

Wallingford Planning & Zoning Commission
Monday, March 8, 2021
Remote Meeting
MINUTES

Chairman Seichter called the meeting to order at approximately 7:00 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; Jaime Hine, Alternate; Staff: Thomas Talbot, Planner; Amy Torre, Zoning Enforcement Officer.

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

Chairman Seichter noted that Jaime Hine will be voting for Rocco Matarazzo.

Approval of Minutes – January 11, 2021

Commissioner Venoit: Motion to approve the Planning and Zoning Minutes of the January 11, 2021 meeting as submitted.

**Commissioner Fitzsimmons: Second
Vote: Unanimous to approve**

Chairman Seichter reviewed the remote meeting protocol and noted that the following agenda items will not be heard this evening at the request of the applicant.

1. Special Permit (Convenience Store/Fueling Facility)/7-11 Inc./1033 No. Colony Rd #412-20
4. Special Permit (warehousing)/Montante Construction/5 Research Parkway #401-21

PUBLIC HEARING

2. Special Permit Revision/Rocha/694 North Colony Road #413-20

Commissioner Fitzsimmons read the legal notice and noted all correspondence. Special Permit Revision for Rocha to add a second lane for drive-thru service. Drive-thru lane for a restaurant on property located at 694 North Colony Road zoned RF-40. Correspondence dated January 6, 2021, from Atty. Jerry Farrell, Jr. to Thomas Talbot, Planner; Inter-Departmental Referral, dated December 17, 2020, from the Fire Marshal; correspondence dated December 24, 2020 from Thomas Talbot, Planner to Manuel Rocha; memo dated December 30, 2020, from the Department of Engineering to Planning and Zoning Commission; Inter-Departmental Referral, dated January 11, 2021, from Erik Krueger, Senior Engineer, Water and Sewer; Interoffice Memorandum, dated January 29, 2021, from Erik Krueger, Senior Engineer, Water and Sewer to Thomas Talbot, Acting Town Planner; correspondence dated January 15, 2021, from Gary Reola, P.E., GR Engineering to Planning and Zoning Commission; Memo dated February 5, 2021, from Department of Engineering to Planning and Zoning Commission; Revised Inter-Departmental Referral, dated February 11, 2021, from Fire Marshal; correspondence dated February 26, 2021, from Gary Reola, P.E., GR Engineering to Planning and Zoning; correspondence dated March 3, 2021 from Department of Engineering to the Planning and Zoning Commission.

Jerry Farrell, Jr., Law Offices of Jerry Farrell, Jr., 54 North Elm Street, presented for Manuel Rocha, owner of all the Dunkin Donuts in Wallingford. Atty. Farrell noted that the COVID pandemic has changed the habits of many people and there is more demand for takeout and drive-thru. To accommodate this trend, the applicant proposes to add a second drive-thru lane at the North Colony Road Dunkin Donuts. There is little needed to accommodate this change. This Dunkin Donuts has been there for over 20 years. Brian Plourde, GR Engineering, 135 East Main Street, Thomaston, explained that they will reconfigure the parking lot to add the second drive-thru and a bypass. Some parking will be moved to a vacant lot on the southerly side of the building. Atty. Farrell noted that they are currently accommodating the neighbor, Toyota of Wallingford, in that vacant lot, as they are under construction. When we begin our construction, that arrangement will end. Mr. Plourde shared the drawings of the site, showing the original parking and island that will be eliminated and the two new menu board systems and border canopy. The existing bypass lane will remain. He noted there will be no change to the building. He stated that the parking spaces in front will be removed and a concrete patio installed. The handicapped parking will be reconfigured to the front. The traffic patterns stay the same for customer and delivery traffic and there is no change to the curb cuts. They will pave the vacant lot and stripe it for parking. He explained the stormwater management system and noted that there will be no new light fixtures. He stated that they have addressed all the comments from Planning & Zoning and Engineering. Atty. Farrell stated that this will help the traffic on Rt. 5 by bringing more cars on site.

