

APPROVAL OF MINUTES:

- 2 Approval of Minutes – March 14, 2011 Regular Meeting – APPROVED

PUBLIC HEARING:

- 2 1. Special Permit/E&E Realty/East Center Street (CONTINUED TO MAY 9) #401-11
3 2. Special Permit (Location of Use)/Vintage Auto/North Cherry St. Ext. #402-11 - APPROVED

NEW BUSINESS:

- 4 3. Accessory Apartment/Luongo/Cooke Rd #205-11 – APPROVED

RECEIPT AND ACTION REQUESTED:

- 4 4. Subdivision Revision/Greene-Woronick/Highland Avenue #102-10 - APPROVED
5 5. Six Year Capital Budget – TABLED TO MAY 9
5 5a. Site Plan (Accessory Apartment)/E. Gonzalez/Bartholomew Lane #208-11 - APPROVED

BOND RELEASES AND REDUCTIONS:

- 5 6. Special Permit/Tracy Realty/Old Colony Road #408-09 – RELEASED CONST BOND
5 7. Special Permit/279 Quinnipiac Street, LLC/Fern Avenue #403-09 – NOT RELEASED

DISCUSSION:

- 6 8. Digital Signs – TO BE DISCUSSED AT AN UPCOMING WORKSHOP

CORRESPONDENCE:

- 6 9. Chief Dortenzio/Street Names - RECEIVED
6 10. APA Membership - RECEIVED
6 11. Attorney Farrell/Tayco - RECEIVED
6 12. Southwest Conservation District/Sedimentation and Erosion Control - RECEIVED

REPORTS OF OFFICERS AND STAFF:

- 6 13. Administrative approvals – NOTED AS APPROVED
a. Change of Use/Parks/North Plains Ind. Rd./Pet Crematorium #304-11
b. Site Plan Modification/Workstage LLC/Leigus Road #206-11
c. Site Plan Modification/Wallingford Shopping LLC/N. Colony Rd #207-11
d. Change of Use/Maplewood/Old Colony/Laundromat #306-11
e. Site Plan Modification/Hometown Garden/Main St. #308-11
f. Change of Use/Morgillo/Toelles Rd/Gymnasium #307-11
g. Change of Use/Ferrauolo/Main St./Restaurant #305-11
h. Change of Use/Vertucci/South Colony Rd./Restaurant #309-11
6 14. Court Decision/Pansy Road v. PZC of Fairfield - RECEIVED
6 15. ZBA Decisions/March 11, 2011 - RECEIVED
6 16. ZBA Agenda/April 18/Meeting Canceled
6 17. Zoning Violation Log - RECEIVED
7 18. Notes
7 Receipts

PLANNING AND ZONING COMMISSION
Town of Wallingford
REGULAR MEETING
Monday, April 11, 2011
MINUTES

The Regular Meeting of the Wallingford Planning and Zoning Commission was held on Monday, April 11, 2011, at 7:00 p.m. in Room 315 of the Town Hall Municipal Building, 45 South Main Street, Wallingford, Connecticut.

In attendance were Commissioners: Mr. Patrick Birney (Acting Chairman), Mr. JP Venoit (Secretary)(arrived after meeting was opened), Mr. Jim Fitzsimmons (arrived after meeting was opened), Ms. Marci Baxter(arrived after meeting was opened), Ms. Stacey Voss (alternate) and Mr. Armand Menard (alternate).

Absent: Mr. James Seichter (Chairman), Mr. Chris Smith (alternate)

The Town staff persons attending were: Linda Bush, Town Planner (joined meeting while in progress), Kacie Costello, Assistant Town Planner, and Recording Secretary Sonja Vining.

Acting Chairman Birney called the meeting to order at 7:08 p.m. The Pledge of Allegiance was given to the Flag. Acting Chairman Birney introduced the Commissioners and the Town staff persons to the audience of approximately 10 people.

Approval of Minutes:

March 14, 2011

Mr. Menard made a motion to approve the Minutes of March 14, 2011 as submitted. The motion was seconded by Ms. Voss and passed.

PUBLIC HEARINGS:

7:00 p.m.

1. Special Permit/E&E Realty/East Center St. (Continued to May 9) #401-11

Chairman Birney acknowledged correspondence received from Manuel Rocha (Att. 1A) consenting to move the public hearing for Dunkin Donuts to May 9, 2011.

Ms. Costello believes that the Commission would have until June to make a decision on the application. Chairman Birney stated that he would like all of the Commission members to receive a copy of the peer review as soon as possible. Ms. Costello stated that the reason the hearing was continued was because there were many people who wanted to attend both the budget hearing and the hearing on Dunkin Donuts.

Mr. Fitzsimmons asked if a peer review has been ordered. Ms. Costello stated that the Town has not retained anyone to do the peer review at this time. Ms. Costello was hesitant to discuss the hearing since the public is under the impression that this item was not going to be discussed at this meeting. She recommended that the Commission wait until next month to discuss the issue with the Applicant. Ms. Costello believes that at the next meeting the Applicant would either have a peer review available for the Commission or would discuss the issue with the Commission. Ms. Costello stated that the Town

Engineering Department has someone available to do the peer review if the Applicant moves forward with it.

