

Wallingford Planning & Zoning Commission

Thursday, October 20, 2016

7:00 p.m.

Robert F. Parisi Council Chambers

Town Hall

45 South Main Street

MINUTES

PRESENT: Commissioner James Fitzsimmons, Acting as Chair; Commissioners Jeff Kohan; Armand Menard, Secretary; Rocco Matarazzo.

NOT PRESENT: Chairman Jim Seichter; Vice-Chair J.P. Venoit and Alternate Larry Zabrowski.

Acting-Chair Fitzsimmons called the Meeting to order at 7:08 p.m. and the Pledge of Allegiance was recited.

Approval of Minutes – September 12, 2016

Mr. Kohan: Motion to approve the September 12, 2016 PZC Meeting Minutes as presented.

Mr. Menard – Second

Vote: Unanimous

PUBLIC HEARINGS

1. Special Permit (retail building with 3 apartments above) 902 South Colony Realty, LLC/900-902 South Colony Road - **#410-16**.

Ms. Costello noted the Applicant's letter to the PZC agreeing to a continuance of its application before the PZC from October 20, 2016 to the November 14, 2016 PZC meeting

CONTINUED TO THE NOV. 14, 2016 PZC MEETING.

2. Special Permit (auditorium)/Choate Rosemary Hall/333 Christian Stret - **#411-16**

Secretary Menard noted the following correspondence into the record: Inter-Office Memorandum from Erik Krueger, Sr. Engineer, Water & Sewer Divisions, to Kacie Costello, Town Planner, dated August 30, 2016; Inter-Departmental Referral from the Fire Marshal Mike

Gudulski, dated August 8, 2016; Letter from Atty. Joan Molloy to Town Planner Kacie Costello, dated Oct. 14, 2016; Checklist; Inter-Departmental Referral dated August 8, 2016 from Environmental Planner Erin O'Hare; Inter-Departmental Referral from Fire Marshal Mike Gudulski dated August 8, 2016; Memorandum from Erin O'Hare, Environmental Planner to Kacie Costello, Town Planner, dated October 13, 2016; Letter from Atty. Joan Molloy to Town Planner Kacie Costello, dated Oct. 14, 2016; Memorandum to James Seichter, Chairman, PZC from Robert Baltramaitis, Town Engineer, dated Oct. 20, 2016.

Ms. Costello notified all Applicants there is a quorum but not a full five-member board and a vote of three ayes would be needed for approval. She said there is an option to postpone to the next meeting.

Appearing in front of the PZC was Atty. Joan Molloy, Loughlin Fitzgerald representing the Applicant; Robert Pryor, Engineer, Kevin Smith, Architect and Michael Galante, Traffic Engineer.

Atty. Molloy said this application is a Special Permit to allow for construction of a new auditorium/classroom and a 122 space parking area. Atty. Molloy explained that Choate doesn't presently have a building to accommodate the entire student body and this proposed 1,100 seat auditorium will provide this as well as classroom space. She said the parking lot is a consolidation of parking facilities currently located around the campus. She noted the parking lot in front of the Paul Mellon Art Center (PMAC), is being removed and relocated back behind the proposed new building. Atty. Molloy said the ZBA on June 20, 2016 did grant a variance for the height of the building, and on Oct. 5, the IWWC granted approval for the regulated activities. Atty. Molloy distributed a letter from Wallingford Police Chief Wright indicating he had no concerns regarding traffic.

Atty. Molloy handed over the presentation to Mr. Pryor who told the PZC the project area is over 6 acres. He went over the storm drainage and storm management plans to Gunpowder Creek. Mr. Pryor also spoke about the soil and sedimentation and erosion control and stated these plans provided several lines of defense for Gunpowder Creek which included haybales and several sedimentation basins. Mr. Pryor spoke about the geothermal wells and indicated each well will have its own sedimentation and erosion control. He proposed flocculent materials in the basins so runoff will not reach Gunpowder Creek.