Commissioner Fitzsimmons asked how many cars can be queued in each lane. Mr. Plourde replied that each lane should hold 8 – 10 cars, so this doubles the capacity. Commissioner Fitzsimmons noted that the Engineering Department asked for confirmation that deliveries are to be done outside of business hours when parking spaces are vacant and not exiting and entering vehicles are expected. Mr. Plourde replied that this is how it's operating now. Commissioner Fitzsimmons asked if there will be seating at the new patio and if so how many tables. Mr. Plourde replied yes, 5 to 7 tables and he will reflect that on the final plan. Commissioner Fitzsimmons asked if any trees will be removed. Mr. Plourde replied no.

Commissioner Kohan asked if there is a right of way with the car dealership. Atty. Farrell stated he wasn't aware of a right of way and Mr. Plourde replied that he thought there was just a verbal agreement allowing the use of the vacant lot. Mr. Rocha stated that it is on the north side at the rear of the property and there are no parking spaces. Only the drive-thru is there. Commissioner Fitzsimmons noted that the discussion Commissioner Kohan remembers was part of Toyota's application and had to do with the front, where a tree is. Dunkin Donuts always had the back. Commissioner Kohan stated that he supports the application.

Commissioner Hine noted that the memo from March 3rd from the Engineering Department raised issues regarding the area for delivery trucks to turn. Mr. Plourde stated that he saw those comments and they are not changing anything for access and exit of the site. He said they will need to tighten up the area of the vehicle height clearance bar and the outer menu board. The trucks need to swing a little wider. Mr. Plourde confirmed they had no objections to conditions to accommodate delivery trucks.

Mr. Talbot had no comment. Hearing no public comment, Chairman Seichter asked for a motion to close the public hearing.

Commissioner Venoit: Motion to close the public hearing for application #413-20 Special Permit Revision/Rocha/694 North Colony Road.

Commissioner Fitzsimmons: Second

Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Hine – yes; Chairman Seichter – yes

Commissioner Venoit: Motion to approve application #413-20 Special Permit Revision for Rocha to add the second lane for drive-thru service for a restaurant on property located at 694 North Colony Road as shown on plans entitled Site Plan Modification Prepared for 694 North Colony Road Realty, LLC, 694 North Colony Road, Wallingford, CT, dated September 3, 2020, revised to February 26, 2021, subject to:

- 1. Comments in Interoffice Memorandum from the Fire Marshal to the Planning and Zoning Department, dated December 17, 2020;**
- 2. Comments in Interoffice Memorandum from Erik Krueger, Senior Engineer, Water & Sewer Division to Thomas Talbot, Acting Town Planner dated November 11, 2021, and January 29, 2021;**
- 3. Comments in Interoffice Memorandum from Department of Engineering to Thomas Talbot, Acting Town Planner, dated December 30, 2020, and February 5, 2021, and March 3, 2021;**
- 4. Sediment and Erosion Control Bond of \$2,000; and**
- 5. Final plans to reflect outdoor seating.**

Commissioner Fitzsimmons: Second

Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Hine – yes; Chairman Seichter – yes
The application is approved.

3. Zoning Reg. Amendment/Sec. 6.26.D (steeple up-lighting)/Knight and Farrell #505/20

Commissioner Fitzsimmons read the revised draft regulation. “Up-lighting of the steeple, spire, tower, dome, minaret, or other elevated architectural feature of any place of communal religious worship in any zoning district. Such up-lighting shall only be operational between the hours of 6am to 11pm.”

Jerry Farrell, Jr., 54 North Elm Street, and Steve Knight, 289 Ivy Street, presented the proposal. Mr. Farrell explained that he revised the language based on feedback at the last meeting and explained the changes.

Chairman Seichter suggested changing the time to read ‘dusk to 11pm’. Mr. Farrell agreed to that. Chairman Seichter suggested the lighting should be from the base of the steeple, etc. rather than from the ground. He asked why it only references religious communal worship since other buildings have

spires or towers. Mr. Farrell replied that he didn't want to open the door to commercial entities. He agrees that other buildings have architectural interests but didn't know how to quantify them.

