

APPROVAL OF MINUTES:

- 2 Approval of Minutes – June 13, 2011 Regular Meeting – NO ACTION

PUBLIC HEARING:

- 2 1. Special Permit/E&E Realty (Dunkin Donuts)/841 East Center Street #406-11 – DENIED

NEW BUSINESS:

- 7 2. Site Plan / J. Torello / 1260-1262 Old Colony Road #213-11 - APPROVED

SUBDIVISION MODIFICATION:

- 9 3. Fulton Forbes / High Hill Road / Sidewalks #107-07 - APPROVED

BOND RELEASES AND REDUCTIONS:

- 10 4. Goldberg / 213 Cheshire Road - RELEASED
- 11 5. Jason Home Builders / 24 Grand Street - RELEASED
- 11 6. Greene-Woronick / 136.5 Parker Farms Road - RELEASED
- 11 7. Greene-Woronick / Subdivision / 775 Center Street #101-10 – REDUCED
- 11 8. Greene-Woronick / Special Permit / 279 Quinnipiac Street #403-09 – NO ACTION
- 11 9. Greene-Woronick / Subdivision / Tuttle Avenue #101-08 - REDUCED

CORRESPONDENCE:

- 11 10. Martorelli / Simpson Village - RECEIVED

REPORTS OF OFFICERS AND STAFF:

- 11 11. Proposed I-5 Regulations - RECEIVED
- 11 12. New Legislation - RECEIVED
 - a. Site Plan and Subdivision Bonds
 - b. Expiration Dates of Site Plans and Subdivisions
- 12 13. Violation Log – RECEIVED
- 12 14. ZBA Decisions / June 20, 2011 - RECEIVED
- 12 15. ZBA Agenda / July 18, 2011 - RECEIVED
- 12 16. Workshop Meeting – SEPTEMBER 26, 2011
- 12 17. Notes
- 12 Receipts

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

The Regular Meeting of the Wallingford Planning and Zoning Commission was held on Monday, July 11, 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, Acting Secretary), Mr. Jim Fitzsimmons, Ms. Marci Baxter, Mr. Armand Menard (alternate), and Mr. Rocco Matarazzo (alternate).

Absent: Mr. JP Venoit (Secretary)

The Town staff persons attending were: Linda Bush, Town Planner, Kacie Costello, Assistant 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 23 people.

Approval of Minutes:

June 13, 2011 – Regular Meeting

Not all of the Commissioners received the minutes in their packets. The minutes would be voted on at the next meeting.

Chairman Seichter stated that Mr. Matarazzo would be voting in the absence of Mr. Venoit.

PUBLIC HEARINGS:

7:00 p.m.

- 1. Special Permit/E&E Realty (Dunkin Donuts)/841 East Center Street #406-11**

Mr. Birney, Acting Secretary, acknowledged the correspondence received for the record from: Department of Engineering to Linda Bush, Town Planner dated July 5, 2011 (Att. 1A); Department of Engineering to James Bowes – Comptroller dated July 6, 2011 (Att. 1B); Department of Engineering to Sharat Kalluri, PE dated July 6, 2011 (Att. 1C); Department of Engineering to Wallingford Planning & Zoning Commission dated July 8, 2011 (Att. 1D); Department of Engineering to Manny Rocha dated July 8, 2011 (Att. 1E); Department of Engineering to Linda Bush, Town Planner dated June 17, 2011 (Att. 1F); Department of Engineering to Planning & Zoning Commission dated June 27, 2011 (Att. 1G); Wilbur Smith to John Thompson, Town Engineer dated June 29, 2011 (Att. 1H); maps of surrounding streets (Att. 1I); vehicle specs (Att. 1J); petition (Att. 1K).

Chairman Seichter briefly discussed a petition that was submitted at the last meeting. Chairman Seichter pointed out that any decision that the Commission makes must be based on the regulations.

Presenting the application was Scott Meyers, Meyers Assoc., Manual Rocha, Owner/Applicant, and Bruce Hillson, Traffic Engineer.

Mr. Meyers submitted and reviewed a revised plan. He stated that the buffer on the easterly property line would have arborvitae planted rather than white pines. Mr. Meyers pointed out on the plans where the car lengths have been illustrated in the parking spaces. Another sheet of cross sections have been added to the plans to clarify how the widening along East Center Street would look. The scale on the new sheet is 1/1.