Mr. Smith, Architect, went over the site work, landscaping and building plans. Atty. Molloy distributed copies of the floor plans to the PZC. He said there will be asphalt paving with places for water runoff and small pedestrian paths and a concrete paved fire access lane with unit pavers at the main entrance point which he said was the termination point of the existing stair as part of the PMAC. Mr. Smith noted at the south end, there will be replacement of the ADA parking which he said is the only parking which remains from the current lot. He said there will be a screened area for the transformer and generator. Mr. Smith went over the planting plan and said the intention is to leave the current wooded hillside intact. He said this will also

provide a buffer from Christian Street and pointed out the area of the geothermal wells will be restored as a meadow surrounded by trees.

Mr. Smith said the second floor will access the balcony and the dance studio above the main lobby. He said there will also be a service enclosure built into the hillside and noted the two remaining elevations of the building which face north and east are shorter and 20 ft. into the hillside. Mr. Smith showed photos of the existing PMAC building which he noted is the centerpiece of the campus and said it was important to maintain the height of the proposed new building.

Mr. Galante gave an overview of a pedestrian analysis. He distributed a handout which focused on the figures and the chart which he said matches his report. He said his pedestrian study on Christian Street. He said he looked at three different time periods: typical morning, typical mid-day and typical afternoon when the traffic and pedestrian activity is the highest. He went over the morning peak period from the N. Elm, Christian Street intersection, and traffic data of pedestrian traffic and school buses from near the off-center driveway and the athletic fields to the south, including the Rosemary Lane intersection to the east.

Mr. Galante said he looked at peak volumes, noting everything is in a 60 minute time slot. He noted Christian Street has anywhere from 400 to 550 vehicles in a one-hour time period. He said this pedestrian study was unique because today's existing condition is the future condition explaining there are 850 and approximately 220 faculty and staff which attend an event every Wednesday morning from 9:50 to 10:50 and is the reason for the new building. He said these people walk along the northerly side of Christian Street. Mr. Galante said it was found that about 45% come from the northeast quadrant of the campus, which means they are not crossing Christian Street. He said he did a worst case scenario and came to the conclusion the new auditorium, with 1,070 seats, will be utilized approximately 6 times a year.

Acting-Chair Fitzsimmons asked Secretary Menard to read the Legal Notice into the record.

Mr. Kohan said that overall, this was a nice application. He asked about the traffic study, i.e. the Christian Street, Elm Street intersection and noticed that in several crosswalks, there are stanchions and asked why they aren't at Christian and Elm Streets. Mr. Galante said that typically at an all-way stop sign control intersection, the stanchions wouldn't last a few days before being hit. He said he would speak to the Police Dept. about the stanchions. Mr. Kohan asked about parking and traffic. He noted the existing upper parking lot would be eliminated. He asked what the net new parking spaces would be. Mr. Galante said the existing lower parking lot has 30 existing spaces and will end up with two new spaces. He noted 28 spaces will be taken down below and 122 spaces will be added up top so there will be a net gain of parking spaces up top. He said this is an effort to consolidate parking spaces in an effort to get staff to park closer to where they work.

Atty. Molloy said some of the parking will be used by students who are permitted to drive to the school. He said there is parking in the athletic facilities across the street which is being

relocated over to this area. She said the parking is being formalized and noted the overflow parking goes to the athletic area. She staff will do their best to encourage students to utilize the proposed sidewalks. Mr. Kohan noted there aren't any sidewalks to the east on Christian Street. Mr. Kohan noted the steep drop on Christian Street and asked if there would be an issue with traffic coming over the hill. Atty. Molloy said the Police Chief didn't indicate there would be a problem. Mr. Galante as part of the traffic study, that intersection was analyzed. He said sightlines to the left to the east were studied because of the rise. He said this is not a high volume intersection. Mr. Galante there is more than an adequate site distance up and down the hill on Christian Street. Mr. Kohan referred to the handout and asked about the proposed gazebo and page A-201.