Commissioner Fitzsimmons agreed with the 'dusk to 11pm' and noted that the proposal no longer includes 'historically significant'. He stated that he is in favor of specifying the lighting from the roof rather than the ground. Mr. Farrell replied in trying to include all elevated architectural features he purposely wasn't specific. Commissioner Fitzsimmons suggested adding 'such up-lighting should be no lower than the roof line'. Mr. Knight added that requiring lighting from the roofline might be expensive and he would prefer to leave it open. Commissioner Fitzsimmons stated that he would like to specify not ground lighting.

Commissioner Kohan stated that he is in favor of the new wording of dusk to 11pm and agreed that the lighting cannot be from the ground. He reported that he looked at other town regulations and they use the Dark Skies initiative to prevent artificial light from getting into the atmosphere. Once the lights are placed on the steeple, he suggested adding consideration to angle or positioning so minimal light escapes. Regarding Wallingford's regulations, he noted that there is no specification of the type of lighting or the lumens. He suggested adding these regulations here or in existing lighting regulations. He asked if we need to limit the color of the lighting will be allowed. He asked if it will be managed by a permit process. He is not against up-lighting but wants to see it done completely. He suggested the commission take a look at the Dark Skies Initiative.

Commissioner Hine agreed a permit application may be appropriate to be sure we are comfortable with what they want to do.

Mr. Farrell stated that he drafted language for the existing exception section. The draft puts additional restrictions on churches to be careful about nearby residential areas. He agrees with the strength of lighting being an issue. He did not rewrite the up-lighting statute, just gave an exemption.

Mr. Talbot agreed that this was put together as an exemption. If the Commission is looking at this as something that would require approval, that's a rewrite of the statute. Then, if you are going to rewrite it to include a permit have to have standards. The Commission needs to decide whether 1) this can be dealt with just by this exemption, 2) we need an exemption temporarily while you look at the issue in more detail, or 3) don't do anything until you can examine the issue in more detail. He noted that the current regulations are based on the Dark Skies initiative.

Chairman Seichter asked what the Commission wants to do. He is in favor of going forward with the proposed regulation with the mentioned changes of dusk to 11pm and not ground lighting and the light lights the steeple, not the sky.

Commissioner Venoit stated that he is in favor and agrees with the change of not from the ground and the dusk to 11pm. He stated that we should be conscious of colors.

Commissioner Fitzsimmons agreed with the time change and the lighting from the steeple up and understands the issues of knowing where it's happening. He suggested moving forward this evening as an exemption but do a workshop to talk about it some more because most of the buildings are in residential areas.

Commissioner Kohan stated that he is hesitant in proceeding without details on the type and strength of lighting. He agreed with lighting from the base of the steeple and is willing to go along with the majority for tonight. But he noted that the lighting choice is an issue that we have to deal with.

Commissioner Hine stated that he is prepared to go forward and is okay with having a workshop in the future.

Chairman Seichter invited Stephen Lazarus to comment. Mr. Lazarus suggested adding 'cutoff' or 'focused' to the lighting. He explained that it would require baffles to aim the light at the steeple. He also suggested using the word 'spotlight' to differentiate from a floodlight. Mr. Farrell suggested just adding 'focused'. Mr. Knight noted that requiring baffles would put the churches currently using up-lighting out of compliance. Chairman Seichter stated his concern that when you start the light farther up the steeple, you get light beyond the steeple. Mr. Lazarus recommended using 'focused' and let the lighting designer provide the right lighting for the right job.

Commissioner Kohan stated that adding 'focused' satisfies him.

Commissioner Venoit read the revised exemption to clarify the change. 'Up-light for a steeple, spire, tower, dome, minaret or other elevated architectural features of any place of communal religious worship in any zoning district, such as lighting shall only be operational during the hours of dusk to 11pm and cannot be from ground and must be directed from the base of the steeple, spire, tower, dome, minaret or other elevated architectural feature.'

