

PAGE

INDEX

APPROVAL OF MINUTES:

- 3 Approval of Minutes – May 10, 2010 Action Minutes – APPROVED
May 10, 2010 Minutes – APPROVED
June 7, 2010 Minutes - APPROVED

PUBLIC HEARING:

- 4 1. Zoning Regulation Amendment/PZC/§6.16E (Adaptive Re-Use) #909-10
- 5 2. Special Permit/Lohmann/Old Colony Road #403-10
- 8 3. Special Permit (CVS)/Fulton Forbes/North Colony Road #408-10
- 8 4. Special Permit (Location of Use)/Fulton Forbes/North Colony Road #409-10
- 9 5. Site Plan/Fulton Forbes/North Colony Road #210-10
- 3 6. Special Permit/(Go Kart)/Doucette/Quinnipiac Street #410-10
- 3 7. Special Permit (Restaurant)/Wallingford Shopping LLC/North Colony Road #411-10
- 3 8. Zoning Regulation Amendment/Perrotta, Ringrose & Gillespie/I-5 Zone #502-10 – NO ACTION REQUESTED
- 10 9. Zoning Regulation Amendment/PZC/§2.3A, Corner Visibility #906-10
- 11 10. Zoning Regulation Amendment/PZC/§6.9.E.6.a Wall Signs #908-10

EXTENSIONS:

- 11 11. Limited Special Permit/James/249 Dudley Avenue #408-08

BOND RELEASES AND REDUCTIONS:

- 12 12. Tiedemann/58 Williams Road
- 12 13. Catarino/1303 Barnes Road
- 12 14. Special Permit/Wallingford Rod & Gun Club/North Branford Road #406-07
- 12 15. Special Permit/279 Quinnipiac Street, LLC/Quinnipiac St. & Fern Ave. #403-09
- 12 16. Site Plan/IHOP/1040 North Colony Road #217-08
- 12 17. Site Plan/Ashlar Village/Cheshire Road #205-05 & #205-05R

CORRESPONDENCE:

- 13 18. CFPZA Newsletter
- 13 19. Richello/Soccer vs. Multi-Use Field

REPORTS OF OFFICERS AND STAFF:

- 13 20. Incentive Housing Zone
- 13 21. Administrative Approvals
 - a. Change of Use/Liberty Drivers Ed./North Plains Industrial Road #308-10
 - b. Change of Use/Loyal Order of Moose/North Plains Industrial Road #307-10
 - c. Site Plan/APS/Laser Lane #211-10
- 13 22. Antenna Zoning Permits
 - a. 340 Quinnipiac Street #802-10
 - b. 35 Thorpe Avenue #803-10
 - c. 33 North Main Street #801-10
- 13 23. ZBA Results – May 17, 2010
- 13 24. ZBA Agenda – June 21, 2010
- 13 25. Zoning Enforcement Log
- 13 26. Notes

**PLANNING AND ZONING COMMISSION
Town of Wallingford**

**REGULAR MEETING
Monday, June 14, 2010
MINUTES**

The Regular Meeting of the Wallingford Planning and Zoning Commission was held on Monday, June 14, 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. Jim Seichter (Chairman), Mr. Patrick Birney (Vice Chairperson), Mr. Jon-Paul Venoit (Secretary), Ms. Marci Baxter, Mr. Jim Fitzsimmons, Ms. Stacey Voss (alternate), Mr. Armand Menard (alternate), Mr. Chris Smith (alternate)

Absent were:

The Town staff persons attending were: Linda Bush, Town Planner, Kacie Costello, Assistant Town Planner, John Thompson, Town Engineer and Recording Secretary Sonja Vining.

Chairman Seichter called the meeting to order at 7:08 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 14 people.

APPROVAL OF MINUTES:

May 10, 2010 - Regular Meeting – Action Minutes

Mr. Birney made a motion to approve the Action Minutes from the Regular Meeting of May 10, 2010 as submitted. The motion was seconded by Mr. Fitzsimmons and passed.