Mr. Thompson didn't have any comments on the revised plan since he was just handed the plans this evening.

Ms. Baxter asked why the peer reviewer was not present. Mr. Rocha indicated that it was for financial reasons. He has given the Town of Wallingford \$6,000 for the peer review and the peer reviewer wanted another \$750 to come to tonight's meeting. It was Mr. Rocha's decision not to have the peer reviewer present. Ms. Bush listed several other applications where peer reviews were requested and cost significantly less money than the \$6,000 spent in this case. Ms. Baxter pointed out that the Commission indicated that it needed a peer review for this application. She feels that it puts the Commission in a very difficult situation since the peer reviewer can not answer questions or address concerns of the Commission.

Mr. Hillson stated the peer reviewer provided a June 29th letter and commented on four specific items. All of those items deal with the widening and bypass on East Center Street. Mr. Hillson stated that on May 6th there was a meeting held on the site. At that meeting were the Town Planner, Town Engineer, Mr. Hillson, Mr. Rocha, Mr. Meyers and the Traffic Engineer for the State of CT. The details of the proposed bypass were discussed at that meeting. Mr. Hillson stated that the peer reviewer was not at that meeting so his knowledge of what transpired at that meeting was not first hand. Mr. Hillson stated that all of the issues were agreed to at that meeting. Mr. Hillson was taken by surprise when he received correspondence at the end of June that what was discussed and agreed upon at that meeting was now an issue. Mr. Hillson feels that the Applicant has done everything asked of him.

Mr. Birney asked why the peer reviewer was not present at that May 6th meeting. Mr. Thompson stated that the peer reviewer was not engaged until the end of June. The first meeting on this application was March 14, 2011. Ms. Bush stated that the date on the check for \$6,000 was April 25, 2011 and was deposited with the Town on May 2nd.

Mr. Fitzsimmons agreed with comments made by Ms. Baxter. He pointed out that at the last meeting Mr. Hillson was not present and this month the peer reviewer is not here. Mr. Fitzsimmons was hoping to get some response, prior to this meeting, from Mr. Hillson regarding the comments made by the public last month. Mr. Hillson stated that in the June 29th letter from Wilbur Smith to the Town it states that "after reviewing the responses provided by Traffic Engineering Solutions they have no further comments on the traffic analysis portion of the project". Mr. Hillson submitted plots of the surrounding roadway system. He doesn't believe that people would travel the neighborhood roadways to reach the Dunkin Donuts site.

Chairman Seichter pointed out that the taper width and the width of the bypass don't adhere to the State DOT Standard Highway Design Manual. Mr. Thompson indicated that was correct. Chairman Seichter asked why the State decided to vary from the standard in this case. Mr. Thompson stated that he has

contacted the DOT to try and get some clarification. He was unable to get a specific answer as to why they would deviate from their standards. Mr. Thompson doesn't see any necessity for deviation from the standards in this case and he is not comfortable with the fact that the standards have not been satisfied.

Mr. Hillson stated that the reason the DOT is willing to deviate from the standard is that when they recognize that to require the full 20 foot bypass width would cause some type of other concern or issue with the surrounding area they will deviate from their standards. In this case because of the elevation changes that occur along the north side of East Center Street and recognizing that to widen on the site side of the road was not practical the State determined that it could waive the 20 foot requirement and reduce it down to 18 feet. Mr. Hillson stated that the reason why the full transition length is not being used is because there would be an area where there would be no grass strip at all. He indicated that all of the design elements on the plan were all subjects of discussion on the May 6th meeting.

Ms. Baxter referred to a memo from John Thompson where he expressed his concerns. She pointed out that since the peer reviewer is not present there can't be any discussion about these issues. All the Commission has to go by, since the peer reviewer is not here, are the comments from the Town Engineer.

Mr. Hillson reviewed the cross sections depicted on the plans. He doesn't believe there is a safety issue with this design.

Mr. Rocha discussed how before he begins any project he does his research and looks at all of the options before he appears before the Planning & Zoning Commission. He feels there have been more than enough meetings on this project. At that May 6th meeting a lot of these issues were discussed. Mr. Rocha indicated that he moved forward with the project because that was the feeling he got at that meeting. He was told that the only concern of the Town was with the type of trees that would be planted along the property line. The Town did not express concern for the road bypass because that was all State highway. Mr. Rocha stated that he would not have put himself in this position if he felt that he could not work with the Town and provide it with everything it needs.