Mr. Galante said the gazebo will be located at the top of the steps. Mr. Kohan also asked about the geothermal wells which he said was a good thing to do. He asked what this would look like in the meadow and asked if there would be caps and would they be flat with the surface of the ground. Mr. Pryor said these wells wouldn't be like a domestic water supply well with a elevated cap. He said this structure will be below grade and the field will be graded back over with the disturbed area replanted to grow back as a meadow. Mr. Kohan asked how big the wells would be and if the caps would be 500 ft. Mr. Pryor said the bore holes would typically be the same size as a standard well, six to eight inches in diameter.

Mr. Menard asked about the school crossing guards and asked if Choate would furnish school crossing guards around 7 to 8 a.m. and 4 to 6 p.m. when there is peak traffic. Atty. Molloy said Choate has staff but wasn't sure they would be available every day at peak hours. She said Choate has learned when traffic is an issue and have staff assist with crossing and they have the ability to provide this. Mr. Fitzsimmons said the presentation was thorough. He asked about the sidewalks, noting that Rosemary Lane is a private lane maintained by Choate and is more narrow than a regular street. Atty. Molloy said she didn't believe it was any more narrow than a regular street. Mr. Fitzsimmons pointed out the lot is used during events and there is no parking across the street. He said when there is an event; he invited the Applicant to look at this. Mr. Fitzsimmons noted the upper part of the campus has the YMCA daycare which generates morning and afternoon traffic.

Mr. Fitzsimmons asked about the construction vehicle traffic. He said there is an active construction site which he said was running smoothly with plenty of signage. He asked if there is a same type of plan to be put into place. He asked where the construction equipment would be parked and when construction would begin and end. Atty. Molloy said the Applicant has been working on a construction sequence. She said for a time, the equipment will be coming off of Rosemary Lane and Christian Street. She said all of the student activities are primarily to the west.

Mr. Fitzsimmons asked how much fill would be removed during this project. Mr. Pryor said there is a cut involved with the construction of the building, and fill involved with the construction of the parking lot. He said the Applicant tried to balance the site to keep as much fill as possible

from leaving the site. Mr. Pryor said the upper parking area will be utilized on an interim basis for a staging area and parking for construction vehicles. He said this project can't be done in phases because the area is needed for work. Mr. Fitzsimmons asked about the groundbreaking. Mr. Pryor said the anticipated would be late spring of 2017. Mr. Fitzsimmons asked about parking spots and spoke about other uses of this building which could include Town events. He said his concern is when there is a non-Choate use of this property, there is only two handicap parking spaces and wondered if this would be enough. He said he didn't see any handicap parking spots in the upper lot. Mr. Pryor said pointed out there are handicap parking spaces in the back row of the upper parking lot and a handicap accessible route from these spaces down to the new building. Atty. Molloy said Choate has no intention to open up this facility for public use, noting Choate has made agreements with the Town to allow the Wallingford Symphony Orchestra to perform at the facility on occasion.

Ms. Costello said she is comfortable her comments can be addressed as a Conditions of Approval. She said a few comments still need to be addressed on the record, i.e., the sequencing and the S & E and construction plan. She said she spoke to the Applicant's representative this week. She said she would like to be walked through the sequencing of this and noted the geothermal wells, the well fields and the parking lot are significant disturbances. She said she believed with the wells, the entire area would have to be opened up and wanted to ensure there are safeguards. Ms. Costello said she had a question regarding the geothermal well fields, especially digging this deeply into the ground. She asked what the potential for land disturbance and noise would be. Mr. Pryor said this is a typical well drilling rip and noted this is the third or fourth type well installed on the Choate campus.