May 10, 2010– Regular Meeting – Minutes

Mr. Birney made a motion to approve the Minutes from the Regular Meeting of May 10, 2010 as submitted. The motion was seconded by Mr. Fitzsimmons and passed.

June 7, 2010 – Special Meeting - Minutes

Mr. Menard made a motion to approve the Minutes of the Special Meeting of June 7, 2010 as submitted. The motion was seconded by Mr. Seichter and passed. Mr. Birney, Ms. Baxter, Mr. Venoit and Mr. Fitzsimmons abstained.

Voting on the following applications would be Chairman Seichter, Mr. Birney, Ms. Baxter, Mr. Fitzsimmons and Mr. Venoit.

Chairman Seichter announced that the following items would not be heard at this meeting:

8:00 p.m.

6. **Special Permit/(Go Kart)/Doucette/Quinnipiac Street #410-10**

8:30 p.m.

7. **Special Permit (Restaurant)/Wallingford Shopping LLC/North Colony Road #411-10**

9:00 p.m.

8. Zoning Regulation Amendment/Perrotta, Ringrose & Gillespie/I-5 Zone #502.10 (NO ACTION REQUESTED)

PUBLIC HEARINGS:

7:00 p.m.

1. Zoning Regulation Amendment/PZC/§6.16E(Adaptive Re-Use) #909-10

Mr. Venoit, Secretary, read the Legal Notice and acknowledged correspondence received for the record from: Revise §6.16.E (Adaptive Re-Use to Multi-Family) (Att. 1A); Vincent Mascia, Senior Engineer, to Linda Bush, Town Planner, dated June 7, 2010. (Att. 1B).

Linda Bush, Town Planner, gave some background on how this proposed change to the regulations came about. She indicated that the memorandum from Vincent Mascia, Senior Engineer, (Att. 1B) includes a proposed revision to the way the Planning Office worded the change. Ms. Bush stated that her office does not have any issues with the change proposed by the W&S Divisions. She referred to the memo from the Health Department (Att. 2H) where it suggests deleting the phrase “economically unreasonable”. Ms. Bush discussed this matter with Vincent Mascia, Senior Engineer, and he did not have any issue with that change if that were what the Commission felt appropriate. She stated that this proposed language change, as suggested by the Health Department, would actually be consistent with the subdivision regulations.

Chairman Seichter asked for public comments.

Speaking from the public was:

Andrew Burnham, 18 Marie Lane, 1241/1245 Old Colony Road, who asked if this zone change was for all zones. Linda Bush, Town Planner, clarified that it is only if you are proposing an adaptive reuse project. Mr. Burnham feels that this should be used for the same use as what was originally there. If there were only four apartments on the site then only four apartments should be allowed under the adaptive reuse. He stated that in his opinion, as a sewer contractor, this connection to the municipal sewer is not “unfeasible”. Mr. Burnham does not want to see more apartments or condos. He would like to see small single-family houses. He would like to see the regulation state that the property/building has to be what was existing, not a huge increase. Mr. Burnham feels that the regulation should be left as is.

Rosalind Page, land surveyor, stated that the revision to this regulation gives the developers greater flexibility in how they use the regulation and how they adapt it to the current buildings in Wallingford. She pointed out that if it cannot be demonstrated that a septic system or well will work then the Commission would not allow the project to use that system. She pointed out that the Commission would still have the final say in how a piece of property is developed.

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 AN AMENDMENT TO SECTION 6.16E OF THE ZONING REGULATIONS TO PERMIT ON-SITE WATER AND SEWER FOR ADAPTIVE REUSE IN CERTAIN CIRCUMSTANCES TO READ: “THE EXISTING BUILDING AND ADDITION, IF ANY, SHALL BE SERVICED BY PUBLIC SEWER AND PUBLIC WATER SUPPLY EXCEPT