Chairman Seichter stated that it is a concern for the Commission that there are standards that are being waived. He feels that those lessened standards could be a public safety issue.

Mr. Hillson stated that there are standards by which they determine whether a bypass is required or not, using the DOT Highway Design Manual is that standard. Mr. Hillson did an analysis and found that the need for a bypass was not met at this location. In discussions with the State and hearing Town Staff comments that a bypass would be desirable this is where they are today. Technically speaking, the need for a bypass and the need for the Applicant to spend his money is slightly on the side of not being required. Mr. Hillson was told by the State that if this is the only roadblock to development then it would back off from what it has asked.

Mr. Birney asked if Mr. Hillson agreed that according to the regulations with the Special Permit process the Planning & Zoning Commission could require a bypass if it felt that there was a concern with safety. Mr. Hillson felt that was a legal question and he could not answer it.

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

Attorney Ceneviva representing 846 East Center Street LLC, referred to Section 7.5B1 of the regulations. He indicated that there has been no evidence presented as to the impact with regard to the adjacent streets to handle peak traffic flows. Attorney Ceneviva pointed out that the peak hours for DD would coincide with the morning rush hour and school traffic. He referred to Section 7.5B3 regarding emergency access. Attorney Ceneviva discussed his concerns with pedestrian access in the area. Section 7.5B4 discusses if the proposed use as designed “impairs the benefits of occupancy of existing property in such area”. Attorney Ceneviva stated that his client’s access is diminished greatly by the proposed bypass lane. He feels that the estimated increase in traffic as discussed in a report from Mr. Hillson dated April 8, 2011 would be problematic to this roadway system. Attorney Ceneviva stated that the stacking distance from the end of the drive-thru to the driveway would hold six cars. If cars are processed quickly it becomes a problem on site as well as potentially off site. Attorney Ceneviva discussed the Level of service being E for the driveway. He stated that it is not the location that creates the problem it is the proposed use. Attorney Ceneviva suggested that the elimination of the drive-thru could be a possible solution to the traffic issues that are anticipated. He submitted another petition with signatures of people who have safety concerns with this proposed project.

Bob Gross, Long Hill Road, asked if safety concerns would be criteria for the Commission to deny an application such as this. Chairman Seichter stated that one criteria for a Special Permit is public safety. Mr. Gross asked when the traffic study was done. It was stated that the traffic study was done on Monday, October 18, 2010. Mr. Gross expressed concern for cut through traffic and he is concerned that large trucks can not be accommodated by this proposed parking lot.

Steve Campbell, 19 Carr Street, stated that traffic in that area is already very congested at times. He doesn’t feel that the traffic study was done over a long enough period. He would like to see the study include a regular work week. Mr. Campbell stated that there are cross walks at the intersection but people will cross from DD to the plaza across the street which would cause more safety issues. He also has concerns for the traffic that will cut through the parking lots to avoid the intersection. He believes there are a lot more traffic issues that have not been discussed.

Louis Darney, 6 Reynolds Drive, asked if the peer reviewer visited the site as part of his review. Mr. Thompson indicated that the peer reviewer did visit the site on a number of occasions.

Mr. Hillson stated that he sees no reason why the adjacent streets and their capacity would be effected by this project. Chairman Seichter indicated that the concern is not just for the traffic that would be using the DD but for traffic that would be avoiding that intersection because of the increased volume. Mr. Hillson doesn’t envision that happening. He stated that DD typically takes traffic from the roadway system as it travels today and they stop in. It is not traffic from people getting up in the a.m. saying that they are going to DD at East Center Street. He believes it is people on their way to work in the a.m. and if it is there and convenient they will stop or if it is just a short diversion from where they are driving they may stop. He doesn’t believe that people will be traveling miles out of their way to go to this DD. Most of the trips will come from the existing stream of traffic. Mr. Hillson pointed out that the service level for that signalized intersection is level B and will operate at that same level once this DD is in operation.

Mr. Hillson indicated that this plan was developed with the intent of closing the easement that presently exists between this site and the abutting site. In the future there will be no cut through for traffic.

Mr. Hillson stated that when emergency vehicles are approaching, traffic is required to move out of the way so they can pass. He does not see the bypass or the driveway traffic being a hindrance to emergency vehicles trying to pass through the area.