Commissioner Kohan suggested 'Lights will be focused from the base directly on the steeple, not to allow light to escape off of the steeple.' Commissioner Venoit clarified where the wording would go.

Mr. Talbot suggested retaining the first sentence as presented and then the last sentence would read Such up-lighting shall only be operational between dusk and 11 pm. Such lighting shall be located at the base of the architectural feature. Lights shall be focused directly on the architectural feature so as not to allow light to escape off of the architectural feature.

. Hearing no public comment, Chairman Seichter asked for a motion to close the public hearing.

Commissioner Venoit: Motion to close the public hearing for #505-20 Zoning Regulation Amendment/Sec. 6.26.D (steeple up-lighting)/Knight and Farrell.

Commissioner Fitzsimmons: Second

Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Hine – yes; Chairman Seichter – yes

Commissioner Venoit: Motion to approve application 505-20 amendment to add section 6.26.D.3.to Wallingford Zoning Regulations for Knight and Farrell to exempt places of religious worship from prohibition on steeple up-lighting to read as amended: Up-lighting of a steeple, spire, tower, dome, minaret or other elevated architectural features of any place of communal religious worship in any zoning district. Such up-lighting shall only be operational during the hours of dusk to 11pm. Such lighting should be at the base of an architectural feature. Lights will be focused directly on the architectural feature so as not to allow light to escape from the architectural feature because it clarifies the intent of our current Town of Wallingford, Planning and Zoning Regulation.

Commissioner Fitzsimmons: Second

Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Hine – yes; Chairman Seichter – yes
The amendment is approved.

NEW BUSINESS

5. Site Plan (Wellness Center)/Tracy Malton/100 Center Street #201-21

Commissioner Fitzsimmons noted the correspondence for the record: correspondence dated February 10, 2021, from the Planning & Zoning office to Tracy Malton; Interdepartmental Referral dated February 11, 2021, from the Fire Marshal; correspondence from the Department of Engineering dated March 3, 2021, including the site plan; and correspondence dated March 4, 2021, from Erik Krueger, Senior Engineer, Water & Sewer Division.

Steven Lazarus, an architect with Lazarus and Sargeant , LLC, 50 North Main Street, Wallingford, and Tracy Malton, 167 Stonehedge Lane, Guilford presented the site plan. Mr. Lazarus noted that the application has no changes to the site. They currently have 20 parking spaces. They intend to build 1600 sq. ft. on the second floor which required four more parking spaces. They will provide those spaces in the one-way driveway which goes past a drive-up window. This reduces the width of the aisle to 16 ft., which is wide enough for two cars to pass by the additional parking to exit onto Center Street. He stated that they will be keeping the drive-up window. He noted that a prospective tenant for that corner of the building is a naturopath who will be providing healthy smoothies and might use the drive-up window as a pick-up point.

Commissioner Fitzsimmons noted a concern that the additional parking is not clearly delineated on the plan and that the drive-thru lane was already tight. Mr. Lazarus explained the 4 spaces layout stops short of the drive-thru. So cars not going through the drive-thru can bypass the parked cars and continue out. He noted that smoothies don't sell a high volume. The 16-foot aisle that remains after cars are parked is wide enough for two car widths. Commissioner Fitzsimmons asked if the town departments are aware that the drive-thru will be operational. Mr. Talbot stated that the Engineering Department is aware. Commissioner Fitzsimmons stated for the record that this is a good use of a

building in the center of town but he is concerned with vehicle access. He stated that if no other town departments objected, then he would accept.

Commissioner Kohan stated that he is confused about the parking. He noted Mr. Talbot's comments and the questions from Engineering about the accessibility of the northernmost parking spaces from the drive aisle.

Chairman Seichter agreed. There is the northernmost space on the drive aisle and one on parcel 1 in the southern angle spaces. Engineering commented on the easternmost of the two parallel spaces. Mr. Talbot understood that while not optimal, that conditioned on an explanation of applicant, Engineering said they can be considered legal parking spaces. But Engineering wanted to hear back from the applicant on these spaces. Mr. Lazarus explained that in proposed parcel 1, they will angle the spaces slightly out so it's easier to parking in the easternmost space by backing in. The other space is next to the one-way signage and is easy enough to back in. The little space behind it is part of a right of way, so will not be occupied. He agreed it is not optimal but works acceptably to downtown standards.

