

Wallingford Planning & Zoning Commission  
Plan of Conservation and Development Public Hearing

June 6, 2016

7:00 p.m.

Robert F. Parisi Town Council Chambers

45 S. Main Street

Wallingford, CT

**MINUTES**

**PRESENT:** Chairman James Seichter; Commissioners Jeffrey Kohan; James Fitzsimmons; Gina Morgenstein and Larry Zabrowski, Alternates; Kacie Costello, Town Planner; Timothy Baird, Milone & MacBroom.

Chair Seichter called the Meeting to order at 7:06 p.m. He noted that today was the 72<sup>nd</sup> anniversary of the D-Day invasion at Normandy on June 6, 1944 in WW2.

Before beginning the Public Hearing, Chair Seichter noted that the POCD was the culmination of a year's worth of work in updating the POCD which is a policy guide for the community. He said process began in November of 2014 when the Town put out a bid to hire a consultant to assist the Town with its updating of the POCD. He noted Milone & Macbroom were hired as the consultant and a Steering Committee was formed and began work in March 2015. Chair Seichter said there were numerous discussions with the Steering Committee; two surveys were conducted and he noted there was also a booth at Celebrate Wallingford.

Chair Seichter said there were two surveys conducted by the Steering Committee, the first, a townwide survey, 1,811 people responded. He said 385 people responded to the Town Center survey. Chair Seichter said an initial draft of the POCD was presented in November, 2015 and the proposed plan was submitted to both the Wallingford Town Council and the South Central Regional Council of Governments in March 2015 thereby initiating a 65-day review period leading up to this Public Hearing. Chair Seichter pointed out the POCD is required by CT. General Statute, 8-23, to be updated every 10 years. He thanked the Steering Committee for their hard work and the members of the public who participated.

Mr. Fitzsimmons read the Legal Notice and noted all correspondence for the record; Draft Plan of the POCD dated 2/26/2016; correspondence from Director of Public Utilities George Adair,

dated June 6, 2016; letter of referral to the South Central Regional Planning Commission of CT., dated May 23, 2016; memo from Erin O'Hare, Environmental Planner, to Town Planner Kacie Costello, dated June 2, 2016; attachment received June 6, 2016, regarding revisions to the draft.

Ms. Costello said this was an informative process and said the Town tried to make this an inclusive process and involve all the agencies who would have an interest in adopting the POCD. She said there were a lot of meetings, productive discussions and helpful recommendations. Ms. Costello said there was also a large public participation. She said this plan is action oriented and will guide the community in pursuing some of the identified goals. Ms. Costello thanked Milone & MacBroom, the Planning & Zoning Commission and the Steering Committee and all the members of the public, Town staff and Town agencies.

Mr. Baird gave an overview of the proposed POCD which he noted was a policy guide and document and is not binding. He said the process with Milone & MacBroom's involvement has stretched over a 14-month period from the kickoff to today. He went over the priority recommendations which encourage mixed-use, the development of the Town Center and a parking plan, including the implementation of the Transit-Oriented Development Plan (TOD), and to encourage relocation of land uses to appropriate areas; investing in areas complimentary to the train station; and ensuring other forms of transportation dovetail with the opportunities the train station provides. He said recommendations were also made to revise the IX and I-5 zoning regulations to better achieve the goals of the Town for commercial and industrial development. Mr. Baird said a dedicated annual funding stream for maintenance and improvement of the Town Center's sidewalks was also recommended to enhance the quality of pedestrian transportation. Mr. Baird said a phased redevelopment approach to the Wooding-Caplan property was also recommended and a focus on signage in Town Center was also recommended. He said working with CT DOT on RT. 5 traffic improvements was also recommended.

Mr. Baird said recommendations were made to find a replacement for Bristol Myers-Squibb who will be leaving Wallingford in 2018 and to work to ensure the new train station will not bring a negative impact on the residential neighborhoods in the area. Mr. Baird said a number of revisions were made to the POCD based on comments received. He said additional detail was added on existing land use and existing zoning to provide context for zoning recommendations and future land use plans. He said the action agenda was clarified along with the utility service area boundaries. He said based on comments from the Environmental Planner, open space ownership and public access was clarified. Mr. Baird said the full draft is available on the Town website.