Mr. Pryor said the individual well sites are small areas of disturbance where the drill rig gets parked and there will be trenching between each individual well site which will be 25 ft. apart. He said the entire site will not be disturbed. Ms. Costello asked about the depth of the wells at 500 ft. She asked if there would be potential impact to the ground. Mr. Pryor said once the wells are drilled and the tubing is installed, they are filled with a heat transfer clay material so they don't remain open. Ms. Costello asked if there would be water coming up. Mr. Pryor said this is a closed loop system, so no water is drawn. He said this is a place for a large heat transfer and noted the heat of the ground is being used.

Atty. Molloy said there will be S&E controls around each well and a way to collect the water if it does come up. Ms. Costello asked about the south elevation where the retaining wall is around the generator and asked what this would look like from Christian Street. Mr. Pryor said the generator won't be seen and the wall will be made from concrete and the grade will come around this and will be landscaped.

Acting-Chair Fitzsimmons entertained Public Comment at this time. There was no public comment.

Atty. Molloy ran through the criteria and why the Applicant is in compliance. She said this application is proper for an R-18 zone and noted educational uses are permitted subject to a special permit. She said the building proposed is compatible with other buildings on campus including the PMAC. She said the plan also conforms to the current Plan of Conservation & Development (POCD). She said the use is a student auditorium and classroom and noted all abutting properties are owned by Choate and noted the Police Chief has concurred there are no traffic concerns as well as the Fire Department. She said the location and structure were based upon the need to provide a single building to allow the entire student population and staff to meet in one place at a time. She said the development meets all standards prescribed by the Town's Regulations and meets all health and environmental standards and all Town Depts. have reviewed and have no objections.

Acting-Chair Fitzsimmons closed the Public Hearing at 7:29 p.m.

Mr. Kohan: Motion to close the Public Hearing at 7:29 p.m.

Mr. Menard: Second

Vote: Unanimous

Acting-Chair Fitzsimmons entertained a motion on the application.

Mr. Kohan: Motion that a Special Permit (educational institution/traffic generator) for Choate Rosemary Hall to construct a new auditorium/classroom building at 333 Christian Street (Choate Rosemary Hall) in the vicinity of North Elm Street and Christian Street, east of the Paul Mellon Arts Center as shown on plans entitled "Choate Rosemary Hall, Auditorium and Classroom Building project, 333 Christian Street, Wallingford, CT, 06492", dated August 4, 2016, updated to September 20, 2016, subject to the following conditions:

- 1. Comments from Water & Sewer dated August 30, 2016;**
- 2. Comments from the Town Planner dated Oct. 7, 2016;**
- 3. S&E bond to be established upon submittal of final plans.**

Mr. Menard: Second

Vote: Kohan-yes; Matarazzo-yes; Menard-yes; Fitzsimmons-yes

Application Approved

- 4. Special Permit (Location of Use)/Bradley/54 Capital Drive - #412-16.**

Secretary Menard read the Legal Notice and all correspondence into the record: Interdepartmental Referral from the Fire Marshall dated Sept. 12, 2016; Letter to Kacie Costello Town Planner from Sr. Engineer, Water & Sewer Divisions, dated Sept. 28, 2016; Letter to

Adam Bradley from Kacie Costello, Town Planner, dated Oct. 5, 2016; Updated map received Oct. 19, 2016.

Appearing in front of the Commission was Adam Bradley, 123 Church Street. He said the purpose of the application was to move his current business to 54 Capital Drive. He said he performs automotive restorations. Mr. Fitzsimmons asked what the State of CT license would allow Mr. Bradley to do. Mr. Bradley said this license would allow him to repair motor vehicles on-site. He said this license to repair is separate for a license to sell. Ms. Costello said the State issues this as a Dealer's and Repairer's license and said no sales should be made a condition of approval.

Acting-Chair Fitzsimmons entertained Public Comment. There was no Public Comment and Acting-Chair Fitzsimmons entertained a motion to close the Public Hearing at 8:40 p.m.

Mr. Kohan: Motion to close the Public Hearing at 8:40 p.m.

