

ACTION MINUTES
Wallingford Planning & Zoning Commission Meeting
Monday, February 9, 2009

Call to Order – **7:10 p.m.**

Roll Call – **M. Baxter, J. Seichter, J. Fitzsimmons, J.P. Venoit**
P. Birney arrived after Roll Call was taken

Pledge of Allegiance

Approval of Minutes – January 12, 2009, January 26, 2009 – **Approved (January 26, 2009): J. Seichter, J.P. Venoit, J. Fitzsimmons - M. Baxter to abstain**

Approval of Descriptive Summary of Meeting – January 12, 2009 – **Approved with correction: M. Baxter, J. Seichter, J.P. Venoit, J. Fitzsimmons**

PUBLIC HEARINGS

7:15 p.m.

1. Special Permit (Fill & Excavation)/Old North Colony Properties/Old Colony Road #402-09
(CONTINUATION)

DENIED: M. Baxter, J. Seichter, J.P. Venoit, P. Birney, J. Fitzsimmons

MOTION: Based upon the totality of the evidence presented and the recommendations of the Town Engineer, the Town Planner and the Environmental Planner, the Commission does not have sufficient evidence to review and approve this application, therefore, it is moved that we deny the application for a Limited Special Permit to permit Old North Colony Properties to stockpile 34,910 cubic yards of fill at 12 Old Colony Road and 10,900 cubic yards of fill at 1120 South Broad Street as shown on plans entitled "Limited Special Permit Application, Map Showing Property of Old North Colony Properties, LLC, 12 Old Colony Road and 1120 South Broad Street", dated July 7, 2008, revised to 02/04/09.

7:30 p.m.

2. Special Permit (Repair Bays to Convenience Store)/N. Alam/South Colony Street #401-09
(CONTINUATION)

APPROVED: M. Baxter, J. Seichter, J.P. Venoit, J. Fitzsimmons NO: P. Birney

MOTION: To approved a Special Permit for Alam (Selina's Family, LLC) to permit the conversion of garage bays to a convenience store at 250 South Colony Street as shown on plans entitled "Site Plan showing proposed conditions prepared for Selina's Family, LLC, dba Wallingford Food Land, 250 South Colony Street, dated January 19, 2009" subject to the following conditions:

- 1. The applicant agrees to abandon all auto sales and auto repair at the property.**
- 2. The applicant agrees to abandon and close two curb cuts closest to the intersection.**
- 3. All of the conditions set forth in the 12/18/08 interoffice memorandum from Vincent Mascia, Senior Engineer, Water & Sewer Divisions, to Linda A. Bush, Town Planner, regarding this application.**
- 4. The conditions set forth in the 02/04/09 Land Use Review from Robert Baltramaitis, P.E. (Assistant Town Engineer), to James Fitzsimmons, Chairman of the Planning and Zoning Commission, regarding this application, which includes an \$8,000.00 bond for work required within the public right-of-way including proposed sidewalk and curb-cut elimination.**
- 5. That there be no drive-through service at the Dunkin Donuts or any future use at this property.**
- 6. There is no outside sales permitted.**
- 7. The final plans should reflect the changes made by the DOT.**
- 8. The applicant agrees to add landscaping as represented at this hearing; and, if the DOT reduces the size of the curb-cut along the South Colony Street entrance, the applicant will work with the Town Engineere and the Town Planner to add landscaping**

8:00 p.m.

3. Special Permit (Multi-Family)/279 Quinnipiac Street, LLC/Quinnipiac St. & Fern Ave. #403-09
Continued to March 9, 2009 at 7:00 p.m.

8:30 p.m.

4. Special Permit (Location of Use)/Nelson's Automotive/North Colony Road #426-08
(NO ACTION REQUESTED)

RECEIPT AND ACTION REQUESTED

5. Site Plan (Accessory Apartment)/Baran/72 Seiter Hill Road #201-09

APPROVED: M. Baxter, J. Seichter, J. Fitzsimmons, J.P. Venoit

MOTION: To approve a 756 sq.ft. accessory apartment for Baran at 72 Seiter Hill Road, subject to:

- 1. Final inspection by the ZEO (Zoning Enforcement Officer).**

6. Subdivision (Change in Condition of Approval)/Maplewood Const./Grove Street #104-07

APPROVED: M. Baxter, J. Seichter, J.P. Venoit, P. Birney, J. Fitzsimmons

Change in bond to \$170,000.00.

EXTENSION REQUESTED

- 6a. Subdivision/J. Shweky/Dibble Edge Road #109-03

APPROVED: M. Baxter, J. Seichter, J.P. Venoit, P. Birney, J. Fitzsimmons

DISCUSSION

7. Proposed Zoning Amendments
a. §4.2.8/Commercial Kennels
b. §6.12E/Dumpsters and Recycling Containers
c. §3.1/Zoning Districts
d. Zoning Permits – Survey Requirement
e. Utility Verification
f. Performance Bonds

CORRESPONDENCE

8. CT Bar Association Workshop
9. CFPZA Annual Meeting

REPORTS OF OFFICERS AND STAFF

10. Administrative Approvals #301-09
a. Change of Use/Verna/North Main Street Ext.
11. ZBA Results – January 20, 2009
12. ZBA Agenda – February 17, 2009
13. Workshop Meeting – February 23, 2009
14. Notes
15. Annual Report
16. Zoning Violation Log