MR. FITZSIMMONS: MOTION TO OPEN THE PUBLIC HEARING FOR E&E REALTY #401-11 AND CONTINUE TO THE MEETING OF MONDAY, MAY 9, 2011 AT 7:00 P.M.

THE MOTION WAS SECONDED BY MR. VENOIT AND PASSED UNANIMOUSLY BY A VOICE VOTE.

7:30 p.m.

2. Special Permit (Location of Use)/Vintage Auto/North Cherry St Ext. #402-11

Mr. Venoit, Secretary, read the Legal Notice and acknowledged the correspondence received for the record from: Linda Bush, Town Planner to Vintage Auto Restoration Services, LLC dated March 29, 2011 (Att. 2A); Vincent Mascia, Senior Engineer W&S to Linda Bush, Town Planner dated April 6, 2011 (Att. 2B); revised plan (Att. 2C).

Presenting the application was Attorney Ceneviva and the Applicant Justin Barrons, Vintage Auto Restoration Services LLC.

Attorney Ceneviva indicated that Mr. Barrons would be operating his vintage auto restorations business out of two garage bays currently located at 322 North Cherry Street Extension. The proposed hours of operation would be Monday – Saturday 7:30 a.m. to 6 p.m. There would be no washing of vehicles on site.

Chairman Birney asked for public comments. There were no comments from the public.

MR. FITZSIMMONS: MOTION TO CLOSE THE PUBLIC HEARING.

THE MOTION WAS SECONDED BY MR. VENOIT AND PASSED UNANIMOUSLY BY A VOICE VOTE.

MR. FITZSIMMONS: MOTION TO APPROVE A SPECIAL PERMIT (LOCATION OF USE) FOR VINTAGE AUTO FOR A TWO (2) BAY AUTOMOBILE REPAIR BUSINESS AT 322 NORTH CHERRY STREET EXT., WITH THE FOLLOWING CONDITIONS OF APPROVAL:

- 1. CONDITIONS OF APPROVAL OF THE W&S DIVISION DATED APRIL 6, 2011.**
- 2. NO MORE THAN FIVE (5) VEHICLES CAN BE STORED OUTDOORS OVERNIGHT.**
- 3. WHEEL STOPS ARE TO BE INSTALLED AS DEPICTED ON THE REVISED PLAN.**

THE MOTION WAS SECONDED BY MR. VENOIT AND PASSED UNANIMOUSLY BY A ROLL CALL VOTE.

NEW BUSINESS:

3. Accessory Apartment/Luongo/Cooke Rd #205-11

Mr. Venoit, Secretary, acknowledged the correspondence received for the record from: Vincent Mascia, Senior Engineer W&S to Linda Bush, Town Planner dated April 6, 2011 (Att. 3A); Inter-Departmental Referral Carmen Rao, Fire Marshal dated March 17, 2011 (Att. 3B).

Presenting the application was Daniel Lyons, Architect.

Mr. Lyons stated that the proposed accessory apartment would be 768 sq.ft. The apartment would have one bedroom. One half of the existing garage would be converted into a portion of the apartment. There would be an addition to the front and rear section of that garage to complete the apartment. The lot is approximately 5 ½ acres.

Ms. Costello stated that the shed noted on the plans is actually considered garage space. She asked if the concerns of the Health Department have been addressed. Mr. Lyons was unable to answer that question. Ms. Costello recommended to the Commission that if it were going to approve this application it attach a condition of approval that the concerns of the Health Department be addressed.

Chairman Birney asked for public comment. There were no comments from the public.

MR. FITZSIMMONS: MOTION TO APPROVE A 768 SQ.FT. ACCESSORY APARTMENT FOR LUONGO AT 124 COOKE ROAD, SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

- 1. SUBJECT TO INSPECTION FROM THE TOWN ZONING ENFORCMENT OFFICER.**
- 2. THE APPLICANT IS TO ADDRESS ANY CONCERNS OR REQUIRMENTS FROM THE TOWN DEPARTMENT OF HEALTH.**

THE MOTION WAS SECONDED BY MR. VENOIT AND PASSED UNANIMOUSLY BY A ROLL CALL VOTE.

RECEIPT AND ACTION REQUESTED:

4. Subdivision/Greene-Woronick/Highland Avenue #102-10 (Att. 4A)

Attorney Robert Regan appeared representing Greene-Woronick.

MR. FITZSIMMONS: MOTION TO APPROVE A REVISION TO AN EIGHT (8)-LOT SUBDIVISION FOR GREENE-WORONICK ON HIGHLAND AVENUE TO REMOVE CONDITION #4 – ADDITION OF SIDEWALKS ALONG HIGHLAND AVENUE AS REQUIRED BY THE TOWN SUBDIVISION REGULATIONS.