Mr. Hillson clarified that the bypass is a single lane, it is just slightly larger so that through traffic can bypass the traffic that is making a left turn into the site.

Mr. Hillson indicated that there is more than adequate stacking on the site for the 14 cars required by DOT. Regarding the ability of the parking lot to accommodate large trucks, Mr. Meyers stated that the parking standards on the plan are according to the regulations. A larger vehicle might take up two parking spaces or go through the drive-thru.

Mr. Birney asked about the tractor trailer delivery schedule for the DD. Mr. Meyers stated that deliveries would be done while the facility was closed. The truck would pull in and use the rear parking spaces to unload and then pull out. Mr. Rocha stated that DD is working on a plan to do all/most deliveries at a different time other than peak hours. He stated that he can request that the deliveries be made to this site at 4 a.m. or 5 a.m.

Mr. Rocha stated that the easement is being discussed and handled by lawyers. The easement has not been discontinued at this point.

Mr. Fitzsimmons reviewed the timeline of this application which began in February 2011 when the application was filed. The Commission made a request for a peer review at the March meeting, there was no public hearing in April or May. The last public hearing was in June which was for the new application that is being discussed this evening. Mr. Fitzsimmons is troubled because he doesn't feel that the Commission has had the full benefit from the peer reviewer since he is not present at this meeting. Mr. Fitzsimmons pointed out that this Commission has only discussed this application with the Applicant three times, once in March, once in June where Mr. Hillson was not present and tonight where the peer reviewer is not present.

Mr. Hillson stated that they believe based on the comments and the testimony this evening that the Commission has the information it needs to be able to make a decision. Mr. Rocha would like for the hearing to be closed and action taken.

Mr. Thompson stated that he was at the May 4th meeting. He explained that as this meeting took place the people present were walking up and down the street discussing all of the issues. At that time there was no plan laid out on how things would be accomplished. As the designs came in, the Engineering Office shared with the Applicant and with the District its concerns about some of the elements of the design as it evolved. Mr. Thompson referred to his memo dated June 27th that summarizes those concerns. He believes that some of the elements associated with the standard DOT bypass design are not being adhered to. He stated that based on the information presented on the plan he sees some issues associated with operation of the roadway widening. Mr. Thompson doesn't feel that there has been adequate demonstration that the Applicant pursued other alternatives other than the widening on the north side of East Center Street. He feels that forced widening creates some problems and he has shared that with the Planning & Zoning Commission.

Mr. Fitzsimmons read the closing paragraph from that memo dated June 27, 2011 which stated that the Engineering Department does not believe that the off site improvements as proposed would provide for the safe and efficient operations of traffic. Mr. Thompson stated that is still his opinion.

MR. BIRNEY: MOTION TO CLOSE THE PUBLIC HEARING.

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

Mr. Fitzsimmons stated that based on the totality of the information provided he would be prepared to vote on the application. He feels that from the beginning this application has been problematic. There are pedestrian and traffic concerns, insufficient off site roadway improvements along with several other issues.

Chairman Seichter agreed with the comments of Mr. Fitzsimmons. He sees the off site improvements to be a major issue. He has concerns that the State standards are not being adhered to which raises issues concerning public safety. The issues mentioned in the June 27th memo from the Engineering Department also raise concern in his mind.

MR. BIRNEY: MOTION TO DENY APPLICATION #401-11(Correction: #406-11) FOR THE REASONS STATED IN THE RECORD INCLUDING THE PUBLIC TESTIMONY THAT HAS BEEN PROVIDED TONIGHT WITH PARTICULAR CONCERN REGARDING CRITERIA NOT MET, INCLUDING BUT NOT LIMITED TO, SECTION 7.5BA1, THE SIZE AND INTENSITY OF THE PROPOSED USE OR USES AND ITS OR THEIR EFFECT ON AND COMPATIBILITY WITH THE ADOPTED PLAN OF DEVELOPMENT, THE SPECIFIC ZONE AND THE NEIGHBORHOOD. SECTION 7.5BC, THE CAPACITY OF ADJACENT STREETS TO HANDLE PEAK TRAFFIC LOADS AND HAZARDS CREATED BY SAME. SECTION 7.5B3, SAFETY, HEALTH, AND ENVIRONMENT, ACCESSIBILITY FOR EMERGENCY VEHICLES AND EQUIPMENT; PROPER UTILITY, DRAINAGE, DRIVWAYS AND SILIMILAR SPECIFICATIONS; PEDESTRIAN ACCESS, MOBILITY AND SAFETY; AND IMPACT ON THE ENVIRONMENT. SECTION 7.5B4, THE OVERALL DESIGN, ARCHITECTURAL TREATMENT AND ESTHETIC CHARACTER INCLUDING CONCERNS REAGRDNIG THE UTILIZATION OF 18 WHEEL VEHICLES FOR PURPOSES OF PROVIDING DELIVERIES TO THE SITE AND THE INTENSE USE OF THE PROPERTY DURING NORMAL BUSINESS HOURS.