Ms. Costello said the CT General Statutes regarding Municipal POCD requires the Municipality refer this POCD to the Regional Planning Agency and the Legislative body. She said the Council

of Gov'ts sent a letter supporting the proposed plan and the Town Council conducted a meeting to discuss the proposed plan, and they opted to take no action. She said this doesn't impact the P&Z decision on this matter. She went over a few other changes made based on comments made over this period; references to the TOD were added to the Action Plan and the addition of references to the Administration under the supportive agencies which came from Atty. Janis Small. Ms. Costello said there were comments from the PUC and the Water & Sewer Divisions which Milone & MacBroom worked to address. She said the PUC and the Water & Sewer Divisions are comfortable with P&Z adopting the plan and including their comments.

## **PUBLIC COMMENTS**

Mary Mushinsky, congratulated the P&Z and the Town Planner on the POCD which she noted was a good tool. She said this POCD recognizes the need for housing & retail choices which fit the changing demographics of the Town. She said the commuter rail line in 2018 will be a game changer for Wallingford. She said there are funding opportunities which can be used to partner the Town with future developers who specialize in TOD which has worked to enliven other Town's downtown areas.

Ms. Mushinsky, who requested some amendments to the proposed POCD, and spoke as the State Rep., noted the POCD refers to the need to connect recreation areas, neighborhoods and workplaces and improve the entry routes to the downtown. She said the POCD doesn't mention the Hall Avenue improvements and the Senior Center Trail Link to the Quinnipiac River Linear Trail. She cited the map on page 22 for emphasis. She asked for amendments to the plan on Pages 74 and 75 to complete the senior center trail link and to add the Quinnipiac River Linear Trail Advisory Committee as a partner in the Community Lake planning discussions to ensure the proposed uses for the river corridor and the Community Lake are harmonious with each other.

Chair Seichter noted on page 22 of the proposed POCD, there appears to be a map which shows the Senior Center and a link to a portion of the Quinnipiac River Trail. Rep. Mushinsky said the link as designed is from the Senior Center through the woodlands around Community Lake Bed and up Oak Street, on Washington St. and Hall Avenue. She said this design was submitted to the DOT and noted there had to be a redesign to go around a certain parcel of land. She noted funding for this project has already been granted.

Speaking as staff for River Advocates of South Central CT. Ms. Mushinsky said this is a new 501-C3 which works on river protection on the lower Quinnipiac River, the Mill and the West River. She said the Board and Staff have experience with QWRA and noted previous projects included creation of the Fishway at Wallace Dam, conduct stream walk surveys, control invasive specials, stormwater management and design river trails and water guides. She also spoke about using high school students as interns who were trained to do tours of the Quinnipiac River. Ms. Mushinsky said because their mission coincides with Wallingford's POCD, they are

requesting to be named as a partner in the plan for the natural resource projects which include references to the Quinnipiac River and Community Lake. She said the River Advocates can be added to the list on page 23 and pages 42 to 55, there is a term key on the bottom of the page in which River Advocates can also be added as well as pages 44 and 74. She congratulated the Planning & Zoning Commission for finishing up the POCD.

Dianne Saunders, Northford Road, congratulated the P&Z on getting the POCD report done and said she was impressed with the Simpson Court corridors, the downtown area and the housing. She expressed concern regarding the Conservation side of the document. She said it doesn't go far enough and is too specific for tailored project. She noted the Conservation Commission spent a great amount of time giving the P & Z information and noted a few items which were not addressed were agriculture, which she said were mentioned generically, but there were no follow-ups in the action steps. Ms. Saunders pointed out as examples, the Farmland Lease Program, Community Garden and Farm-to-School. She suggested to take the State's generic language for agricultural and add this into the POCD. She said the Town owes a commitment to agriculture in this Town and noted New Haven County is the third largest of the Counties in Connecticut in agriculture expenditures.

Ms. Saunders said the Farmland Lease has huge farms in Wallingford which contribute millions to the State's economy and is not being reflected in the POCD. She cited Blue Hills Farms, Geremia, and the Wineries, as examples. She said she also didn't see the reservoirs listed as open space as was the case in the last POCD. She said a one-page chart would be helpful. She noted the map on page 74 for the sewer areas shows Tamarac Swamp and another section which notates sewer service area is actually Tyler Mill Preserve. Ms. Saunders said page 35 shows rural residential as Gouveia Vineyards which is actually agriculture and the area across the street is just agriculture, not to residential. Ms. Saunders said the State calls this area protected farmland, not just open space because the area is so large.

