

APPROVAL OF MINUTES:

- 2 Approval of Minutes – April 11, 2011 Regular Meeting – APPROVED

PUBLIC HEARING:

- 2 1. Special Permit/E&E Realty (Dunkin Donuts)/East Center Street - CONTINUED TO JUNE #401-11
3 2. Special Permit (multi-family)/DeAntonio/Main Street, Yalesville #403-11 – CONTINUED TO JUNE
4 3. Zoning Map amendment/Arrivisme/Hall Avenue #503-11 - APPROVED
5 4. Special Permit/Arrivisme/Hall Avenue (NO ACTION REQUESTED) #404-11

OLD BUSINESS:

- 5 5. Six-year Capital Budget - APPROVED

NEW BUSINESS:

- 5 6. Site Plan Revision/Wallingford Emergency Shelter/Quinnipiac Street #213-10R - APPROVED

DISCUSSION:

- 6 7. Otero/Truck Rental - RECEIVED
6 8. Proposed State Legislation - RECEIVED

CORRESPONDENCE:

- 6 9. Reynolds/Trees on Old Durham Road - RECEIVED
6 10. Small/Alternates Participation - RECEIVED
6 11. CFPZA Newsletter - RECEIVED
6 12. Martinez/Toll Brothers - RECEIVED
6 13. Fire Marshal/Emergency Access - RECEIVED
7 14. Clear/Land Use Academy - RECEIVED

REPORTS OF OFFICERS AND STAFF:

- 7 15. ZBA Agenda/May 16, 2011 - RECEIVED
7 16. Zoning Violation Log - RECEIVED
7 17. Workshop Meeting/May 23, 2011
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PLANNING AND ZONING COMMISSION
Town of Wallingford
REGULAR MEETING
Monday, May 9, 2011
MINUTES

The Regular Meeting of the Wallingford Planning and Zoning Commission was held on Monday, May 9, 2011, 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. Patrick Birney (Vice Chairman), Mr. JP Venoit (Secretary), Mr. Jim Fitzsimmons, Mr. Armand Menard (alternate)(voting in place of Ms. Baxter).

Absent: Ms. Marci Baxter

The Town staff persons attending were: Linda Bush, Town Planner and Recording Secretary Sonja Vining.

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

Approval of Minutes:

April 11, 2011

Mr. Birney made a motion to approve the Minutes of April 11, 2011 as submitted. The motion was seconded by Mr. Fitzsimmons and passed. Chairman Seichter abstained from voting.

PUBLIC HEARINGS:

7:00 p.m.

**1. Special Permit/E&E Realty (Dunkin Donuts)/East Center St. #401-11 –
CONTINUED TO JUNE (Att. 1)**

Chairman Seichter indicated that the Applicant has requested an extension to the June meeting. Mr. Birney is concerned that the Commission is going to be boxed in by the fact that it would be out of time at the June meeting. Ms. Bush stated that the Commission could close the hearing and then it would have 65 days after that to vote. If the Commission doesn't feel that it has received enough information it could deny the application. Mr. Birney stated that come June the Commission is going to be forced to either deny the application or close the public hearing. He doesn't believe that the Commission would have had sufficient time to review new materials presented.

Mr. Thompson stated that the peer review is not complete. He indicated that the check was not received from the Applicant until some time after the April meeting. Regulations stated that the peer reviewer cannot begin until a check is in hand. The peer review is now under way. Mr. Thompson stated that there have been some significant changes made to the plan since the Commission saw it last.

Chairman Seichter expressed concern that the Commission would not have adequate time to review the plan especially since there have been significant changes made.

Mr. Birney believes that if there is a material modification to the special permit the Commission would need time to review the plans and the clock should restart at that time. Mr. Birney pointed out that the Commission received a memo from the Town Attorney regarding an awkward position the Commission was put in on a previous application. Mr. Birney doesn't want the Commission to be put in that position again.

Mr. Fitzsimmons feels that the Applicant should be advised that they should be prepared in June to potentially withdraw the application and resubmit rather than face a denial. The Commission has not had an opportunity to speak with any of the representative of the Applicant for the last two meetings.

Ms. Bush would recommend to the Applicant that he withdraw the application and resubmit this week. The Commission could waive the fee and the application would be a public hearing at the next meeting. Chairman Seichter stated that Ms. Bush can suggest that to the Applicant because it would highly unlikely that the Commission would take a positive action on the application at the next meeting given the fact that the results of the peer review would have just come in.

7:30 p.m.

