

ACTION MINUTES
Wallingford Planning & Zoning Commission Meeting
Monday, January 11, 2010

Call to Order – 7:10 p.m.

Pledge of Allegiance

Roll Call – J. Seichter, P. Birney, M. Baxter, J. Fitzsimmons, C. Smith (Acting Secretary, sitting for D. Fritz). J.P. Venoit entered after roll call was taken

Approval of Minutes: **August 17, 2009, Special Meeting** – APPROVED: M. Baxter, P. Birney, J. Fitzsimmons, C. Smith; abstained: J. Seichter
November 30, 2009, Special Meeting – APPROVED: M. Baxter, C. Smith, J. Seichter, P. Birney, J. Fitzsimmons

PUBLIC HEARINGS

7:00 p.m.

1. Special Permit/Mesite Family Limited Partnership/North Colony Road #412-09
CONTINUED to February 8, 2010 at 7:00 p.m.: M. Baxter, C. Smith, J. Seichter, P. Birney, J. Fitzsimmons

7:30 p.m.

2. Special Permit (Location of Use)/P. Taylor/Washington Street **(NO ACTION)** #409-09

8:00 p.m.

3. Zoning Change/Ichi Ban Properties/South Turnpike Road **(NO ACTION)** #506-09

8:30 p.m.

4. Zoning Regulation Amendment/Proton Energy/Section 4.9E #507-09

MOTION: To approve an amendment for Proton Energy systems to Section 4.9E of the Zoning Regulations to make hydrogen road vehicle fuel station a permitted accessory use in the IX zone, because based on the totality of the evidence, the proposed amendment, as revised by Vincent Mascia, Senior Engineer, in his interoffice memorandum, dated January 8, 2010, to Linda Bush, Town Planner, regarding this application, is consistent with the Wallingford Plan of Conservation and Development as well as the Wallingford Zoning Regulations.

APPROVED: M. Baxter, C. Smith, J. Seichter, P. Birney, J. Fitzsimmons

OLD BUSINESS

5. Site Plan/Amaral Associates (Burger King)/North Colony Road #219-09

MOTION: To approve a site plan for a 3,194 square foot Burger King for Amaral as shown on plans entitled "Site Plan, Burger King #635, 888 North Colony Road, Wallingford", dated 9/22/09, revised to 12/22/09, subject to the following conditions:

- A. The conditions set forth in the December 14, 2009 correspondence from Linda Bush, Town Planner, to the applicant, regarding this application;
- B. The conditions set forth in the January 6, 2010 memorandum from the Department of Engineering to the Wallingford Planning and Zoning Commission;
- C. A \$10,000 construction bond as recommended by the Department of Engineering
- D. The conditions set forth in the November 24, 2009 interoffice memorandum from Vincent Mascia, Senior Engineer, to Linda Bush, Town Planner, regarding this application;
- E. A \$5,000 performance and maintenance bond as recommended by the Water and Sewer Division

APPROVED: M. Baxter, J. Seichter, P. Birney, J. Fitzsimmons, C. Smith

RECEIPT AND ACTION REQUESTED

6. Site Plan (Accessory Apartment)/S. Lee/Deme Road #225-09

MOTION: To approve a 746.75 square foot accessory apartment for Lee at 28 Deme Road, subject to:

- A. Final inspection by the Zoning Enforcement Officer

APPROVED: M. Baxter, C. Smith, J. Seichter, P. Birney, J. Fitzsimmons

REVISIONS

7. Aquifer Protection Registrations

MOTION: To modify the following registrations for the following businesses to remove storage of waste oil as a registered use at the site:

1. 1254 South Broad Street (T. Morico)
2. 1145 Old Colony Road (Pawloski)
3. 1125 South Broad Street (Underpass Used Auto)

APPROVED: M. Baxter, C. Smith, J. Seichter, P. Birney, J. Fitzsimmons

BOND RELEASES AND REDUCTIONS

8. Special Permit/C&W/Main Street, Yalesville **(NO ACTION)**

#415-05

CORRESPONDENCE

9. Newsletter –CFPZA – **NOTED**

10. Donlan/Liquor Permit – **DETERMINED THAT THE SUBJECT REQUEST FOR LIQUOR PERMIT AUTHORIZATION SHALL NOT BE GRANTED BY THE PLANNING AND ZONING DEPARTMENT**

11. Milici/Zone Change/South Orchard Street – **DETERMINED THAT APPLICATION FOR THE SUBJECT ZONE CHANGE MUST BE SUBMITTED BY THE INTERESTED PARTY/PARTIES**

REPORTS OF OFFICERS AND STAFF

12. Annual Report

MOTION: To approve the Annual Report for 2009 as submitted, with the corrections as noted.

APPROVED: M. Baxter, J. Seichter, P. Birney, J. Fitzsimmons, C. Smith

13. Temporary Sign Regulation – **PUBLIC HEARING SCHEDULED FOR 2/8/10**

14. ZBA Decisions – December 21, 2009

15. ZBA Agenda – January 19, 2010

16. Incentive Housing Zone Update – **AWAITING A RESPONSE FROM OPM**

17. Administrative Approvals

a. Site Plan/Times Microwave/ Hall Ave

#224-09

b. Site Plan/Allied Construction/ North Colony Rd

#223-09

c. Change of Use/Aceves/North Plains Ind. Rd

#320-09

18. Notes

19. Zoning Enforcement Log

20. Citation Ordinance

21. Census 2010

22. Revised Meeting Dates

MOTION: To adopt the amended dates for the meetings of the Wallingford Planning and Zoning Commission.

APPROVED: M. Baxter, C. Smith, J. Seichter, P. Birney, J. Fitzsimmons

MOTION TO ADJOURN: M. Baxter, J. Seichter

MEETING ADJOURNED: 10:30 p.m.

PLEASE NOTE: FIRST COMMISSIONER NOTED AFTER AN ACTION IS THE COMMISSIONER MAKING THE MOTION. SECOND COMMISSIONER NOTED IS THE COMMISSIONER SECONDING THE MOTION.