

Wallingford Planning & Zoning Commission

Monday, November 13, 2017

7:00 p.m.

Robert F. Parisi Council Chambers

Town Hall-45 South Main Street

MINUTES

PRESENT: Vice-Chair J.P. Venoit, (Acting as Chair); Commissioners Jeff Kohan; James Fitzsimmons; Rocco Matarazzo; Gina Morgenstein (alternate) and Steve Allinson (alternate); Kacie Hand, Town Planner.

Acting-Chair Venoit called the Meeting to order at 7:04 p.m. and the Pledge of Allegiance was recited.

Approval of Minutes: October 2, 2017 (Special Meeting) – October 11, 2017 (Regular Meeting).

Mr. Fitzsimmons: Motion to approve both the October 11, 2017 Regular Meeting and the October 2, 2017 Special Meeting as presented.

Mr. Kohan: Second

Vote: Unanimous

Acting-Chair Venoit appointed Commissioner Matarazzo Acting Secretary for the evening.

PUBLIC HEARINGS

1. Zoning Regulation Amendment (6.9G)/PZC/Extend current LED/Electronic Sign Moratorium by an additional 9 months - **#906-17**

Acting-Chair Matarazzo read the Legal Notice and noted all correspondence into the record: Application for Zoning Regulation Change, dated 10/31/17; Draft of LED/Electronic Sign Moratorium dated 10/30/17; Inter-Departmental Referral received Nov. 2, 2017 from the Fire Marshal; Staff Referral Report from Joanna B. Rogalski, Regional Planner, NVCOG, Waterbury, dated Feb. 14, 2017; Letter from J.H. Torrance Downes, Deputy Director, LCRVCOG, to the Wallingford Planning & Zoning Commission dated January 24, 2017; Minutes from the PZC Regular Meeting of February 15, 2017; Staff Referral Report from Joanna Rogalski, Regional Planner, NVCOG, dated Feb. 14, 2017.

Mr. Allinson asked why the moratorium was for nine months, pointing out that the moratorium went nine months and now is for another nine months. Ms. Hand explained this is typically what has been done for moratoria because it typically gives some cushion, to conduct some workshops and public hearings. Ms. Hand said the PZC could make the moratorium for less than nine months, but said this extension would give PZC enough time to address the Town Center Zoning Regulations and the T.O.D. Regulations. Mr. Fitzsimmons said the last time this moratorium was approved was nearly one year ago, and is in favor of extending it because of the issues with the LED signs regarding brightness, size and movement vs. non-movement. He said by keeping the moratorium in place, the Town won't have any additional new LED signs until the PZC is able to properly craft the Regulations. He noted there were comments from other Towns and the Regional Planning and they were generally supportive to extend the moratorium. He said he hopes this is the last extension stating the nine months should be ample time. He said signage is important, and that the PZC has spent a lot of time discussing this. He said he supports the moratorium extension because it does allow the PZC time to review the Regulations and improve them.

Mr. Venoit said he agreed, noting the PZC needs to do something sooner than later. Ms. Hand noted the PZC approved the original moratorium on electronic message boards in February 2017, and became effective on February 17, 2017 for nine months and is set to expire which is why she is now proposing a nine-month extension. She said as LED message boards become more common in Town, Regulations are needed which specifically address not having flashing or moving signage, but don't anticipate message changing, timing or brightness. Ms. Hand said one workshop took place after the moratorium began, and some headway was made. She said since then, the Town Center and T.O.D Regulations have been in the forefront of everyone's mind, and there has been a focus around this. Ms. Hand said this moratorium will give PZC time to complete those Regulations.

Acting-Chair Venoit designated Mr. Allinson to vote in place of Chair Seichter. Mr. Matarazzo asked if a workshop should be scheduled. Ms. Hand said the focus now is getting the T.O.D. and Town Center Regulations adopted, and once this is done, workshops can be scheduled.

PUBLIC COMMENTS – 7:14 p.m. – No Public Comments

Acting-Chair Venoit entertained a motion to close the Public Hearing.

Mr. Fitzsimmons: Motion to close the Public Hearing at 7:15 p.m.

Mr. Kohan: Second

Vote: Unanimous

Acting-Chair Venoit entertained a motion on the LED Electronic Sign Moratorium.

Mr. Fitzsimmons: Motion to approve a Zoning Regulation Amendment Section 6.9G for the Wallingford PZC to extend the previous Moratorium effective Feb. 17, 2017 approved nine-month moratorium on the issuance/allowance for installation of LED or electronic signage by an additional nine months in order to allow the PZC additional time to pursue appropriate regulation of such signage as proposed in the subject application, effective Nov. 17, 2017 because:

- 1. Additional time is needed by Town Staff to review and develop new Regulations to explore the appropriateness of such LED signage in Town,**

Mr. Kohan: Second

Vote: Kohan-yes; Fitzsimmons-yes; Allinson-yes; Matarazzo-yes; Venoit-yes.