THE MOTION WAS SECONDED BY MR. VENOIT AND PASSED UNANIMOUSLY BY A ROLL CALL VOTE.

5. Six Year Capital Budget (Att. 5A & 5B)

The Commission noted that there was no one present from the Engineering Department. The Commission does not feel comfortable voting on this budget without getting some input from Engineering.

Ms. Bush feels that there are several items included in this budget that need to be discussed. She doesn't feel that large amounts of money should be spent on the "Brother's parking lot" when the Commuter Rail will be coming in a few years and it may have to be redesigned at that time. Ms. Bush also feels that emergency medical personnel/services are more important than enhancing the streetscape.

MR. FITZSIMMONS: MOTION TO TABLE ACTION ON THE SIX YEAR CAPITAL BUDGET TO THE MAY 9, 2011 MEETING.

THE MOTION WAS SECONDED BY MR. VENOIT AND PASSED UNANIMOUSLY BY A VOICE VOTE.

5a. Site Plan (Accessory Apartment)/E. Gonzalez/Bartholomew Lane #208-11

Presenting the application was Kevin Ahern.

Mr. Ahern provided photos of the residence. There is a 772 sq.ft. accessory apartment over an attached garage. In 2008 a building permit was issued for work above the garage which included a kitchen area, living area and bathroom. At that time the Applicant was not told he would be required to apply for accessory apartment approval. Ms. Bush indicated that the existing accessory apartment appears to comply with all of the regulations.

MR. FITZSIMMONS: MOTION TO APPROVE A 772 SQ.FT. ACCESSORY APARTMENT FOR GONZALEZ AT 8 BARTHOLOMEW LANE, SUBJECT TO AN INSPECTION BY THE ZONING ENFORCEMENT OFFICIER.

THE MOTION WAS SECONDED BY MR. VENOIT AND PASSED UNANIMOUSLY BY A ROLE CALL VOTE.

BOND RELEASES AND REDUCTIONS:

6. Special Permit/Tracy Realty/Old Colony Rd #408-09 (Att. 6)

Ms. Bush recommended that the construction bond be released but not the S&E bond.

7. Special Permit/279 Quinnipiac St., LLC/Fern Avenue #403-09

Ms. Bush recommended that the bond not be released.

MR. FITZSIMMONS: MOTION TO RELEASE THE CONSTRUCTION BOND FOR TRACY REALTY/OLD COLONY RD #408-09 AS RECOMMENDED BY THE TOWN PLANNER.

THE MOTION WAS SECONDED BY MR. VENOIT AND PASSED UNANIMOUSLY BY A ROLE CALL VOTE.

DISCUSSION:

8. Digital Signs

Ms. Bush discussed the issue of LED signs and the fact that her office permits time/temperature signs and signs with changing messages but not flashing signs. She indicated that there has been some interest in installing a digital billboard in town. She asked for input from the Commission. The general feeling of the Commission is that signs that change message periodically are fine but signs that flash would be distracting to drivers on the road and that would not be acceptable. Ms. Bush asked if the Commission feels that it would be necessary to redefine what is meant by a “flashing” sign. The Commission would discuss the issue in more detail at an upcoming workshop meeting.

CORRESPONDENCE:

9. Chief Dortenzio/Street Names (Att. 9)

Received by the Commission.

10. APA Membership (Att. 10)

Ms. Costello stated that if anyone wanted to join the APA there is a discounted rate for Commissioners as well as a group rate.

11. Attorney Farrell/Tayco (Att. 11)

Received by the Commission.

12. Southwest Conservation District/Sedimentation and Erosion Control (Att. 12)

Received by the Commission.

REPORTS OF OFFICERS AND STAFF:

13. Administrative approvals – NOTED AS APPROVED

- a. Change of Use/Parks/North Plains Ind. Rd./Pet Crematorium #304-11
- b. Site Plan Modification/Workstage LLC/Leigus Rd #206-11
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- g. Change of Use/Ferrauolo/Main St./Restaurant #305-11
- h. Change of Use/Vertucci/South Colony Rd/Restaurant #309-11

14. Court Decision/Pansy Road v. PZC of Fairfield (Att. 14)

Received by the Commission.

15. ZBA Decisions/March 11 (Att. 15)

Received by the Commission.

16. ZBA Agenda/April 18/Meeting Canceled

17. Zoning Violation Log (Att. 17)

Ms. Costello briefly discussed several items included on the Zoning Violation Log.

18. Notes

Receipts

1. Site Plan Revision/Wallingford Emergency Shelter/Quinnipiac Street #213-10R
2. Special Permit (Multi-Family Complex)/DeAntonio/Main Street, Yalesville #403-11
3. Special Permit (Adaptive Re-Use)/Arrivisme, LLC/Hall Avenue #404-11

Mr. Fitzsimmons made a motion to adjourn. The motion was seconded by Mr. Venoit and passed unanimously by a voice vote. The meeting adjourned at approximately 8:04 p.m.

Respectfully submitted,

Sonja Vining,
Recording Secretary

Att. 1A through 17