THAT THE COMMISSION MAY WAIVE THIS REQUIREMENT WHEN THE APPLICANT CAN DEMONSTRATE TO THE SATISFACTION OF THE COMMISSION THAT THE REQUIREMENT TO PROVIDE MUNICIPAL UTILITY SERVICES IS NOT FEASIBLE AND THAT THE PROPERTY CAN ADEQUATELY SUPPORT A PROPERLY DESIGNED ON-SITE SEWAGE DISPOSAL SYSTEM AND/OR A PRIVATE ON-SITE WELL. A REPORT PREPARED BY THE TOWN HEALTH DEPARTMENT SHALL BE REQUIRED PRIOR TO AN APPROVAL OF SUCH A WAIVER BY THE COMMISSION, WHICH REPORT INDICATES THAT PERCOLATION TESTS AND DEEP SOIL TEST PITS HAVE BEEN PERFORMED AND THAT THE APPLICANT HAS SATISFACTORILY DEMONSTRATED THAT A PROPERLY DESIGNED ON-SITE SEWAGE DISPOSAL SYSTEM AND/OR A PRIVATE ON-SITE WELL CAN BE CONSTRUCTED TO ADEQUATELY SERVICE THE PROPOSED USE.”

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

7:10 p.m.

2. Special Permit/Lohmann/Old Colony Road #403-10

Mr. Venoit, Secretary, read the Legal Notice and acknowledged correspondence received for the record from: Linda Bush, Town Planner, to Wallingford Planning & Zoning Commission, dated June 7, 2010. (Att. 2A); Department of Engineering to Planning & Zoning Commission dated April 6, 2010 (Att. 2B); Department of Engineering to Wallingford Planning & Zoning Commission dated April 19, 2010 (Att. 2C); Linda Bush, Town Planner, to 1254 Old Colony Road, LLC dated May 27, 2010 (Att. 2D); Joseph Micalizzi, Fire Marshal, Inter-Departmental Referral dated March 9, 2010 (Att. 2E); Vincent Mascia, Senior Engineer, to Linda Bush, Town Planner, dated April 13, 2010 (Att. 2F); Department of Engineering, to Linda Bush, Town Planner, dated June 10, 2010 (Att. 2G); Eloise Hazelwood, Director of Health to Linda Bush, Town Planner, dated June 14, 2010 (Att. 2H); Department of Engineering to Planning & Zoning Commission dated June 14, 2010 (Att 2I); Drawings dated June 2010.

Presenting the application was Land Surveyor Rosalind Page and Architect Daniel Lyon.

Ms. Page reviewed the plans. The property is approximately .8 of an acre located in the T30 zone. The property currently has a two-story building that has been used as a mixed use, residential and retail. The addition on the rear of the building would be removed. What is being proposed are twelve, one-bedroom units. The parking would all be to the rear of the building. There is an existing septic system to the rear of the property. They are proposing to convert the existing building to multi-family use. The entrance to the north would be one way in and the southern side would have the one-way exit. The density calculation and the architectural drawings have been submitted to the Planning office. Ms. Page stated that they have worked with the Engineering Department on such issues as turning radiuses and drainage concerns. Soil tests have been done on the property and it has been demonstrated to the Health Department that twelve one-bedroom units would be supported by an on-site septic system.

The existing sanitary sewer is located over 1,100 feet to the south of this property. Ms. Page indicated that she has worked with the W&S Divisions and their policy is that if the cost of the installation for extending the sewers was above a certain percentage of installing a septic system they would not oppose the installing of a septic system. The W&S Divisions have been provided cost estimates for the installation of the septic

system vs. cost estimates of installing sanitary sewer and that is how it came up with the recommendation that the connection to municipal sewer would not be required from the W&S Divisions.

Ms. Page discussed the fact that this zone is a mixed use that allows multi-family units. She indicated that there are no issues with the traffic load. The topography of the site supports the use and the utility availability supports the use.

Mr. Daniel Lyons gave an overview of the architectural plans reviewing the elevations. The proposal is to convert the existing building to a 13,000 sq.ft. apartment building. There would be twelve one-bedroom apartment units. There would be eight units on the first floor and four on the second floor. The plan is to keep the basic structure of the masonry below and framing above and cover it with a stucco material. The building when finished will have a tuted look. Mr. Lyons presented a preliminary floor plan that has been designed for the apartments. Some of the units include one bedroom plus a den area. All of the units are approximately 1000 sq.ft.

