

**PLANNING AND ZONING COMMISSION/
TOWN COUNCIL
Town of Wallingford**

**WORKSHOP MEETING
Monday, December 20, 2010
MINUTES**

The Workshop Meeting of the Wallingford Planning and Zoning Commission and Town Council was held on Monday, December 20, 2010, at 7:00 p.m. in Council Chambers of the Town Hall Municipal Building, 45 South Main Street, Wallingford, Connecticut.

In attendance were Commissioners: Mr. James Seichter (Chairman), Mr. Birney (Vice Chairman) and Mr. Jim Fitzsimmons. Councilors present were: Mr. Parisi (Chairman), Mr. Farrell, Mr. Fishbein, Mr. Letourneau, Mrs. Rascati, Mr. Sullivan, Mr. Testa and Mr. Cervoni.

The Town staff persons attending were: Mayor Dickinson, Town Attorney Janis Small, Linda Bush, Town Planner and Recording Secretary Sonja Vining. Also present was Town Consultant Attorney Tim Hollister.

Chairman Parisi called the meeting to order at 7:08 p.m. There was a moment of silence and the Pledge of Allegiance was given to the Flag. Roll call was taken for the Town Council. Chairman Seichter called the meeting to order and introduced the Members of the P&Z Commission that were in attendance.

Linda Bush, Town Planner, announced that the ZBA was holding it's meeting in Room 315 for any members of the public that were in attendance for that meeting. She introduced Tim Hollister who was present on behalf of the P&Z Commission who has been the Town's Consultant throughout this process. Ms. Bush made a Power Point presentation on the Incentive Housing Zone (available in the Planning Office).

Chairman Parisi asked for public comments. Speaking from the public was:

Joe Marra, Economic Development Commission, spoke in support of the concept but stated that there are also some concerns. The EDC has some concerns with control after this amendment is approved/if approved. Mr. Marra would like to know what controls the Town would have once an amendment like this is approved.

John Gervasio, Jodi Drive, stated that he has been following this proposal for approximately two years. He believes that the idea of revitalizing the downtown area is a good one but needs more discussion. He isn't sure that this zoning amendment would create what the residents of Wallingford want for the downtown. Mr. Gervasio doesn't feel that such urban areas as Blueback Square should be compared to the town center of Wallingford. He is concerned that four story buildings with a three story parking garage would not be what Wallingford residents would consider their town center. Mr. Gervasio read from Page 22, Section I of the proposed regulation. Mr. Gervasio asked where in the regulation it states that a developer must provide the required minimum parking within their site. Ms. Bush referred to Page 19, Section F of the proposed regulations. She pointed out that common parking or joint parking is allowed with legal documents on the land record, but other than that it must be on your property. Any

property owner could apply for a variance and appear before the Zoning Board of Appeals to appeal anything, including parking. Mr. Gervasio feels that parking is a key element because if parking doesn't work there are not many choices. He distributed and reviewed the parking study that was done in 2007. The study compared what parking would be under the old regulations versus these new regulations. Ms. Bush pointed out that the traffic study being discussed is a generic study, it is a schematic. She indicated that she has done four extensive parking studies of the downtown area. Ms. Bush has done studies dated 1991, 1993, 2003 and 2007. She stated that in 2007, on a normal business day, 44% of all of the available parking spaces were vacant. Mr. Gervasio feels that the reason that 44% of parking is vacant is because there are vacant buildings in the area. He feels that this plan pushes toward a mass of taller buildings with parking that simply would not work.

Carol Ryan, Board Member of Wallingford Center Incorporated, spoke in support of the plan. She feels that there must be housing included in this plan to get the feet on the street which is what is important for the growth of town. Ms. Ryan feels that the downtown area must be revitalized and then there will be the need for parking.

