

Wallingford Planning & Zoning Commission
Monday, April 11, 2022
7:00pm
Robert F. Parisi Council Chambers – Town Hall
Room 315
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 Seichter, Chairman; JP Venoit, Vice-Chair; James Fitzsimmons, Regular Member; Jeff Kohan, Regular Member; Jaime Hine, Alternate; David Parent, Alternate; Kevin Pagini, Town Planner.

Absent: Steven Allinson, Regular Member; Armand Menard, Alternate

Consideration of Minutes – March 14, 2022

Commissioner Venoit: Motion to approve the minutes of the March 14, 2022 meeting of the Wallingford Planning and Zoning Commission as presented.

Commissioner Fitzsimmons: Second

Vote: Unanimous to approve.

Chairman Seichter noted that the following agenda item has been withdrawn.

2. PUBLIC HEARING Special Permit (car wash)/G. Gallo/654 North Colony Road #401-22

Chairman Seichter announced that Commissioner Hine will vote in place of Commissioner Allinson.

PUBLIC HEARING

1. Repeal of Section 6.35 of the Wallingford Zoning Regulations which establishes a moratorium on the development of Warehousing and/or Manufacturing uses within the Watershed Overlay Protection District. #903-22

Commissioner Venoit read the legal notice for the record. Application 903-22, Repeal of Section 6.35 of the Wallingford Zoning Regulations which establishes a moratorium on the development of Warehousing and/or Manufacturing uses within the Watershed Overlay Protection District. There was no correspondence.

Mr. Pagini explained that the moratorium was established because the regulation changes had not been voted on. Since they were approved in March, this moratorium can now be repealed.

Hearing no public comment, Chairman Seichter called for action on the application.

Commissioner Venoit: Motion to close the Public Hearing #903-22 Repeal of Section 6.35 of the Wallingford Zoning Regulations which established a moratorium on the development of Warehousing and/or Manufacturing uses within the Watershed Protection Overlay District.

Commissioner Fitzsimmons: Second

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

Commissioner Venoit: Motion to approve application#903-22, Repeal of Section 6.35 Moratorium on Manufacturing and/or Warehousing Uses in the Watershed Protection Overlay District. Repeal Section 6.35 entitled “Moratorium on Warehousing and/or Manufacturing Uses in the Watershed Protection Overlay District” because the regulations were passed.

Commissioner Fitzsimmons: Second

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

The repeal is approved.

OLD BUSINESS

3. Site Plan (445 sq. ft. acc. apt.)/K. McDade/11 Kazersky Drive #204-22

Commissioner Venoit noted the correspondence. Inter-Departmental Referral from the Town Engineer dated February 15, 2022; Inter-Departmental Referral from the Town Sanitarian, dated February 16, 2022; Inter-Departmental Referral from the Fire Marshal, dated February 16, 2022; Inter-Departmental Referral from the Environmental Planner, dated February 14, 2022; a memo from Kevin Pagini, Town Planner, to Kevin McDade, dated March 15, 2022.

Kevin McDade, 11 Kazersky Drive, explained that he bought the house in July and discovered that the accessory apartment was not approved when he received a letter from the town. He wants to make it legal and proper.

Mr. Pagini reported that Mr. McDade came to the town wanting to correct the issue.

Hearing no public comment, Chairman Seichter called for action on the application.

Commissioner Venoit: Motion to approve application #204-22, Site Plan approval request to construct a 445 sq. ft. accessory apartment on plans dated 1/28/2022 subject to:

- 1. Comments in Interoffice Memorandum from Vanessa Bautista, Registered Sanitarian, Health Department, to the Planning and Zoning Department, dated 2/15/2022,**
- 2. Six (6) copies of the approved, site plan are to be forwarded to the Planning and Zoning Office, and**
- 3. Final approval by the Zoning Enforcement Officer.**

Commissioner Fitzsimmons: Second

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

NEW BUSINESS

4. Site Plan (merging of properties and small service write-up addition at #406)/Exc. Dodge dba Exc. Dodge & Jeep of Wallingford/400 &406 So. Orchard Street #206-22

Commissioner Venoit read the correspondence into the record. Interoffice Memo from the Fire Marshal dated 3/22/2022; Interoffice Memo from the Environmental Planner dated 3/16/2022; Interoffice Memo from the Sr. Engineer, Water & Sewer Division, dated 4/8/2022; Interoffice Memo from the Town Engineer, dated 4/6/2022; and Site layout plan received 4/7/22.