2. Special Permit (multi-family)/DeAntonio/Main Street, Yalesville #403-11

Mr. Venoit, Secretary, read the Legal Notice and acknowledged the correspondence received for the record from: Linda Bush, Town Planner to Lawrence DeAntonio dated May 4, 2011 (Att. 2A); Vincent Mascia, Senior Engineer W&S to Linda Bush, Town Planner dated May 6, 2011 (Att. 2B); Robert Amantea P.E. to Wallingford Planning Department & Environmental Planning Department dated April 26, 2011 (Att. 2B1); Department of Engineering to P&Z Commission dated April 19, 2011 (Att. 2C); Linda Bush, Town Planner to Lawrence DeAntonio dated April 13, 2011 (Att. 2D); Carmen Rao, Fire Marshal dated April 14, 2011 (Att. 2E).

Presenting the application was Robert Amantea P.E. Design Development Group, the Applicant Larry DeAntonio, and John Torella, Architect.

Mr. Amantea stated that the application is currently in front of the Wetlands Commission but has not been approved yet. Chairman Seichter pointed out that since the application has not received Wetlands approval yet the Planning and Zoning Commission would not be acting on the application. He also pointed out that the Commissioners have not received revised plans yet.

Mr. Amantea briefly reviewed the plans. Currently there are three lots and two of them will be combined for this project. The building in the center lots would be removed and the other house would be renovated into two apartments. The proposal is to build twelve units. There would be six units in each building. The revised plan pushed the buildings back 125 feet from the proposed street line. They will be accessing and connecting to the existing sanity sewer line to the rear of this property. The storm drainage will be put into chambers in the ground to recharge with a high level overflow going to a level spreader at the toe of the slope.

Mr. Torella indicated that revisions to the building plan are still ongoing. He stated that there would be two building types. Along the river there would be two story units with the garage on the ground floor. The other building would be a three story building on the interior side and two and a half stories on the back side. Each unit would be a two bedroom, two bath unit.

Chairman Seichter asked for public comment. Speaking from the public was:

Richard Romano who owns the apartment building next to the Laundromat. He is not opposed to the application but he would like to have a fence installed along the property line.

Chris Juliano, Juliano Assoc., condo owner to the south, is not opposed to the project. He would be in favor of some improvement to the property. He would like to see some screening or fencing for the house along Main Street. Mr. Juliano would like to see some interconnection between this development and the development to the south.

Mr. Amantea stated that there is an area on the plans that lines up with the property to the south and could easily be used for an interconnection.

MR. BIRNEY: MOTION TO CONTINUE PUBLIC HEARING #403-11 TO JUNE 13TH AT 7:30 P.M.

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

3. Zoning Map Amendment/Arrivisme/Hall Avenue #503-11

Mr. Venoit, Secretary, read the Legal Notice and acknowledged the correspondence received for the record from: Linda Bush, Town Planner to Arrivisme, LLC dated April 14, 2011 (Att. 3A); Vincent Mascia, Senior Engineer W&S to Linda Bush, Town Planner dated May 5, 2011 (Att. 3B).

Presenting the application was Christopher Juliano, Juliano Assoc.

Mr. Juliano indicated that he would like to stretch the Downtown Apartment (DA) overlay district from the east side of Bull Avenue to the west side which would encompass this property. All of the abutters have been notified. Once the DA overlay is approved Mr. Juliano would move forward with the proposed develop which would be reviewed by the Commission.

Ms. Bush supports the application for the downtown area.

Chairman Seichter asked for public comment. There were no public comments.

MR. BIRNEY: MOTION TO CLOSE THE PUBLIC HEARING.

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

MR. BIRNEY: MOTION TO APPROVE A ZONE CHANGE TO INCLUDE THE .72 ACRE PARCEL OF LAND OWNED BY ARRIVISME AT 270 HALL AVENUE IN THE DA ZONE BECAUSE SAID CHANGE IS IN HARMONY WITH THE TOWN'S PLAN OF CONSERVATION AND DEVELOPMENT.

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

**4. Special Permit/Arrivisme/Hall Avenue (NO ACTION REQUESTED)
#404-11**

OLD BUSINESS:

5. Six-year Capital Budget (Att. 5A & 5B)

Ms. Bush expressed concern for the Hall Avenue parking lot item. She feels that it is premature due to the fact that the commuter rail is coming and there may be major changes downtown. She doesn't want to see the Town invest that kind of money and then have it potentially torn up. Ms. Bush feels that it should be put off to see what is happening in that section of Town.

Ms. Bush commented that she doesn't believe that beautification projects should be included in this budget at a time where the Town has cut the hours of paramedics.

Mr. Thompson pointed out that the money in this budget has to be used for capital projects.