Rachael Bonito has some concerns with this plan. She is in favor of the development of business and the development of the area. She believes that the area does need to be revitalized. Ms. Bonito does not want people to get off the train and see a strip mall with apartments above them. She wants people to get off the train and see the unique character of Wallingford. She has concerns with the people who live in the area now not being able to afford this "affordable housing". Ms. Bonito doesn't know where all of the people are coming from who will be living in this "affordable housing" which will be located very close to the train tracks. She agrees that the downtown area needs improvement but she would like to see the character of the Town remain. She is against this proposal.

Councilor Fishbein referred to a memo dated December 14th from Janis Small, Town Attorney to Linda Bush, Town Planner. Ms. Bush discussed the memo with Attorney Small but did not put her responses in writing. Ms. Bush stated that the way the regulation is written it would not allow for a big box store in the area. She made it clear that the regulation being discussed was dated November 23, 2009, which was the same one that the Council had in front of them in March. Referring back to the memo Ms. Bush indicated that under the definition of public transportation, bus depot and railroad yards should be removed.

Councilor Fishbein discussed the traffic and parking study. He stressed that he is in favor of revitalizing the downtown area but he does have some issues with this plan.

Councilor Sullivan stated that one of his concerns is traffic. Ms. Bush explained that the traffic study was a generic study. What the study did was take existing traffic numbers and add a hypothetical number that would be generated by the new development. She referred to Page 82 of the traffic study stressing that the trip generation is the important number to look at. Councilor Sullivan asked about pedestrian traffic. Ms. Bush stated that there are pedestrian lights already in place throughout the area. Councilor Sullivan stated that he is open to this idea but he is not sure that this is exactly the answer. Once his concerns have been addressed he would be in support of this plan.

Councilor Cervoni feels that the concept is a very positive one and he hopes the Town can make it work. Some of the details of the plan concern him. Councilor Cervoni discussed the issue of the width of the sidewalks. He also has some concern about the businesses being drawn down the hill to new development and the businesses on Center Street suffering. Chairman Seichter feels that development is

not stagnate. If something were created in the downtown area the hope would be that the gap would begin to fill in.

Mayor Dickinson stated that downtown is an area that is of some concern and some improvements have been made. He does have some concerns regarding this plan and referred to Section K1 regarding sidewalks. The Mayor wants to be sure that the Town would not be required to cover the cost of any sidewalk improvements if they were to be required. He also has concerns about the width of the sidewalks in the downtown area and the continuity of the area given that there would most likely be different contractors involved. Mayor Dickinson feels that the Special Permit process would be a better way to go, where there would be more discretion on the part of the P&Z to analyze what is being proposed in context of what is in the surrounding area. The Mayor feels that there has been a lot of good input and the discussion should continue rather than make a decision at this time.

Chairman Seichter clarified that these regulations are being proposed under Home Connecticut Legislation. The PZC has until December 27th to pass the regulation and meet the Home Connecticut Legislation and the Town would receive incentive payments based on the number of units that were approved. The need to act on this amendment at this time is geared toward the Home Connecticut Legislation if the Town wants to take part in that. Chairman Seichter stated that a zoning regulation should not be enacted based on dollars or anticipated dollars.

Ms. Bush, Town Planner, hopes that if the Town postpones this issue, it keeps the affordable housing component in as a requirement. She feels that Wallingford needs affordable housing and this would be one way that the Town could get it.

Councilor Testa clarified that the roll of the Town Council in this case is to vote to express its support for this zoning change. Attorney Small stated that the Council doesn't have to do anything because the Council cannot override any decision that the PZC makes. The Council can show, by a vote, if they are in support of the regulation or not. Councilor Testa asked if the plan could be scaled down once it is adopted. Ms. Bush indicated that the zoning regulations could be amended at any time. Councilor Testa expressed some concern about the scope and scale of this plan. He discussed what could happen if this area is built out and something doesn't go according to plan and the affordable housing doesn't attract the people targeted. He doesn't want this change to be rushed just to qualify for this program. Councilor Testa stated that he was in support of the concept especially the affordable housing component.

Ms. Bush stated that all of the planning articles that she has read state that transit (the commuter rail line) brings development. Chairman Seichter reminded the Council that what is proposed is an overlay zone. The zoning that is in place in the area now would remain in place and this would be an overlay and would provide another development option for people in this district.