Mr. Matarazzo: Second

Vote: Unanimous

Acting-Chair Fitzsimmons entertained a motion on the application at this time.

Mr. Kohan: Motion to approve a Special Permit (Location of Use) for Bradley, for an automotive repairer's license at 54 Capital Drive, as shown on plans entitled "Site Plan for American Equities Group, Lot 24 – Capital Drive, Pent Highway, and North Plains Industrial Road, Wallingford, CT", dated Dec. 8, 1982, revised to Jan. 16, 1985, and further modified by the Applicant to show additional parking, subject to:

1. Comments of Water & Sewer Division dated Sept. 28, 2016;
2. Car sales will not be allowed.

Mr. Matarazzo: Second

Vote: Matarazzo-yes; Kohan-yes; Menard-yes Fitzsimmons-yes

Application approved

OLD BUSINESS

3. Site Plan/B. Maslar/70 North Plains Highway - #233-16

Secretary Menard read all correspondence into the record: Inter-Departmental Referral dated Aug. 8, 2016 from the Fire Marshal; Inter-Office Memorandum from to the Environmental Planner from the Sr. Engineer, Water & Sewer Divisions, dated Aug. 18, 2016; Inter-Office Memorandum to Kacie Costello, Town Planner, from Water & Sewer Divisions Sr. Engineer, dated Aug. 30, 2016; Letter from Kacie Costello, Town Planner, to Bruce Maslar, dated Sept.

30, 2016; Plan Review dated Sept. 28, 2016; Letter to Planning & Zoning from the Engineering Dept. dated Oct. 6, 2016; Letter from the D&D Group to Town Engineer dated Oct. 18, 2016; Letter from the D&D Group to Planning & Zoning dated Oct. 28, 2016; Memo from Town Engineer dated Oct. 20, 2016.

Acting-Chair Fitzsimmons noted some of the correspondence is dated today and yesterday and said this is out of the normal process. He said the Commission just received a revised plan. He asked Ms. Costello if this application was reviewed enough by Town staff. Ms. Costello noted the Commission has today's letter from the Town Engineer noting no comments but a condition of approval that a proper revision date be added.

Ms. Costello said she prefers to see the comments addressed, but noted the Applicant's representative provided some responses in writing and was comfortable the comments can be addressed as long as the Applicant and the Applicant's representative understand if these are made Conditions of Approval, these comments must be addressed prior to construction. Ms. Costello said the two items to be discussed tonight are the landscaping requirements, i.e., a five-foot landscaping strip along the front of all buildings be provided. She said there is a provision which allows someone to basically calculate where the square footage of that landscaping would be, double it and provide it somewhere else which must be approved by the Commission. She said she is comfortable the Applicant can make this work. She said the other comment involves the dumpster location. Ms. Costello said she believes everyone is in agreement there will be just one dumpster to the rear of the property.

Appearing in front of the Commission was Robert Amentea, Engineer and Land Surveyor, of D&D Design Development Group, and Bruce Maslar, owner.

Mr. Amentea said the reason the Commission received the letter dated today was because he only received the comments the other day. He said he went over these plans in detail with Ms. Costello and responded with a letter. He said he was confused about the landscaping in front of the building near the door side and discussed this with Ms. Costello. Mr. Amentea noted on Buildings A & B between the pass door of adjacent units, where there is only parking and no building access, the requirement is a five-foot strip. He said the Applicant would like to in front of Building A&B is to provide twice the area which would normally be put in front of that landscaping and apply it someplace else on the site. Mr. Amentea said the landscaping can be put in front of Buildings C&D because there is approximately 90 ft. between these buildings. Ms. Costello said he can do the five-foot strip in front of Buildings C&D but wants to utilize the alternative options in front of Buildings A&B because it doesn't fit there.