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

NEW BUSINESS:

2. Site Plan/J. Torello/1260-1262 Old Colony Road

Mr. Birney, Acting Secretary, acknowledged the correspondence received for the record from: Carmen Rao, Fire Marshal to John Rohlf dated June 16, 2011 (Att. 2A); Eloise Hazelwood, DOH dated June 23, 2011 (Att. 2B); Linda Bush, Town Planner to John Torello dated June 28, 2011 (Att. 2C); Vincent

Mascia, Senior Engineer W&S to Linda Bush, Town Planner dated July 5, 2011 (Att. 2D); Eloise Hazelwood, DOH dated July 11, 2011 (Att. 2E).

Presenting the application was John Torello, Torello Assoc., Applicant John Rohlfs and Bob Amantea, Design Development Group.

Mr. Torello gave some background on this site. Mr. Rohlfs had purchased the property to the south of this existing business. He expanded his operation into the building on that site. Mr. Rohlfs is interested in making an additional expansion of the operation and the property to solve some issues that he has with the existing building. There are four basic issues with the existing site. One issue is the access to the site for truck traffic. The second issue is that Mr. Rohlfs is interested in the enhancement of the manufacturing process given that the building has been added on to over the years. There are sections of the building that inhibit the use of new machinery and new technology. Another concern is that the existing building is a flat roof building in various sections. Water and snow are contained on that roof for long periods of time and over the years leaks have developed. The final issue is that Mr. Rohlfs would like to make the addition compatible with the architecture of the initial building at 1268 Old Colony Road. They would like to have a building that reflects more of the New England quality of architecture.

Mr. Torello reviewed the plan. He discussed the original building on the site as well as the additions that have been made to the building. The proposal is to add an addition to the north and to the south along with a new entry way in the corner of the building. The major purpose of the expansion is to consolidate the manufacturing and shipping processes in the building. Mr. Torello submitted preliminary elevations for the proposed additions (Att. 2F). There would be dormers with room for potential expansion but that expansion is not needed at this time.

Mr. Amantea reviewed the site plan incorporating the concerns discussed in the letter from Linda Bush, Town Planner dated June 28, 2011. The site currently has no storm drainage on it. With the additional pavement they would be adding catch basins with chambers. They would not be tying into the State system. The septic system would be upgraded and relocated. The entrances are basically in the same position but would be improved to facilitate truck movement on and off of the road. There would be circular movement for trucks to maneuver through the site. The parking area and the grass area have both been expanded.

Mr. Amantea stated that there is an area shown as future parking for Phase II. The Applicant realizes that if Phase II is developed the parking setback must comply with the regulations.

Ms. Bush stated that the final plans must show the dimensions of the proposed additions to the building. She calculated that there would be 4,750 sq.ft. of new building and she would like that number confirmed. Ms. Bush pointed out that if the second floor becomes commercial space the Applicant must come back for a parking modification. She would like there to be a condition of approval that there must be a DOT curb cut permit issued before a building permit is issued. Ms. Bush also suggested a \$2,000 S&E bond. She also mentioned that according to the W&S Division the Applicant must reroute the water line because it goes through where the leaching fields are going to be.