Christopher Juliano, licensed land surveyor and professional engineer with the firm of Juliano Associates, 405 Main Street, Yalesville, represented Executive Dodge, Jeep, and Ram. He explained the expansion at 400 & 406 So. Orchard Street and showed the existing conditions regarding another expansion of the facility at 400 and 406 South Orchard Street. He explained the existing conditions and noted that the northern building used to be Executive Fiat. 406 is the larger building on the southern property. The plan is to construct a small (2,500 sq. ft.) addition to the Executive Dodge building. The location causes an issue with the setback between 406 & 405, so the owner decided to merge the two properties, removing the interior lot line. The purpose of the addition is a service write-up area. Vehicles pull in and meet with a technician, then walk into the waiting room. It is for the ease of the customer and part of the white-glove service offered by the dealership. Mr. Juliano explained the reconfigured parking layout. They are going from approximately 260 parking slots (many of which are non-conforming) to 176 spaces. He explained the grading and drainage plan and showed there is not a lot of change. They will keep all stormwater on-site.

Mr. Pagini verified that all the comments from the Wetlands Commission were addressed. Mr. Juliano stated that they received administrative approval from Mr. Vitali.

Hearing no public comment, Chairman Seichter called for action on the application.

Commissioner Venoit: Motion to approve application #206-22, Site Plan approval request for the 2,460 sq. ft. expansion of an existing service area and parking lot reconfiguration as shown on plans entitled “Site Layout Plan” dated 3/4/2022 and revised to 4/5/2022 subject to:

- 1. Comments from Environmental Planner, Erin O’Hare dated 4/1/2022,**
- 2. Comments from the Fire Marshal’s office dated 3/21/2022,**
- 3. Comments from Erik Krueger, Senior Engineer, Water & Sewer Division dated 4/8/2022,**
- 4. An erosion and sediment control bond in the amount of \$1,000.00, and**
- 5. Six (6) copies of the approved, final plans are to be forwarded to the Planning and Zoning office.**

Commissioner Fitzsimmons: Second

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

**5. Site Plan (medical office)/New England Retail Properties, Inc./800 North Colony Road
#207-22**

Commissioner Venoit read the correspondence into the record. Interoffice Memo from the Fire Marshal's office received 3/22/2022; Interoffice Memo from the Junior Engineer, Water & Sewer Division, to Kevin Pagini, Town Planner, dated 3/31/2022; and drawings received 4/7/2022.

Jim Cassidy, Professional Engineer and Principle of Hallisey, Pearson & Cassidy Engineering Associates 630 Main Street, Cromwell presented for New England Retail Properties, the developer. They propose a 3,000 sq. ft. medical office at 800 North Colony Road, on the corner of Beaumont and North Colony. This is next to the Tractor Supply that was approved in 2017. The access is off of Beaumont Street due to the watercourse across the entire frontage. There are now 74 spaces in front of the building with more parking in the loading area to the rear of the Tractor Supply store, bringing total parking up to 82 spaces. This would be an urgent health care office totaling 3,000 sq. ft. just to the west of the parking area in the southwest corner of the property. He noted that they are not proposing new parking spaces. They will add sidewalks and connect to the utilities, water, and sewer already there for the Tractor Supply. There will only be roof area drainage which will go into an underground infiltration system. He stated that they submitted the utility plan. Mr. Cassidy explained that did receive a variance for parking from the ZBA. Thus they will not be constructing additional parking. He explained that they were denied a variance for the orientation of the building, as it was not going to face North Colony. They have redesigned the building with an entry tower with storefront glass and a door facing North Colony Road and extended the sidewalk. There will be a similar entrance on the northeast corner closer to the parking lot. The sidewalk will give access to both doors. He noted that the colors of the building are similar to the Tractor Supply building.

Mr. Pagini asked to add to the motion that any landscaping issues for the entire site are fixed. Then he will release the bond on the Tractor Supply application. He wants to be sure the trees near Beaumont Road are well established.