The Commission expressed concern that the units that include dens could be made into two bedroom units. Mr. Lyons made it clear that the floor plans are not final.

Ms. Baxter questioned how the amended regulation that was just passed tonight could pertain to an application that was pending. Ms. Bush stated that the Commission acted on the amendment first before action is taken on this application. She knows it has been done in the past but she could not give any details. She stated that it was a legal question. Ms. Baxter feels that this could create some problems going this route. She doesn't feel that the Applicant has demonstrated to the Commission that the extension of the sewer line is not feasible.

Ms. Page explained the policy of the W&S Divisions that it would not require people to tie into the sanitary sewer if the cost of doing so is more than 2 ½ times the cost of installing a septic system on the same site. She indicated that the size of the septic system that this site could support is what mandated the number of apartment units. Ms. Page submitted a quote for the septic system to the W&S Divisions along with a quote for the extension of the sewer main. The cost to extend the main far exceeded 2 ½ times the cost of installing a septic system. Ms. Page feels that the Applicant has worked with both the Health Department and the W&S Divisions to demonstrate that this site works with septic and it is not feasible to extend the sewer main. She stated that the quote to extend the sewer main was \$233,000 minimum and for the septic system the quote was approximately \$50,000. Ms. Page would provide a copy of those quotes for the Commission to review.

Mr. Fitzsimmons asked the Applicant what they requested when they appeared before the ZBA. Ms. Page stated that they requested to vary the regulation that requires municipal sewers for adaptive reuse and to permit on site septic. The ZBA denied it saying that it was purely an economic hardship, not a hardship with the land. Mr. Fitzsimmons indicated that he is concerned that the units that have a den could be changed into a second bedroom. If those units were two bedroom units the septic system would not be large enough. He feels that there are too many units on this site. Mr. Fitzsimmons believes that this would be an improvement to the building but would question the number of units and the size of those four units that include a den.

Ms. Page stated that the final architectural plan would have to be signed off on by the Health Department who would be paying close attention to how many bedrooms are included in the design. Mr. Lyon explained that the den in those units do not have closets and they are not off of a hallway. He stated that the

floor plan that the Commission is discussing is not a final plan. Chairman Seichter agreed with Mr. Fitzsimmons about the possibility of the den becoming a bedroom.

Mr. Birney believes that it is feasible to connect to the municipal sewer on this site. He believes that for a single family house a septic would be fine but with this size development in Tracy he feels it would be doing a disservice to the community by not extending the sewer line to the property for this number of units.

Mr. Page suggested that she submit to the Commission a set of final architectural plans that clearly demonstrate that the units would only have the capability of supporting one bedroom. Chairman Seichter feels that it would benefit the Applicant to have a finalized set of plans for the Commission.

Linda Bush, Town Planner, suggested that it might be the best thing if the Applicant would be willing to withdraw the application tonight. The application could be resubmitted next Monday and the public hearing could be held at the July meeting. This would give the Applicant adequate time to work with the Health Department and finalize the architectural plan. Ms. Page would agree to withdraw the application and resubmit. She asked the Commission for a clear idea of what evidence it would like to have presented at the next meeting.

Chairman Seichter asked for public comment.

Speaking from the public was:

Andrew Burnham, 18 Marie Lane, 1241/1245 Old Colony Road, stated that he has purchased property in Tracy and Tracy is unique because it has a mixed use. He is a sewer contractor and stated that in his opinion the installation of the sewer line in this case would cost well under what was quoted. He doesn't understand how this could be approved when there isn't even a municipal sewer plan for someone to bid on. Mr. Burnham estimates that the cost for extending the municipal sewer would be approximately \$150,000. He feels that there should be a legal bid that goes out for the sewer. Mr. Burnham stated that there were four apartments on the site previously and the septic system was adequate. There should not be twelve units on this site. He doesn't understand how these plans could be submitted when they are not even final plans. The residents and owners in Tracy do not want condos or apartments, they would like to see businesses, single family or two-family homes.