Mr. Amentea said the proposal is to construct four buildings with Buildings B&C being attached. He said Mr. Maslar will operate his business in one of the buildings, with the rest of the buildings being constructed as needed, one at a time, as the economy warrants. He said the Applicant will install water & sewer which he noted comes up to the property on the southwest corner. Mr. Amentea said the Applicant will be extending the water and sewer up to his

driveway and there will also be storm drainage installed. He said detention chambers are being put into the ground connected by drywells and catch basins, so all the additional runoff can be recharged. He said the site is basically flat and completely wooded. He said the site will be maintained except where the site for the building will be dug out. Mr. Amentea said the area in front along N. Plains Hwy will be landscaped with additional trees to replace any significant trees removed. He said the entire site will have security fence with privacy slats. He said the parking requirement is met, noting there is more parking than required.

Mr. Kohan noted the drawings show bathrooms in the units and asked if this was standard for storage units. Ms. Costello explained that many contractor storage units, i.e., plumber or landscapers, keep their vehicles and do their paperwork so a bathroom is needed. She said she has run into issues of some storage units being turned into residences which she noted is not a permitted use. She agreed with Mr. Kohan this should be a condition of approval. Mr. Matarazzo asked about the dumpster being located in the rear of the building and noted there is nothing in the drawings showing a dumpster pad. Mr. Amentea said this dumpster will be added to the drawings because he wasn't sure if there would be multiple dumpsters. He said the one dumpster will be located at the rear of the parking lot, which will eliminate one parking spot. Mr. Amentea said Buildings C&D will have the landscaping and the required parking will be in front of Buildings A&B.

Acting-Chair Fitzsimmons asked where the "someplace else" for the landscaping will be located. Mr. Amentea explained the landscaping can be added to the front and in between the two buildings A&D and the rest would be in the front on the street side. Ms. Costello said the current landscaping between Buildings A&D may be sufficient, but said she didn't have the calculations. She said the Applicant could add the extra landscaping onto the required front landscaping but might involve losing a parking space. Mr. Amentea said this would be acceptable to the Applicant. Acting-Chair Fitzsimmons asked about the bathrooms. Mr. Amentea said he was confused about the Regulations. He said he patterned his facility after his son's business in the N. Plains Industrial Park, which has a bathroom facility in each unit. He noted if anyone spends any amount of time here, they would need a bathroom.

Acting-Chair Fitzsimmons said the Commission would like to avoid future problems. He noted that in the Commission's internal memo, this was described as storage units and then in further conversation, this was described as contractor storage and now the Applicant's letter calls this storage and wholesale distributing.

Acting-Chair Fitzsimmons said he understood the parking requirements are based upon storage and wholesale distributing. He asked if there would be sales operating out of any of these units. Mr. Amentea said no. He said the Applicant doesn't know what will happen in the future and recommended putting the parking in for the heavier use. Acting-Chair Fitzsimmons said there have been issues as far as zoning enforcement with people overusing one of these units, citing an example of a person opening a liquor store in one of the units. Acting-Chair Fitzsimmons

said was having a tough time envisioning who would be there. Ms. Costello said the Applicant needs to commit to a use and can commit to a mix of uses but needs to know what it is.

Mr. Amentea said the Applicant has no problem restricting use so no retail will be allowed. Mr. Maslar said he has an oil delivery business and has three trucks. He said he was interested in building a facility in which to park his trucks, work in an office there and rent out additional units. Ms. Costello pointed out that in the industrial zone there is a list of permitted uses, but noted that one cannot just get the building approved and do whatever combination decided at the time because there are different parking and delivery requirements. Mr. Matarazzo said the way to resolve this is to have the Applicant re-apply. He said if the Applicant's initial idea of use is for the oil business, the Applicant should come with an application to build a site for the business with future intentions of possible contractor storage in the back part of the lot.

Acting-Chair Fitzsimmons agreed stating an example of Colony Glass which had a business and then added storage units. He said the Applicant may want to revisit this with the Town Planner and either withdraw or ask for a continuation. Ms. Costello suggested continuing this application so the Applicant wouldn't have to pay a fee and then between now and the next meeting figure out what the intentions are by the next meeting.