Commissioner Fitzsimmons asked if there would be a dumpster. Mr. Cassidy replied no, it is a medical office and they don't use a dumpster. A service picks up the medical waste from inside the building. Commissioner Fitzsimmons asked if the front door facing Route 5 will be used and accessible. Mr. Cassidy replied yes, it will be used as an entrance just like the door on the parking lot side. Commissioner Fitzsimmons asked about the comments from the Town Engineer. Mr. Pagini replied that they were included in the conditions because they came in late. Mr. Cassidy added that he spoke with the Environmental Planner and since they are more than 50 ft. away from the wetlands area so there is no need for another application to Wetlands. Also, they are not increasing the impervious surface

enough. Mr. Pagini noted that the Environmental Planner confirmed with Mr. Cassidy but he hasn't received anything.

Commissioner Kohan clarified that there will be no parking in the front of the building (on the south side). Mr. Cassidy replied yes. Commissioner Kohan asked about the hours of the facility. Mr. Cassidy replied from 9am to 8pm.

Chairman Seichter referred to the photo of the building and asked if the signage will be the same on North Colony Road and Beaumont Road. Mr. Cassidy replied yes and stated that they have talked with the Zoning Enforcement Officer and will submit a separate application for signage. Chairman Seichter asked if the ravine in front can be cleared of debris and dead trees. Mr. Cassidy replied that the Wetlands Commission instructed them to leave it as it is because it is good for wildlife. Mr. Pagini confirmed.

Commissioner Venoit: Motion to approve application #207-22, 800 North Colony Road. Site Plan approval request to construct a 3,000 sq. ft. medical office building on plans entitled "Site Plan Application for proposed 3,000 sq. ft. Medical Office" dated 3/11/2022 and revised to 4/6/2022, subject to:

- 1. Comments from Scott Shipman, Junior Engineer, Water & Sewer Division dated 3/29/2022,**
- 2. Comments from the Fire Marshal's office dated 3/21/2022,**
- 3. The applicant shall provide additional storage to handle the 100-year storm as required in Section 4.12,**
- 4. An erosion and sediment control bond in the amount of \$2,500.00,**
- 5. Six (6) copies of the approved, final plans forwarded to the Planning and Zoning office, and**
- 6. Any landscaping issues are resolved to the satisfaction of the Planning and Zoning office.**

Commissioner Fitzsimmons: Second

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

Chairman Seichter asked Mr. Pagini to be sure to have all the comments from other departments to the Commission for the meeting.

DISCUSSION

6. Affordable Housing Plan

Mr. Pagini explained that he worked with the South Central Regional Council of Governments (SCRCOG) in coordination with RKD Associates and the Wallingford Housing Authority. He provided an overview of the draft plan, which was distributed. There is a requirement from the State that all towns must adopt an Affordable Housing plan by June 1st of this year. SCRCOG coordinated with communities

seeking assistance. The document provides demographics and housing market conditions study community overview and definitions of what affordable housing is. Over several meetings, they looked at the housing goals as well as locational analysis and looked at community goals for Wallingford.

Commissioner Fitzsimmons asked if we are allowed to count senior housing that has federal or state assistance as affordable. Mr. Pagini stated that he can check. Commissioner Fitzsimmons stated that we should make sure the appropriate units in the senior assisted independent living facility in town are included in our numbers. He stated that we are already halfway to our 10% goal.

Commissioner Hine asked how many towns have met the 10% threshold. Mr. Pagini replied that he thinks it's around 10% of towns that have done so. Commissioner Hine asked if we have had appeals filed in the past under the statute. Mr. Pagini said he would look. He knows that a couple of projects have been approved recently. Commissioner Hine stated that they should be in a convenient location near groceries and transit. He asked if the Housing Authority or the town has sites in mind along Rte. 5 for these projects. Mr. Pagini replied that the Housing Authority has been looking and may be proposing a separate housing zone. He noted that currently, the Rt. 5 district doesn't allow residential housing. He suggested more adaptive reuse in that zone. The Housing Authority may look for a change in zoning in that area so they don't always have to get a special permit. Mr. Pagini noted that housing along bus routes and near transit lines is one of the goals.