Councilor Farrell stated that in part he supports this plan. He does not feel that this is the proper vehicle to get the Town where it wants to be. He agrees with the Mayor that the Special Permit process would be a better way to go. Councilor Farrell feels that this plan is salvageable but without Home Connecticut being involved. He stated that he could not support the regulation change as it has been presented tonight.

Councilor Letourneau stated that he has been a business owner on Center Street for eleven years. He read from Envision Wallingford 2015 a committee on which he served. He discussed property on Center Street that has been purchased and rehabilitated into housing and been very successful.

Councilor Letourneau stated that this proposal is not perfect but it is a good start. He stated that what is needed downtown is larger retail, 1,500- 2,000 sq.ft. units. He doesn't believe there are any parking problems downtown. He stated that pictures that have been provided from Blueback Square or other buildings or parking garages in other towns are just examples, concepts of what could be. No one in town wants to see Wallingford turned into something it is not. Councilor Letourneau understands that there are concerns but he is in support of the plan. He feels that Wallingford is ready to move forward.

Councilwoman Rascati stated that she is in favor of revitalizing the downtown area but she is not in favor of overdeveloping the area. She feels that a four-story building fronting on narrow sidewalks will change the character of downtown Wallingford. She would like to see discussion continue on working toward this goal. Councilwoman Rascati would like to see the Special Permit process used in this case. She does not want the Town to rush into anything.

Chairman Parisi stated that it has been a very good meeting. He feels that what is most important about Wallingford is the character of the town and he doesn't want to see that lost. He believes that this plan needs some fine-tuning. Chairman Parisi could not support this plan as it is today.

Councilor Fishbein referred to Page 15, Section C of the regulation. Ms. Bush clarified that if a developer comes in and receives approval for an incentive housing zone they would lose the right to the underlying zone. If they want to go back to the underlying zone it would take a zone change. Councilor Fishbein suggested trying this concept in a smaller area and he believes it should be done with a Special Permit process.

MOTION: MR. FISHBEIN, THAT THE TOWN COUNCIL NOT SUPPORT THE PROPOSED REGULATION IN ITS PRESENT FORM.

SECOND: MR. FARRELL

Councilor Cervoni asked what percentage of affordable housing is currently in Wallingford. Ms. Bush stated that there is 5.6% of affordable housing in Wallingford.

John Gervasio, Jodi Drive, asked if this regulation is adopted by the Town under the Home Connecticut program, any change that the Town wants to make would be subject to the review and approval by the Secretary of OPM. Attorney Hollister stated that would be true only if the change implicates one of the statutorily required standards in the Home Connecticut legislation.

Chairman Parisi read comments previously submitted by Town Attorney Janis Small.

VOTE: MR. CERVONI – NO, MR. FARRELL – YES, MR. FISHBEIN – YES, MR. LETOURNEAU – NO, MRS. RASCATI – YES, MR. SULLIVAN – NO, MR. TESTA – NO, CHAIRMAN PARISI – YES. THE MOTION DID NOT PASS.

MOTION: MR. FISHBEIN, THAT THE TOWN COUNCIL SUPPORT THE PROPOSED REGULATION AS PRESENTED.

SECOND: MR. FARRELL

VOTE: MR. CERVONI – YES, MR. FARRELL – NO, MR. FISHBEIN – NO, MR. LETOURNEAU – YES, MRS. RASCATI – NO, MR. SULLIVAN – YES, MR. TESTA – YES, CHAIRMAN PARISI – NO. THE MOTION DID NOT PASS.

Councilor Cervoni made a motion to adjourn. The motion was seconded by Councilor Farrell and passed unanimously by a voice vote. The meeting adjourned at 9:23 p.m.

Respectfully submitted,

Sonja Vining,
Recording Secretary

Robert F. Parisi, Town Council Chairman

Date

Barbara Thompson, Town Clerk

Date