**MR. BIRNEY: MOTION TO APPROVE THE SIX-YEAR CAPITAL BUDGET 2011-2017
AS SUBMITTED.**

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

NEW BUSINESS:

**6. Site Plan Revision/Wallingford Emergency Shelter/Quinnipiac Street
#213-10R**

Mr. Venoit, Secretary, acknowledged the correspondence received for the record from: Department of Engineering to Planning & Zoning Commission dated April 19, 2011 (Att. 6A); Vincent Mascia, Senior Engineer W&S to Linda Bush, Town Planner dated May 6, 2011 (Att. 6B); Inter-Departmental Referral from Carmen Rao, Fire Marshal dated 4/14/11 (Att. 6B1); Linda Bush, Town Planner to Wallingford Emergency Shelter dated May 4, 2011 (Att. 6C).

Presenting the application was Bill Fries, Building Committee Wallingford Emergency Shelter and Matt Camerato.

Mr. Fries stated that there is a site plan modification for the new facility that would house families for the homeless shelter. There would be a total of four family units on the site. There would be four parking spaces for the family units and a total of thirteen on site. The family units have been condensed in size. Each unit would have two stories totaling approximately 900 sq.ft. each.

The elevations and floor plans of the units were reviewed.

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

**MR. BIRNEY: MOTION TO APPROVE A SITE PLAN FOR FOUR (4) "FAMILY
UNITS" TOTALING 3,600 SQ.FT. AT THE WALLINGFORD
EMERGENCY SHELTER AS SHOWN ON PLANS ENTITLED "ZONING
LOCATION SURVEY, PROPOSED "FAMILY" UNITS, 123 QUINNIPIAC**

STREET, DATED 4/4/11, WITH THE FOLLOWING CONDITIONS OF APPROVAL:

- 1. CONDITIONS OF APPROVAL FROM VINCENT MASCIA, SENIOR ENGINEER WATER & SEWER DIVISIONS DATED MAY 6, 2011.**

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

DISCUSSION:

7. Otero/Truck Rental (Att. 7A)

Ms. Bush stated that the Commission approved a repairer's license for the site on Dudley Avenue. She stated that the Applicant would like to rent trucks to his customers. Ms. Bush indicated that her office would consider this a customary accessory use.

Chairman Seichter stated that as long as the Applicant is renting to his customers and it does not become a rental center he doesn't see any problems with it.

8. Proposed State Legislation (Att. 8A)

Ms. Bush encouraged all of the Commissioners to read the proposed legislation. She feels that these bills would have a negative impact. Ms. Bush would like to see the Commissioners contact their local legislatures regarding these proposed bills.

CORRESPONDENCE:

9. Reynolds/Trees on Old Durham Road (Att. 9)

Ms. Bush stated she has forwarded this letter to the Commission upon the request of Councilman Parisi. She indicated that the trees have been cut down but there is still quite a buffer. The trees that were taken down were taken down according to the plan approved by the Commission.

10. Small/Alternates Participation (Att. 10)

Ms. Bush stated that if an alternate is not sitting on the Commission he/she could participate in the discussion of an application, but once the public hearing is closed he/she could not participate in the discussion.

11. CFPZA Newsletter (Att. 11)

Received by the Commission.

12. Martinez/Toll Brothers (Att. 12)

Ms. Bush stated that her position is that if the neighbor would like trees the neighbor should plant them.

13. Fire Marshal/Emergency Access (Att. 13A)

Ms. Bush has asked the Engineering Department to make templates for these turnarounds so they can be taken and placed on an "as built". She would like to see the Commission discuss this issue in detail some time in the future.

14. Clear/Land Use Academy (Att. 14)

Received by the Commission. Any Commissioner interested should let Ms. Bush know.

REPORTS OF OFFICERS AND STAFF:

15. ZBA Agenda/May 16, 2011 (Att. 15)

Received by the Commission. Ms. Bush briefly discussed the Regency House parking issue. Regency House is proposing to add seventeen parking spaces.

16. Zoning Violation Log

Received by the Commission.

17. Workshop Meeting/May 23, 2011

Items to be discussed at the Workshop would be the Incentive Housing Zone and the I-5 Zone.

18. Notes

Receipts

1. Special Permit (Office to Residential)/Perretta/Center Street #405-11
2. Site Plan (Auto Dealership)/VASCO Properties (Valenti)/North Colony Street #209-11

Mr. Birney made a motion to adjourn. The motion was seconded by Mr. Fitzsimmons and passed unanimously by a voice vote. The meeting adjourned at approximately 8:18 p.m.

Respectfully submitted,

Sonja Vining,
Recording Secretary

Att. 1 through 15