Samantha Shaw, 1215 Old Colony Road, asked if a traffic study was ever done on this road. She stated that there is a lot of industrial traffic in the area. She does not want to see any apartments in this site. Ms. Shaw is interested in cleaning up the area and she believes that building apartments would not help that community in its efforts. She believes that this site should stay the way it was and not be allowed to have 12 units. She doesn't want to see the population of Tracy increased in that way. Ms. Shaw does not want to see this regulation amended.

(Mr. Venoit left the meeting at approximately 8:40 p.m.)

Ms. Page stated that no matter what use is put in this building it would create traffic. These plans would have to be reviewed by the State DOT. Sidewalks are proposed on this site for pedestrian traffic safety. Ms. Page indicated that the only plan that has not been finalized is the interior architectural layouts. She stated that it was not a requirement of the W&S Divisions that the sanitary sewer main be designed in order to get a quote. If the Commission would like to get a quote on a designed plan that is what the Applicant would do.

Chairman Seichter would like to see at least three quotes on a fully designed sanitary sewer main extension. He would also like to see more detailed and final plans on the interior of the units. He would also like to see the north elevation presented at the next meeting as well.

Ms. Voss expressed concern with the parking lot being curbless. She doesn't feel there is enough room for visitor parking and people might end up parking on the grassed areas.

Ms. Page indicated that the parking calculation is done per the zoning regulations. The site is required to have 21 parking spaces and this plan has 24 parking spaces. Ms. Page stated that she believes that the grade is such that it would not allow for parking in the grassed areas. She indicated that the parking lot is curbless because they want the water to drain from the parking lot into the swale. She suggested that a guardrail could be added to prevent people from parking on the grass. Ms. Page would also look into the possibility of using wheel stops.

Ms. Page stated for the record that she was withdrawing the application.

MR. BIRNEY: MOTION TO WAIVE THE APPLICATION FEE.

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

(Ms. Baxter acted as the Secretary for the remainder of the meeting.)

7:30 p.m.

3. Special Permit (CVS)/Fulton Forbes/North Colony Road #408-10

Ms. Baxter, Acting Secretary, read the Legal Notice and acknowledged correspondence received for the record from: Linda Bush, Town Planner, to Wallingford Planning & Zoning Commission dated June 7, 2010 (Att. 3A); Linda Bush, Town Planner, to Fulton Forbes, Inc. dated May 28, 2010 (Att. 3B); Fire Chief Inter-Departmental Referral dated May 12, 2010 (Att. 3C); Erin O'Hare, Environmental Planner, to Linda Bush, Town Planner, dated June 10, 2010 (Att. 3D); Fire Chief Inter-Departmental dated May 12, 2010 (Att. 3E); Vincent Mascia, Senior Engineer, to Linda Bush, Town Planner, dated June 11, 2010 (Att. 3F).

4. Special Permit (Location of Use)/Fulton Forbes/North Colony Road #409-10

Ms. Baxter, Acting Secretary, read the Legal Notice and acknowledged correspondence received for the record from: Erin O'Hare, Environmental Planner, to Linda Bush, Town Planner, dated June 10, 2010 (Att. 4A); Linda Bush, Town Planner, to Fulton Forbes, Inc. dated May 28, 2010 (Att. 4B); Fire Chief Inter-Departmental Referral dated May 12, 2010 (Att. 4C); Fire Chief Inter-Departmental Referral dated May 12, 2010 (Att. 4D); Vincent Mascia, Senior Engineer, to Linda Bush, Town Planner, dated June 11, 2010 (Att. 4E).

5. Site Plan/Fulton Forbes/North Colony Road #210-10

Ms. Baxter, Acting Secretary, acknowledged correspondence received for the record from: Linda Bush, Town Planner, to Wallingford Planning and Zoning Commission dated June 7, 2010 (Att. 5A); Linda Bush, Town Planner, to Fulton Forbes, Inc. dated May 28, 2010 (Att. 5B); Fire Chief Inter-Departmental Referral dated May 12, 2010 (Att. 5C); Fire Chief Inter-Departmental Referral dated May 12, 2010 (Att. 5D); Vincent Mascia, Senior Engineer, to Linda Bush, Town Planner, dated June 11, 2010 (Att. 5E).