Commissioner Kohan accepts the explanation but doesn't think it's optimal. Mr. Lazarus stated that the owner will park in the worst spot and staff in the second-worst spot.

Commissioner Hine stated that he is a little surprised that the drive-thru will be used. He asked if they planned for stop lines or signage before the sidewalk. Mr. Lazarus stated that he would welcome a condition that requires signage at the drive-thru that cars need to stop and stop line.

Chairman Seichter reiterated his concern with the active drive-thru and agreed with the suggestion for a stop line. He agreed that it wouldn't generate much traffic.

Commissioner Fitzsimmons asked if the idea of serving food or smoothies would require class 3 or 4 foodservice establishment licensing from Water & Sewer. Mr. Lazarus replied that he welcomes a condition requiring any necessary licensing from the Town. He noted that this would be a business run by a tenant. Commissioner Fitzsimmons stated that he understands that this is not a surprise but notes that foodservice through a drive-thru is not mentioned by any of the agencies. This is a site plan application. He is in favor of downtown development he just doesn't want to be surprised if there was suddenly an issue. Mr. Lazarus stated that if approved with the stipulation that the health department has to approve, and if they don't approve, it won't happen. The Commission is signing off that parking okay with the signage about leaving the drive-thru. He noted the Fire Marshal has already reviewed and approved the plan. The operation of the smoothie serving business is not on your plate. Dr. Malton stated that the lease is not signed yet with the naturopathic and smoothie place. They know they need to work with the town on permits.

Mr. Talbot stated that when the Commission approved a wellness center as a use it involves several particular sub-uses. They didn't come in with any specific tenants in the application. That's why the

Commission is not getting the detail that they are expecting. He noted that the drive-thru was overlooked originally.

Hearing no further comment, Chairman Seichter asked for a motion.

Commissioner Venoit: Motion to approve application #201-21 Site Plan for Malton for a 9,354 sq ft Wellness Center on a .44 acre lot at 100 Center Street as shown on plans entitled CDS Commercial, prepared for Bank of America National Association, 100 Center Street, dated June 5, 2018, amended February 1, 2021, subject to:

- 1. Comments in Interoffice Memorandum from the Fire Marshal to Planning & Zoning Department dated February 17, 2021;**
- 2. Details of the drive-thru portion of the building;**
- 3. Comments in Interoffice Memorandum from Department of Engineering to Thomas Talbot, Planner, dated March 3, 2021;**
- 4. Comments in Interoffice Memorandum from Erik Krueger, Senior Engineer, Water & Sewer Divisions, to Thomas Talbot, Planner, dated March 4, 2021; and**
- 5. Signage to stop before sidewalk along with road striping at the drive-thru.**

Commissioner Fitzsimmons: Second

Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Hine – yes; Chairman Seichter – yes
The amendment is approved

6. Site Plan (accessory apartment)/Richetelli/35 Leigus Road #202-21

Commissioner Fitzsimmons noted the correspondence for the record: Correspondence dated February 9, 2021, from the Planning and Zoning office to Dorinda Richetelli, 35 Leigus Road; Inter-Departmental Referral dated February 11, 2021, from the Fire Marshal; Comments received February 8, 2021, from the Department of Engineering; and a memo dated March 3, 2021, from Erik Krueger, Senior Engineer, Water & Sewer to Thomas Talbot, Acting Town Planner.

Tom Porty, Construction Solutions, presented for applicant Dorinda Richetelli, 53 Leigus Road, Wallingford. He explained that they are developing an accessory apartment for her mother and submitted a site plan.

Chairman Seichter asked if a four-season porch connects the addition to the house. Mr. Porty replied yes. Chairman Seichter asked if the porch is heated and serves as a common room. Mr. Porty replied yes.