**MR. BIRNEY: MOTION TO APPROVE A SITE PLAN TO PERMIT THREE (3)
MANUFACTURING ADDITIONS TOTALING 4,750 SQ.FT. FOR
TORELLO AT 1262 OLD COLONY ROAD AS SHOWN ON PLANS**

ENTITLED “SITE DEVELOPMENT PLAN, CONNECTICUT PLASTICS, OLD COLONY ROAD, DATED MARCH 7, 2011, REVISED TO JULY 7, 2011, SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

- 1. CONDITIONS OF APPROVAL FROM THE WATER & SEWER DIVISION INCLUDING COMMENTS TO LINDA BUSH REGARDING THE MOVEMENT OF THE WATER LINE.**
- 2. CONDITIONS OF APPROVAL FROM THE DEPARTMENT OF HEALTH.**
- 3. FINAL MAPS SHALL INCLUDE THE DIMENSIONS ON THE ADDITION THAT ARE IN ACCORDANCE WITH THE TOWN PLANNER’S CALCULATIONS.**
- 4. A DOT CURB CUT PERMIT IS REQUIRED BEFORE ANY BUILDING PERMIT IS ISSUED.**
- 5. THE APPLICANT MUST POST A \$2000.00 S&E BOND.**
- 6. IF THE UNFINISHED PITCHED ROOF SPACE IS CONVERTED TO OFFICE SPACE THE APPLICANT MUST APPEAR BEFORE THE PLANNING & ZONING COMMISSION TO OBTAIN MODIFIED PARKING APPROVAL.**

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

SUBDIVISION MODIFICATION:

3. Fulton Forbes / High Hill Road / Sidewalks #107-07 (Att. 3)

Ms. Bush stated that the Commission approved this subdivision approximately three years ago. Based on the recent Supreme Court decision Attorney Lee, on behalf of Fulton Forbes, is requesting a waiver for the sidewalks.

MR. FITZSIMMONS: MOTION TO APPROVE A REQUEST TO REMOVE THE SIDEWALK REQUIREMENT FROM THE HIGH HILL ROAD PROJECT #107-07 SUBMITTED BY FULTON FORBES AS REQUESTED BY THEIR LETTER DATED JULY 7, 2011 TO THE TOWN.

THE MOTION WAS SECONDED BY MR. MENARD AND PASSED UNANIMOUSLY.

MR. BIRNEY: MOTION TO WAIVE ARTICLE 8 TO DISCUSS AN ITEM NOT INCLUDED ON THE AGENDA.

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

Mayor Dickinson appeared to discuss the potential for a grant from the State. There is a transit oriented development pilot program grant available from the State. He feels that there should be some discussion about this grant and if it would be something that the Town would be ready for.

Ms. Bush doesn’t feel that the Town needs any money to move along the “Incentive Housing Zone”. She doesn’t feel that Wallingford is ready for this type of grant. She doesn’t believe that this bond

would cover what Wallingford is looking for referring to State Law 13B7911. Ms. Bush stated that based on her interpretation Wallingford could potentially qualify under “strategic transportation project as identified in Section...” At this point in time she doesn’t believe that Wallingford has a “strategic transportation project” identified.

Mayor Dickinson feels that there needs to be an honest evaluation by the Commission that this is something that is useful for the development of a regulation or it is not something that Wallingford is ready for.

Ms. Bush pointed out that if Wallingford was going to apply for this grant the paperwork would have to be put together within a month and she feels that the Town would be rushing into it. She explained that this is a pilot study and she believes that in the future there would be more funds available because of the commuter line. Ms. Bush believes that in a year or so Wallingford will have formalized the location of the train station and maybe the downtown zoning would be closer to being in place and the Town would have a real need for a consultant.

Mayor Dickinson explained that there is not a definite location for the train station. He stated that there is going to be a meeting in August to discuss a location further south of the existing site.

John Gervasio, Jodi Drive, stated that this program was issued in May 2011 and he isn’t sure why the Town is addressing it now. Mr. Gervasio stated that he spoke with the Program Manager at OPM and Wallingford is qualified to apply. He stated that they are looking for programs that demonstrate different ways of bringing transit oriented development into existence. He pointed out that the Town has a zone that allows things to happen but no actual plan. Mr. Gervasio read a section from the request for applications that discusses guidelines for rating eligible pilot projects. He feels that the Town does need additional outside consulting help because only some of the work has been done that would get the Town a very comprehensive plan for the downtown. Mr. Gervasio stated that the applications are due on August 4th and he listed some of the requirements.

Chairman Seichter agreed with the Town Planner that the Town would need more than one month to put together a meaningful proposal.

Mr. Birney and Mr. Fitzsimmons feel that Wallingford should have the full benefit of a rail project. Mr. Fitzsimmons is frustrated that Wallingford is not in a position at this time to take advantage of this opportunity.