Chairman Seichter stated that the three Fulton Forbes applications would be heard at the same time.

Presenting the application was Attorney Dennis Ceneviva, John Whitcom, BL Companies, Fred Greenberg, BL Companies and David Lee, Fulton Forbes.

Attorney Ceneviva stated that these are three separate applications but he would be discussing them together. The most southern building is the proposed CVS Pharmacy, which is located at 865 North Colony Road. This parcel is 2.64 acres in size. What is proposed is a 12,900 sq.ft. CVS Pharmacy with a 1,700 sq.ft. mezzanine. The building would be located in the northern section of 865 North Colony Road and to the right of the new proposed main entrance. The site has received approval from the IWWC. The site would have a reduction of impervious surface from what is there currently. There would be a reduction of 2/3 of an acre of impervious surface on 865 North Colony Road. The entrance from Pent Highway has been moved further west, away from Route 5. The curb cuts on Pent Highway would be reduced from two to one. This parcel would connect internally to 891 and 895 North Colony Road. 865 North Colony Road currently has three curb cuts onto Route 5 and those would be reduced to one.

Attorney Ceneviva stated that 891 North Colony Road is 1.96 acres and what is being proposed is one retail building totaling 14,476 sq.ft. in the center of the parcel. There would be one curb cut along Route 5. The impervious surface on this site would be reduced by over ½ acre. This site has also received approval from the IWWC and has continues internal connections to 865 and 895 North Colony Road. This parcel reduces the number of curb cuts from two to one.

Attorney Ceneviva stated that 895 North Colony Road is .93 acres and would have a 6,838 sq.ft. car wash facility on it. The building is located in the center of the lot and would have an access driveway on the north end of the site. This site did not require approval from the IWWC. This plan reduces the number of curb cuts from two to one along Route 5. This lot also has internal access easements to 891 North Colony Road.

Attorney Ceneviva discussed the traffic report that was submitted to the Commission back in April. He stated that reports were prepared by the Applicant with an understanding that in 2006 there was a Route 5 Corridor Traffic Study completed for this site. Several of the off site improvements recommended by the study are incorporated in this proposal. Participating in this study were several divisions of the CT DOT. In the study it was determined that several improvements should be considered for this section of Route 5 in order to enhance traffic capacity and traffic safety. One of the recommendations was the development of a center turning lane, which has been incorporated in this plan.

Attorney Ceneviva made it clear that the plan would have go back to the State once approval is received from this Commission.

Mr. Whitcom briefly discussed the discharge and infiltration of the stormwater on the site. Chairman Seichter asked that the Applicant present elevations of the proposed buildings at the next meeting. He stated that it seems like the parking area for the car wash would not allow for traffic to queue for the car wash and also back out of the parking spaces. Mr. Whitcom indicated that the drive isle is a 24-foot isle, which would allow people to back out of the parking spots. He stated that most of the cars entering the car wash lot would actually be getting in line for the bays, not using the parking spaces. The number of parking spaces provided is what was required according to the zoning regulations. Mr. Whitcom does not feel that those parking spots would really be used. Ms. Bush stated that the parking required on this site is what is required for an auto repair facility and that is because this is an oil change facility as well as a car wash. She doesn't believe that anyone other than employees will be parking in the parking spaces. Mr. Whitcom

reviewed the total number of parking spaces required on each site in comparison to the number of parking spaces provided with this plan. Overall the plan provides approximately 52 more spaces than required according to the regulations.

Mr. Fitzsimmons noted that there were no comments submitted by the Engineering Department. Mr. Thompson stated that his office did not prepare comments because he was waiting until the Commission decides if it is going to require a peer review. The Engineering Department has gone through a preliminary review and there are a number of outstanding details. The Commission discussed the issue of a peer review and unanimously decided in favor of a peer review. Mr. Fitzsimmons would like the Applicant to include in the traffic study, recent accident information/frequency. He suggested gathering the information from the Wallingford Police Department.