Acting-Chair Fitzsimmons entertained a motion to continue this application to the November meeting.

Mr. Kohan: Motion to continue this application to the November meeting.

Mr. Matarazzo: Second

Vote: Unanimous

Acting-Chair Fitzsimmons took the agenda in the following order:

DISCUSSION

8. Craft Breweries/David Durant

Ms. Costello said the Commission had a letter from Kacie Costello, Town Planner, to David Durant, dated Oct. 2, 2016, which was read into the record by Secretary Menard.

Acting-Chair Fitzsimmons noted the zoning laws are in the process of being changed, but may take time to accomplish. He said Mr. Durant would like to bring a craft brewery to Center Street within the next six months and is proposing a variance to the current zoning regulations. Ms. Costello said Mr. Durant's proposal involves a bar/tasting room with a small production component in the back. She said there would be more emphasis on the pub, rather than the brewery. She noted production is not a permitted use in that zone. She said there are a few different options and noted many municipalities around the country have been considering in the downtown area of finding regulations which work in terms of brew-pubs because they are a

popular destination. She said there isn't a regulation in place which allows for this. She said in this particular case, direction is needed from the Commission.

Ms. Costello said in this case where there is more of a pub than the brewing, this brewing could be considered an accessory use. She said she wanted direction from the Commission as to whether they agree with this, or have the Applicant seek a variance, a production component or a regulation change.

Mr. Durant said there are three components: the tasting room which is more than 50% of his plan and cold storage, where the kegs are stored and the back room where the actual brewing takes place which is a small portion of the overall place. Mr. Durant said he would sell T-shirts and beer mugs. He said he was planning on selling beer growlers. Ms. Costello said beer growlers are permitted under the manufacturer's permit and would be exempt from the 1,500 ft. separation requirement becomes it comes in under a micro brewery manufacturers permit. Ms. Costello said 30% is a reasonable number. She said this would be for the CA zone downtown but noted there are other CA zones. She said this application would come to P&Z for a change of use.

9. Establishment of a Cremator/Matthew Bailey (B.C. Bailey)

Secretary Menard read a letter from B.C. Bailey to Town Planner Kacie Costello dated Sept. 22, 2016.

Appearing in front of the Commission was Matthew Bailey, President of B.C. Bailey Funeral Home on S. Elm Street. He told the Commission he has been looking at the idea of constructing a crematorium for quite some time. He noted the P&Z recently approved the use of a pet cemetery and noted it is similar to what he is proposing. Ms. Costello said this is a by right use in the I-20 and I-40 zone provided the business is 500 ft. from the boundary of a residence or rural district. She said it is Section 4.8b9J. Ms. Costello said this would probably be for the same zone and believes the question was would the Commission want to pursue this as a regulation change application or a workshop conversation. Acting-Chair Fitzsimmons said he would have no problem adding this to a workshop discussion. The Commission agreed.

EXTENSIONS REQUESTED

5. Map Filing Extension Request/Ibar/58 North Branford Road - #102-16

Ms. Costello said this was a sub-division approved a few months ago by the Commission. She said the Applicant has 90 days from the approval to file their final maps. She said the Applicant is still working on the easement barn issue and recommended a 90-day extension.

Mr. Kohan: Motion to approve a 90-day map filing extension for Ibar

Mr. Matarazzo: Second

Vote: Unanimous

6.Special Permit Extension/J. James, Agent for Meacham, LLC/249 Dudley Avenue -#408-08

Ms. Costello said this is a limited stockpiling permit and is ongoing provided a report is provided on how much stockpiling is taking place. She said an extension must be approved every two years and noted the date was missed. She said the P&Z has approved the extensions retroactively in the past and noted she has had no issues with this business.

Mr. Kohan: Motion to approve retroactively a special permit extension for J. James, Agent for Meacham, LLC.