Mayor Dickinson stated that he has a difficult time with it from the standpoint that he doesn’t know where the train station is going to go. He doesn’t believe that the Town could be very definitive about what it wants to study if so much is still up in the air.

After further discussion the Commission decided to take no action toward applying for the grant at this time.

BOND RELEASES AND REDUCTIONS:

4. Goldberg/213 Cheshire Road (Att. 4)

Ms. Bush recommended that the bond be released.

5. Jason Home Builders/24 Grand Street (Att. 5)

Ms. Bush recommended that the bond be released.

6. Greene-Woronick/136.5 Parker Farms Road (Att. 6)

Ms. Bush recommended that the bond be released.

7. Greene-Woronick/Subdivision/775 Center Street #101-10 (Att. 7)

Ms. Bush recommended that the bond be reduced to \$1,000.

8. Greene-Woronick/Special Permit/279 Quinpiac Street #403-09

Ms. Bush recommended that there be no action.

9. Greene-Woronick/Subdivision/Tuttle Avenue #101-08 (Att. 9)

Ms. Bush recommended that the bond be reduced to \$1,500.

MR. BIRNEY: MOTION TO APPROVE THE BOND RELEASES AND BOND REDUCTIONS IN ACCORDANCE WITH THE TOWN PLANNER'S RECOMMENDATIONS.

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

CORRESPONDENCE:

10. Martorelli/Simpson Village (Att. 10)

Ms. Bush reviewed the attachment received by the Commissioners. If approved by the Town Council there would be a reduction of the number of affordable units that would come before the Commission. There was some brief discussion about the issue of market rate affordable units. Ms. Bush recommended that the Commission talk to the Applicant to get clarification on the issue.

Mr. Fitzsimmons pointed out that originally the development had twelve (12) affordable units that were then cut down to ten (10) and now they are asking for eight (8). He feels that is a loss of four (4) affordable units for the senior population. Ms. Bush stated that the Commission would have to discuss the details with the Applicant. Ms. Bush feels that this plan is a better plan than what was originally planned.

Mr. Birney stated that he does not want to be in a position where anyone infers from the Attorneys letter that the Planning & Zoning Commission is in support of this change. Ms. Bush stated that she would make it clear in a letter to Mr. Parisi that the Commission is not in favor of this change.

REPORTS OF OFFICERS AND STAFF:

11. Proposed I-5 Regulations (Att. 11)

Received by the Commission. Ms. Bush suggested that the Commission schedule a workshop to discuss this regulation. Mr. Birney requested that the Commission receive feed back from the EDC on this proposed regulation change prior to any workshop scheduled.

12. New Legislation (Att. 12a & 12b)

a. Site Plan and Subdivision Bonds

Public Act No. 11-79 received by the Commission. Ms. Bush briefly discussed Section (d) which discusses bonding. She indicated that the Planning & Zoning Commission would have to amend its regulations because of this legislation.

b. Expiration Dates of Site Plans and Subdivisions

Public Act No. 11-5 received by the Commission. Ms. Bush briefly discussed the extension of time for expiration of permits.

13. Violation Log (Att. 13)

Received by the Commission. Ms. Costello, Assistant Town Planner, briefly discussed several items included on the Violation Log.

14. ZBA Decisions / June 20, 2011 (Att. 14)

Received by the Commission.

15. ZBA Agenda / July 18, 2011 (Att. 15)

Received by the Commission.

16. Workshop Meeting

A workshop meeting was scheduled for September 26, 2011.

17. Notes

Receipts

1. #407-11 Special Permit (Commercial use to residential)/Pleasant View Farm Development/1054-1076 Clintonville Road (aka 96 Pond Hill Road, North Haven)
2. #408-11 Special Permit (Location of Use)/The Tire Store/340 Quinnipiac Street, Unit #19
3. #215-11 Site Plan (parking lot expansion)/Infra-Metals Co./8 Pent Highway
4. #216-11 Site Plan (Special Permit Revision)/Simpson Village, LLC/Center Street & Martin Avenue

Mr. Menard made a motion to adjourn. The motion was seconded by Mr. Birney and passed unanimously by a voice vote. The meeting adjourned at approximately 10:15 p.m.

Respectfully submitted,

Sonja Vining,
Recording Secretary

Att. 1 through 15