Mr. Thompson indicated that in anticipation of the decision of the Commission to require a peer review he contacted FHI to see if they would be available to do the study. FHI would be available if the Commission agrees to have them do the study. The Commission agreed to have FHI to do the traffic study. Mr. Thompson stated to FHI that the report would have to be complete prior to the July 12th meeting. Mr. Fitzsimmons would like a copy of the 2006 Route 5 study to be distributed to each Commissioner.

Chairman Seichter stated that this item would be continued to the July meeting.

MR. BIRNEY: MOTION TO CONTINUE THE PUBLIC HEARINGS ON #408-10, #409-10 AND #210-10 TO JULY 12, 2010 AT 7:30 P.M.

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

(Stacey Voss left the meeting at approximately 9:45 p.m.)

9:15 p.m.

9. Zoning Regulation Amendment/PZC/§2.3A, Corner Visibility #906-10

Ms. Baxter, Acting Secretary, read the Legal Notice and acknowledged correspondence received for the record from: Proposed Amendment Wallingford Zoning Regulations dated April 15, 2010 (Att. 9A).

Kacie Costello, Assistant Town Planner, indicated that she has been working with the Engineering Department on this regulation amendment. They are working on changing the zoning regulation language to match the subdivision language. The Engineering Department has agreed that a part of the regulation would be that it would be subject to review by the Engineering Department. Ms. Costello requested that this item be continued to next month so the language can be finalized.

(Mr. Smith left the meeting at approximately 9:50 p.m.)

MR. BIRNEY: MOTION TO CONTINUE ITEM #906-10 TO THE JULY 12, 2010 MEETING AT 8:00 P.M.

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

9:20 p.m.

10. Zoning Regulation Amendment/PZC/§6.9.E.6.a Wall Signs #908-10

Ms. Baxter, Acting Secretary, read the Legal Notice and acknowledged correspondence received for the record from: Revise §6.9.E.6.a (Standards Applying to Wall Signs) (Att. 10A).

Kacie Costello, Assistant Town Planner, stated that this is a language change made to clarify something that came up during a ZBA meeting. This amendment states that wall signage is limited to 15 feet or one story.

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

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 AMEND THE WALLINGFORD ZONING REGULATIONS TO CLARIFY HOW THE HEIGHT OF A WALL SIGN IS MEASURED WHICH CLARIFIES SECTION 6.9.e.6.a.

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED BY A ROLL CALL VOTE. MS. BAXTER ABSTAINED, VOTING IN HER PLACE WAS MR. MENARD WHO VOTED “YES”.

EXTENSIONS:

11. Limited Special Permit/James/249 Dudley Avenue #408-08

Correspondence received for the record were from: Attorney Joan Molloy to Linda Bush, Town Planner, dated June 3, 2010 (Att. 11A); Linda Bush, Town Planner, to Planning & Zoning Commission dated June 9, 2010 (Att. 11B); Planning & Zoning Commission, Town of Wallingford Minutes (Att. 11C); True Blue Environmental Quarterly Soil Report dated June 1, 2010 (Att. 11D).

Linda Bush, Town Planner, indicated that this application is the first time the Commission put a time limit on a limited Special Permit. She stated that she had the Applicants attorney write a letter, Ms. Bush inspected the site, she gave the Commissioners minutes from the meeting where the two-year limit was put on the permit and she gave the Commission a copy of the quarterly soil report. Ms. Bush reported that the site is considerably cleaner than it was in the past. She recommended that the extension be approved with a condition that they must stay in conformance with the plan that the Commission approved in 2008, which has a maximum of 10,000 yards.

Several Commissioners visited the site and agreed that there has been an improvement from the past. The Commissioners would like to see continued quarterly reports submitted to the Planning office.

MR. BIRNEY: MOTION TO EXTEND THE LIMITED SPECIAL PERMIT – JAMES/249 DUDLEY AVENUE #408-08 FOR AN ADDITIONAL TWO YEARS.