OLD BUSINESS

- 2. Site Plan (temporary tent, patio & workshop)/Paradise Hills/15 Windswept Hill Road - #239-17 – NO ACTION REQUESTED**

Ms. Hand suggested members of the Public address the workshop schedule. She said the PZC is looking at the last two weeks in November or the first week in December. The PZC decided on a tentative workshop date of Nov. 27, at 7 p.m.

Public Comment

Tim Ryan of Economic Development commented that the Oct. 2 workshop was excellent, and noted there is active project on the upper part of the hill by Vincenzo DiNatale. He said the details have been reviewed by the EDC and by Ms. Hand and said it was worthy of the PZC's consideration. He said a workshop is the next natural step in trying to make some hard decisions on this particular application. He encouraged the PZC to keep the momentum going.

BOND RELEASES & REDUCTIONS

3. DiGioia/48 Jones Road
4. Benham/41 South Main Street
5. Site Plan/Kingsbrook Development/701 North Colony Road - **#218-16**
6. Site Plan/Valenti (Pustola)/800 South Colony Road - **#216-09**

Ms. Hand said Items # 3 and #4 is ready for release. She said Item #5 is ready for a 50 percent release, which would be \$5,750 for release and Item #6 is not ready for bond release.

Mr. Fitzsimmons: Motion to release the bonds held for 41 South Main Street and 48 Jones Road as recommended by the Town Planner and a bond reduction down to \$5,750 for 701 North Colony Road as recommended by the Town Planner.

Mr. Kohan: Second

Vote: Kohan-yes; Fitzsimmons-yes; Matarazzo-yes; Allinson-yes; Venoit-yes.

ELECTION OF OFFICERS

7. 2017 Election of Officers – **TABLED**

PLANNING & ZONING COMMISSION MEETING SCHEDULE FOR 2018 – TABLED TO THE DECEMBER PZC MEETING

8. PZC 2018 Meeting Schedule

REPORTS OF OFFICERS AND STAFF

9. Administrative Approvals
- a. Survey Waiver/R. Frank/ 41 North Airline Road
 - b. Site Plan/J. Orellana/136 Dudley Avenue - **#240-17**
 - c. Change of Use/S. Kurtz/329 Main Street – Unit 1, Yalesville -**#314-17**
 - d. Survey Waiver/L. Ryan/30 Highland Avenue
 - e. Site Plan/Bormaseel Holdings, LLC/401 Center Street - **#241-17**
 - f. Survey Waiver/A. Ortiz/969 Durham Road
 - g. Survey Waiver/R. Mulhern/75 Farm Hill Road
 - h. Survey Waiver/ J&K Cei/101 South Main Street –
 - i. Survey Waiver/ M. Meagher/1022 North Farms Road
 - j. Change of Use/ G. Sharon/27 Chapel Street, Yalesville - **#315-17**
 - k. Change of Use/ S. Vahora/600 North Colony Road - **#316-17**

Mr. Venoit noted the many survey waivers. Ms. Hand said the PZC made it an option for people to apply administratively and makes sense. She said some are difficult and some straight forward. She said it was important that the administrative fee was added and is significantly less than a survey cost. Ms. Morgenstein asked about 101. S. Main and wondered if the building, the garage/pool was grandfathered in. She said it appeared as if the building went across on the map to the north. She noted it was a tight piece of property. Ms. Hand said part of the reason the surveys are required is the Assessors Maps are based on aerial photos overlayed by sub-division maps and sometimes they are accurate and sometimes not. She noted that sometimes buildings are shown overlayed on property lines and. She said anything constructed three years ago is a setback violation and is grandfathered in. She said this building was built before 1958 and is grandfathered in. Ms. Morgenstein said she wanted to understand how this existed. Mr. Kohan said Ms. Hand has done a good job on the Administrative Approval. The Commission agreed.

10. ZBA Decisions October 16, 2017

Ms. Hand said the approval was for an addition on 2 Carter Trail, and the denial was for the large accessory structure that she had spoken to the PZC about a few months ago. She said the PZC filed a report expressing concern regarding the existence of a hardship so the application was denied.

11. ZBA Notice of November 20, 2017

Ms. Hand noted there will be no ZBA meeting on November 20, 2017 because of lack of applications. The next Meeting will take place on December 18, 2017

12. Zoning Enforcement Log

Mr. Fitzsimmons asked for an update from the Law Dept. on any open litigations. Ms. Hand said there are at least two where there is either a resolution or near resolution in court. Ms. Hand noted an administrative submission to the PZC.

ADJOURNMENT

Mr. Fitzsimmons made a motion to adjourn the Meeting at 7:28 p.m. Ms. Morgenstein seconded the motion which passed unanimously.

Respectfully submitted,

Cynthia A. Kleist

Recording Secretary