Hearing no further comment, Chairman Seichter asked for a motion.

Commissioner Venoit: Motion to approve application #202-21 Site Plan for Richetelli for a 720 sq. ft. accessory apartment at 35 Leigus Road as shown on plans entitled As-Built Plot Plan Lot 114 Fairlawn Farms, Wallingford, CT dated February 13, 1997, as amended, subject to:

- 1. Inspection by Zoning Enforcement Officer prior to issuance of a certificate of occupancy; and**

2. Comments in Interoffice Memorandum from Erik Krueger, Senior Engineer, Water & Sewer Divisions to Thomas Talbot, dated March 3, 2021.

Commissioner Fitzsimmons: Second

Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Hine – yes; Chairman Seichter – yes

The amendment is approved

7. Site Plan (restaurant)/A. Castico/866 North Colony Road #203-21

Commissioner Fitzsimmons noted the correspondence for the record including: Inter-Departmental Referral dated February 1, 2021, from the Fire Marshal; correspondence dated February 11, 2021, from Thomas Talbot, Acting Town Planner to Armand Castico; Inter-Departmental Referral, dated February 17, 2021, from Chief Sanitarian; correspondence dated March 1, 2021, from Barton Bovee, P.E., Harry E. Cole & Son to Thomas Talbot, Acting Town Planner; Memo dated March 3, 2021, from Department of Engineering to Planning & Zoning Commission; Interoffice Memorandum dated February 26, 2021, from Erik Krueger, Senior Engineer, Water & Sewer, to Thomas Talbot, Acting Town Planner; correspondence dated March 5, 2021, to Thomas Talbot, Acting Town Planner; and an updated memo from the Engineering Department dated March 8, 2021, to the Planning and Zoning Commission; and the map of the revised plans.

Greg Piecuch, of the Law Office of Gregory Piecuch, 750 Main Street, Hartford represented applicant Armand Castico. Mr. Piecuch explained that the property will be adapted into a Frankie's Restaurant and showed photos of the site on the corner of North Colony and Ives. They plan to use the existing building which is less than 1,300 sq. ft. He noted that the front of the house will be less than 500 sq. ft. There will not be a lot of in-house dining. It will mostly be a take-out or short stay. He explained that they will need seven parking spaces and provided a layout with 15 spaces. He stated that the parking in the back will be mostly for the staff. He explained that Mr. Castico will be the tenant and there is no tenant improvement allowance. All they will be doing is striping the parking lot, not reengineering the site. They will bring the façade up, add an ADA ramp and add signage.

Chairman Seichter asked if they received the memo from the Department of Engineering that arrived today. Commissioner Venoit read the memo: "We are in receipt of the following materials for the referenced application for the proposed parking layout plan by Harry E. Cole and Son, dated February 3, 2021, and revised March 4, 2021, and letter to Tom Talbot from Gregory Piecuch dated March 5, 2021. We offer the following comments based on the submitted materials. 1) Eliminating the future parking spaces in the southeast corner of the site addresses previous concerns regarding stormwater and an increase in impervious coverage. 2) This department takes no exception to the following conditions of approval. The application shall coordinate bollard locations at the rear door with the Town Engineer. We would like to note that the installation of bollards will reduce drive aisles to approximately 20 ft. The applicant shall reconsider the use of angled parking spaces in this area. A two-way drive aisle with 90-degree parking stalls is typically a minimum of 24 ft. wide. 3) This department takes no exception to the

following conditions of approval. The applicant shall coordinate ADA compliant ramp location with the Town Engineer.”

Atty. Piecuch replied that there are existing bollards in the back of the building and plenty of room on the North Colony side to accommodate bollards so it is not an issue. He said there may be more of an issue in the rear. The previous version of the site plan had a one-way in a counter-clockwise direction around the back of the building. They have discussed the angled parking. The engineer thought that it would cause losing parking. If with the addition of bollards, there remains a concern with having two-way traffic in the rear, they can reinstate the one-way.