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

BOND RELEASES AND REDUCTIONS:

12. Tiedemann/58 Williams Road (Att. 12)

Linda Bush, Town Planner, recommended that this bond be released.

13. Catarino/1303 Barnes Road (Att. 13)

Linda Bush, Town Planner, recommended that this bond not be released.

14. Special Permit/Wallingford Rod & Gun Club/North Branford Road #406-07 (Att. 14)

Linda Bush, Town Planner, recommended that this bond be released.

15. Special Permit/279 Quinnipiac Street, LLC/Quinnipiac St. & Fern Ave. #403-09 (Att. 15A, 15B)

Linda Bush, Town Planner, recommended that this bond be reduced from \$5,000 to \$2,000.

16. Site Plan/IHOP/1040 North Colony Road #217-08 (Att. 16)

Linda Bush, Town Planner, recommended that this bond not be released.

17. Site Plan/Ashlar Village/Cheshire Road #205-05 & #205-05R

Linda Bush, Town Planner, recommended that this bond not be released.

MR. BIRNEY: MOTION TO RELEASE THE BOND FOR TIEDEMANN/58 WILLIAMS ROAD AND WALLINGFORD ROD & GUN CLUB/NORTH BRANFORD ROAD FOR THE REASONS STATED ON THE RECORD BY THE TOWN PLANNER.

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

MR. BIRNEY: MOTION TO REDUCE THE BOND FOR SPECIAL PERMIT #403-09 FROM \$5,000 TO \$2,000.

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

CORRESPONDENCE:

18. CFPZA Newsletter (Att. 18)

Received by the Commission.

19. Richello/Soccer vs. Multi-Use Field (Att. 19A)

Linda Bush, Town Planner, stated that this application was approved last month for a soccer field. Mr. Richello is now asking that it be approved as a multi-use field. The Commission indicated that Mr. Richello would have to submit a new application for a Special Permit.

REPORTS OF OFFICERS AND STAFF:

20. Incentive Housing Zone

Linda Bush, Town Planner, stated that the Town's application is still stalled in Hartford. It was suggested to her that the Town of Wallingford should directly contact the Acting Secretary of OPM and set up a meeting. Ms. Bush asked if any Commissioner would be interested in meeting with OPM to see what is happening with the Home CT Program. Mr. Birney and Chairman Seichter indicated that they would be interested in

attending this meeting. Linda Bush, Town Planner, would work with OPM and the Commissioners to coordinate a meeting.

21. Administrative Approvals

- a. **Change of Use/Liberty Drivers Ed./North Plains Industrial Road #308-10**
- b. **Change of Use/Loyal Order of Moose/North Plains Industrial Road #307-10**
- c. **Site Plan/APS/Laser Lane #211-10**

22. Antenna Zoning Permits

- a. **340 Quinnipiac Street #802-10**
- b. **35 Thorpe Avenue #803-10**
- c. **33 North Main Street #801-10**

Linda Bush, Town Planner, stated that all of the cell companies are changing their antennas on existing structures.

Ms. Bush announced that the Ordinance Committee is having a meeting to discuss the Citation Ordinance and she would like to see the Commission there on July 20th at 6:30 p.m.

23. ZBA Results – May 17, 2010 (Att. 23)

Received by the Commission.

24. ZBA Agenda – June 21, 2010 (Att. 24)

Received by the Commission.

25. Zoning Enforcement Log (Att. 25)

Kacie Costello, Assistant Town Planner, briefly reviewed the Zoning Enforcement Log.

26. Notes

RECEIPTS:

1. Site Plan/1070 North Farms Road, LLC/Office, Warehouse, Manufacturing/North Farms Road (Northrop Industrial Park Road West) #212-10
2. Site Plan/Wallingford Emergency Shelter/Freestanding Accessory Building/Quinnipiac Street #213-10

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 10:12 p.m.

Respectfully submitted,

Sonja Vining,
Recording Secretary
Atts. 1 - 25