Chairman Seichter stated that the Affordable Housing plan never made sense. The affordability period based on the State statute is for a minimum of 20 or 30 years. Today we could be at 10% and then projects roll off so will always have to generate more. He stated that we are all in support of affordable housing, particularly in the incentive housing zone, and are disappointed that we haven't seen any development. He suggested some wording changes. First, on page 27 at the bottom of the page where it says "based upon data gathered by the Department of Economics Community Development, Wallingford has seen net increases in housing stock over the past 20 years, meaning there have been units constructed then there were demolitions over any given year." He suggested adding 'more' before the word 'units'. Mr. Pagini made note of that. Chairman Seichter continued, on page 14 at the end of the first paragraph, where it says "Wallingford also saw a slight increase in residents who identify as Latinx". He suggested that we make sure that is the correct term. It should be up to that ethnic community to determine how they are identified. Chairman Seichter stated that there is a lot of good information in this report.

Commissioner Kohan noted that the Senior Regional Planner can give an overview of the Commission is interested. He offered to relay the Commission's comments on the draft plan. He added that the Regional Commission asked what if a town doesn't meet this requirement and there is no answer yet.

7. Possible workshop on Accessory Apartments/Residential Parking Requirements/Incentive Housing Zone.

Mr. Pagini referred to the packet distributed and gave an overview of the topics: the state legislation on accessory apartments, the residential parking requirements, and the density of the housing in the

Incentive Housing Zone. He distributed a packet on the legislation affecting accessory apartments and parking. The state legislation would if you don't opt-out (the opt-out language is in the notes he provided) require no more than 1 parking space for a studio or one-bedroom unit can be required and no more than 2 parking spaces for each dwelling unit with two or more bedrooms. Our regulations have more parking requirements than that. He stated that we have until January 1, 2023, to decide whether or not to opt-out. He suggested having more than one workshop and doing the Incentive Housing topic separately.

Chairman Seichter stated that the incentive housing zone and density topic should be looked at soon. There is some interest in one property and there may be more. We have a little more time on the accessory apartments and parking issues. He suggested a workshop in late April or early May.

Commissioner Parent asked if we could do all three topics in one meeting. Chairman Seichter suggested two topics at the most.

Commissioner Hine agreed that the incentive housing zone will take more time and is more pressing. He agreed with doing it separate from the other two.

Chairman Seichter suggested the first workshop for the Incentive Housing Zone will be scheduled in early May. Mr. Pagni agreed to do a poll. Chairman Seichter stated that afterward, we can decide on a workshop on the other topics

BOND RELEASES AND REDUCTIONS

8. Site Plan/Tractor Supply/801 North Colony Road #203-18

Mr. Pagni stated that this can be released.

Commissioner Venoit: Motion to release the bond on application #203-10 Site Plan/Tractor Supply/801 North Colony Road.

Commissioner Fitzsimmons: Second

Vote: Unanimous to approve

The bond will be released.

REPORTS OF OFFICERS AND STAFF

9. Election of Officers

Chairman Seichter noted that Commissioner Allinson is not present so elections will be postponed.

10. Administrative Approvals – noted as approved

- a. Survey Waiver/B. Sharkey/6 Nod Brook Road #802-22**
- b. Site Plan/G. Sharon/97 Chapel Street #205-22**
- c. Change of Use/M. Gouveia/86 North Main Street #302-22**

11. ZBA Decisions of March 21, 2022 – no comment

12. ZBA Notice for April 18, 2022 – no comment

13. Zoning Enforcement Report

Mr. Pagine noted that there has been some movement at Iron Horse Equipment and it looks better. He added that they are coming in May with a site plan for the outside storage. He reported that Ms. Torre revamped the report to show the more current material. He offered to relay any comments to Ms. Torre. It is still a work in progress.

ADJOURNMENT

Commissioner Venoit: Motion to adjourn the April 11, 2022 meeting of the Wallingford Planning and Zoning Commission at 8:00 pm.

Commissioner Fitzsimmons: Second

Vote: Unanimous to approve

Respectfully submitted,
Cheryl-Ann Tubby
Recording Secretary