Mr. Castico stated that he is a restaurateur. He opened a Frankie’s in Bristol 35 years ago. He noted that this building is small and he wanted to do a drive-thru but it’s not possible. The plan is for a downsized Frankie’s with a limited menu focused on take-out. He will work there with his son.

Atty. Piecuch stated that they accept the revised Water & Sewer conditions. He noted that the outstanding issues from the March 3rd and March 8th engineering memos are acceptable as conditions of approval. He noted that under their lease, they need the permitting buttoned up by March 21st.

Commissioner Fitzsimmons asked if they propose any outside seating. Atty. Piecuch replied no. Commissioner Fitzsimmons asked if they planned any changes to the curb cuts. Atty. Piecuch replied that the landlord is not willing to do any. Commissioner Fitzsimmons asked how many people they plan to seat inside. Mr. Castico replied there would be one handicapped bathroom and about 12 seats. Most of the business will be take-out. Commissioner Fitzsimmons asked for confirmation that they have abandoned the idea of a drive-thru. Mr. Castico said yes.

Hearing no further comment, Chairman Seichter asked for a motion.

Commissioner Venoit: Motion to approve application #203-21 Site Plan for Castico for a 1296 sq. ft. restaurant on a .38 acre property at 866 North Colony Road as shown on plans entitled Proposed Frankie’s Restaurant Proposed Parking Layout Plan dated February 3, 2021, subject to:

- 1. Comments in Interoffice Memorandum from the Fire Marshal to the Planning and Zoning Department dated February 11, 2021;**
- 2. Comments in a letter from Thomas Talbot, Planner to Armand Castico, dated February 11, 2021;**
- 3. Comments in Interoffice Memorandum from Erik Krueger, Senior Engineer, Water & Sewer Divisions, to Thomas Talbot, Planner, dated February 26, 2021;**
- 4. Comments in Interoffice Memorandum from the Department of Engineering to Thomas Talbot, Planner, dated March 3, 2021; and**
- 5. Comments in Interoffice Memorandum from the Department of Engineering to Planning and Zoning Commission, dated March 8, 2021.**

Commissioner Fitzsimmons: Second

Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Hine – yes; Chairman Seichter – yes
The amendment is approved

8. Site Plan (accessory apartment)/Corso/3 Juniper Street #204-21

Commissioner Fitzsimmons noted the correspondence for the record: correspondence dated February 9, 2021, from Thomas Talbot, Planner to Joseph Corso; Inter-Departmental Referral dated February 11, 2021, from Fire Marshal; Inter-Departmental Referral dated March 3, 2021, from Town Engineer; Interoffice Memorandum dated March 3, 2021, from Erik Krueger, Senior Engineer, Water & Sewer to Thomas Talbot, Acting Town Planner; and a map of the proposed site.

Joseph Corso, 3 Juniper Street, Wallingford, explained that he found out late that he needed permits. He built the apartment a few years ago for his mother-in-law. He explained that the in-law kitchen and living room are to the left on the front of the house. He took one garage bay of a three-car garage and a bump-out for the apartment. The only addition was a sink, dishwasher, and fridge. Everything else was already in existence.

Hearing no further comment, Chairman Seichter asked for a motion.

Commissioner Venoit: Motion to approve application #204-21 Site Plan for Corso for a 431 sq. Ft. accessory apartment at 3 Juniper Street as shown on submitted plans, subject to:

- 1. Inspection of the Zoning Enforcement Officer prior to issuance of a certificate of occupancy and**
- 2. Comments in Interoffice Memorandum from Erik Krueger, Senior Engineer, Water & Sewer Divisions to Thomas Talbot, Planner, dated March 3, 2021.**

Commissioner Fitzsimmons: Second

Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Hine – yes; Chairman Seichter – yes
The amendment is approved

CGS 8-24

9. Water Main Extensions/High St. (Wlfd), Woodhouse Ave., Center St., Norman Ave./Water and Sewer Divisions

Mr. Talbot explained that there are four places in town where the Water Division is replacing water mains over the next year. He has no information on why these particular mains. CT General Statute 8-24 requires any improvement like this that a local utility makes requires approval from the Planning Commission to verify that it is in line with the Town's plan of development.