Mr. Matarazzo: Second

Vote: Unanimous

DISCUSSION

7. Proposed corrections and minor modifications to Zoning Regulations/Discussion and possible Scheduling of Public Hearing.

Ms. Costello said she provided the Commission with several minor modifications noting some of them were corrections and some were things that she came across which are straight forward and should be clarified. She also included a request by Mr. Matarazzo that a condition be included in the RF-40 zone that the buildings be facing the road, parallel to the road. Ms. Costello said this could be scheduled for a Public Hearing in November or the Commission could review these between the November meeting and schedule a Public Hearing in December. She said there could also be a workshop for discussion. Acting-Chair Fitzsimmons suggested adding this item to a workshop.

10.Possible scheduling of a Public Hearing-Parking requirements in the CA-6 Zone.

Ms. Costello said she provided the Commission the most recently discussed update. She requested between now and the November meeting, the Commission look this over and then consider a Public Hearing.

REPORTS OF OFFICERS AND STAFF

11. Administrative Approvals

a. Change of Use/A. Thomas/189 Ward Street -#314-16

Ms. Costello this was the expansion of an existing salon type use.

12. ZBA decisions of September 19, 2016

Ms. Costello said everything was approved except for a variance request for solar panels at the Meriden-Markham Airport which included a small component of above ground utility connection adjacent to the Meriden line which was denied.

13. ZBA Legal Notice for October 17, 2016

Acting-Chair Fitzsimmons noted there was no address for #4 from the current meeting on Monday. Ms. Costello said this was for the gas station on S. Colony Road where Orchard Street splits. She said this will be coming to the P&Z for a Special Permit modification for additional pumps.

14. Zoning Enforcement Log

Ms. Costello said she will leave this up to the Commission for questions. She said the Zoning Enforcement Officer did a signage sweep this week. Mr. Matarazzo discussed the neon signs in town, particularly the sign in Yalesville for Brother's Pool which he said at night was blinding and is a possible hazard to drivers in oncoming traffic. He suggested this be a workshop discussion on illumination regulation on just how bright these signs can be. He said he knows someone who can suffer a seizure from bright signage lights. Ms. Costello said there is regulations preventing light glare and certain regulations prohibiting uplighting or flashing and blinking which was addressed at this property. She said the regulation of LED lighting was discussed as a possible regulation change. Ms. Costello said if this is presenting a safety hazard, she can discuss this with the Police Dept. and look under the glare regulation to see if this applies.

Acting-Chair Fitzsimmons asked if the sign was currently in zoning compliance. Ms. Costello said she believed the sign was compliant, unless there is a glare issue onto adjacent properties. She said the sign can change but cannot blink or flash and noted the business owners have a permit. Acting-Chair Fitzsimmon said this is similar to the sound issue with some uses where it is unintended. He said this sign is across from residential and supports the idea of discussing this and encouraged Ms. Costello to make a referral to the Police Department. She said a workshop probably could take place early in 2017. Acting-Chair Fitzsimmons asked Ms. Costello to generate a list of signs she is getting complaints on so this can be discussed at the November meeting. Mr. Matarazzo said there have been comments on the Wallingford community forum regarding the Brother's Pool sign.

Mr. Kohan asked about Windswept Hill Road. Ms. Costello said currently there is a lawsuit in regard to the approved zoning regulation. She said she performed a site visit on a complaint of gravel. She said the old and new regulation prevents gravel. Ms. Costello said as of right now, there is the pending lawsuit and the plan was following the regulation change, the next step was site plan modification of changes made on the site which is now stalled because of the lawsuit. Acting-Chair Fitzsimmons said this will take time knowing how the courts are. Ms. Costello said the new regulation is valid. She said more has been done at this site than was on the original site plan.

Adjournment

Mr. Kohan made a motion to adjourn the Meeting at 9:45 p.m. Mr. Menard seconded the motion which passed unanimously.

Respectfully submitted,

Cynthia A. Kleist

Recording Secretary