survey Waiver/Savenelli/4 Alison Avenue #814-20
- g. Survey Waiver/360 East Main Street/Paine #815-20
- h. Site Plan Revision/155 John Street/Wallingford Sewer Division #816-20

7. **ZBA Decisions – August 17, 2020, and Notice for September 21, 2020**

There were no questions from Commission members.

Mr. Talbot noted that he believes there is legal action based on one of the decisions from last month's meeting.

9. **Zoning Enforcement Log**

There were no questions from Commission members.

Commissioner Fitzsimmons asked if this Commission has anything to do with extending outdoor dining. Chairman Seichter replied it is with Council for the moment. Under the Governor's Executive Order, that action can be taken by the Town Council. He understands that they are working to extend it through

November. He noted that there is a group looking at that issue to extend it once the Governor's Executive Order expires.

Commissioner Venoit: Motion to adjourn the Wallingford Planning and Zoning Commission meeting of Monday, September 14 2020, at 8:05 pm.

Commissioner Fitzsimmons: Second

Vote: Unanimous to adjourn

Respectfully submitted

Cheryl-Ann Tubby

Recording Secretary