Hearing no further comment, Chairman Seichter asked for a motion.

Commissioner Venoit: Motion to approve the Water Main Extensions on High Street, Woodhouse Avenue, Center Street, and Norman Avenue for the Water & Sewer Division.

Commissioner Fitzsimmons: Second

Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Hine – yes; Chairman Seichter – yes
The amendment is approved

EXTENSION

10. Special Permit (Dealers and Repairers)/Cariati/70 North Plains Industrial Road #414-15

Mr. Talbot explained that they have requested a two-year extension and that their new expiration will be December 15, 2022.

Hearing no further comment, Chairman Seichter asked for a motion.

Commissioner Venoit: Motion to approve Special Permit application #414-15 Dealers and Repairers/Cariati/70 North Plains Industrial Road for an extension of two years, expiring on December 15, 2022.

Commissioner Fitzsimmons: Second

Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Hine – yes; Chairman Seichter – yes
The amendment is approved

BOND RELEASES AND REDUCTIONS

11. Site Plan (parking area)/Adams Landing/90 South Turnpike Road #219-12

12. Site Plan (outdoor storage and culvert)/Wallingford Group, LLC/59 and 65 North Plains Highway #225-13

13. Site Plan (multi-family residential)/Arrivisme LLC/238-270 Hall Avenue #404-11

Mr. Talbot reported that #219-12 and #225-13 can be released.

Commissioner Venoit: Motion to approve bond releases for application #219-12 Site Plan (Parking Area)/Adams Landing/90 South Turnpike Road and application #225-13 Site Plan (outdoor storage and culvert)/Wallingford Group, LLC./59 and 65 North Plains Highway.

Commissioner Fitzsimmons: Second

Vote: Unanimous to approve

REPORTS OF OFFICERS AND STAFF

14. Administrative Approvals– no questions

a. Change of Use/Dr. Sudesh Kumar/60 Church Street, Yalesville #314-20

b. Change of Use/Luis Quizhpi/156 B Center Street #315-20

15. ZBA Decisions – January 19, 2021 – February 16, 2021 – no questions

16. ZBA Notice – March 15, 2021 – no questions

17. Zoning Enforcement Log – no questions

18. Discussion – Food Truck Regulations

Chairman Seichter reminded Commissioners that the issue is about allowing Food Trucks on a limited basis at wineries, cideries, and breweries. Under the current regulations, there are limitations on these businesses selling food. Under the current Governor's Executive Orders, they can have food trucks. He suggested focusing on the idea of food trucks for wineries and cideries. He directed Commissioners to the comments from the Corporation Counsel and the draft provided by Mr. Talbot.

Commissioner Fitzsimmons agreed that it makes sense to revise the regulations for the wineries and agreed with the Corporation Counsel that the changes are warranted. He suggested a workshop to discuss.

Chairman Seichter suggested a general discussion on wineries, cideries, and breweries to give some guidance on changes to the regulations. Then there can be further discussion or a workshop on the broader items raised in Atty. Small's memo. Mr. Talbot offered to pull out specifics for wineries, cideries, and breweries for the next meeting. Chairman Seichter and Commissioner Fitzsimmons agreed.

Commissioner Kohan agreed. He noted that on the second to the last page it states that the trucks must be on private property. He noted that Center Street Brewery has no private property. He asked if this would prevent them from being able to have a food truck. Chairman Seichter agreed it would be problematic. Mr. Talbot welcomed any ideas or comments and stated that he will begin drafting the regulation.

19. Annual Report– no comments

Commissioner Venoit made a motion to approve the 2020 Annual Report.

Commissioner Fitzsimmons: Second

Vote: Unanimous to approve

Commissioner Venoit made a Motion to adjourn the March 8, 2021, Wallingford Planning and Zoning Commission meeting at 9:40 pm.

Commissioner Fitzsimmons: Second

Vote: Unanimous

Respectfully Submitted,
Cheryl-Ann Tubby
Recording Secretary