Chair Seichter noted the pages referenced by Ms. Saunders didn't match what he was looking at. Ms. Costello said Ms. Saunders had an older version of the POCD. Ms. Costello said page 80 is now called the utility service area boundaries, which Ms. Saunders referenced as the sewer service area boundaries, which was based upon a change requested by the Water & Sewer Divisions and the Public Utilities Commission (PUC). She said the map on page 18, contained the open space inventory and noted Gouveia Vineyards should be shown as an agricultural area and a bio-diversity map should be included in the POCD report.

Ms. Saunders also noted that the category of preserved and protected open space is shown as housing. She said a separate category should also be added for the development rights purchased by the State. She said the management plan for Tyler Mill and the Muddy River should also be included in the report under sensitive and valuable habitats. Ms. Saunders said the Quinnipiac Watershed protected should be included in the Conservation Commission

submission, because the Conservation Commission depends upon grant money. Ms. Costello noted the watershed areas and there were comments from the Environmental Planner who requested referencing watershed protection be added.

Ed Bradley, 2 Hampton Trail, said he didn't see the Inland Wetlands & Watercourses Commission listed on page 5 of the presentation. Mr. Baird said the IWWC was not listed on the agencies to be included in the Plan Implementation Committee since they weren't tasked with any of the specific actions as a lead agency. Ms. Costello explained the POCD has specific recommendations to accomplish its goals and the IWWC would not be the lead agency for any of these specific recommendations. She noted that the Conservation Commission and Planning & Zoning are at times the lead agency, but based on the nature of the tasks which were selected, IWWC was not a lead agency for any of these action items. Mr. Bradley asked if the IWWC would have had input as far as the aquifer on the east side of town. Ms. Costello noted the Planning & Zoning acts as the Aquifer Protection Agency.

Mr. Bradley questioned the map on page 8, the I-91 corridor to the right, and noted the I-5 and I-X zones are south of this and R-18 residential. Ms. Costello pointed out this is not the zoning map, but the existing land use map. Mr. Bradley said if one looks south of Rt. 68, one sees a triangle. He asked if the Hilton is zoned commercial/retail/general. He said he was concerned noting that a past Council member several years ago attempted to obtain a zone change for restaurants and gas stations. Ms. Costello said where the Hilton is located is classified as commercial/general. She noted there was discussion about the I-5 zoning and said there was some discussion about revisiting the potential permitted uses in this zone. She said the uses that were considered were not retail, restaurants or gas stations.

Mr. Bradley, in echoing Rep. Mushinsky's comments, said the water quality in the Muddy River is top priority in this area. He spoke about page 14 of the POCD report saying it sounds like there is consideration for change in these zones. Chair Seichter said there was discussion regarding items in the I-X zone to possibly include some of these in the I-5 zone. He said as far as residential and retail, he wasn't certain how the P & Z would act on this. He noted that past applications to change these zones weren't successful. He said the Commission has been sensitive to this in the past and said IWWC should be more involved in this.

Ms. Costello noted there was an IWWC representative on the steering committee, including the Conservation Commission.

Larry Morgenstein, S. Main St., said the POCD has been a great process and was excited for the public involvement. He said there is potential, but the follow-through is what concerns him. Mr. Morgenstein said considers the Implementation Committee as key to the POCD as did Milone & MacBroom because this ties together all the Town agencies. He said the response from the Town Council in putting together the Implementation Committee was tepid at best. He said Planning & Zoning has the power to recommend the Implementation Committee and with out

this, a lot of potential can be lost. He said he couldn't stress the importance of this Implementation Committee. He said having a public member on the Implementation Committee as a liaison would add to the Committee.

Chair Seichter said at one of the first POCD meetings, it was identified that there should be some sort of Implementation Committee. He said there can be monitoring. He asked Ms. Costello what would happen if the Town Council didn't set up an Implementation Committee. Ms. Costello said if the Town Council opted not to set up an Implementation Committee, the P&Z always has the option of creating a sub-committee of itself and invite representatives of individual agencies. Mr. Morgenstein said an Implementation Committee can tie all of the Town's visions into one. Ms. Costello said the Ordinance Committee at its recent meeting opted not to pursue an ordinance in regard to the creation of the Implementation Committee and this was the recommendation of the Law Dept. She said the Town Council has the option of creating a Committee but it would not be an ordinance.

Dianne Saunders, Northford Road, noted that under the future land use map, under "industrial", shows Tilcon as industrial and wondered if it would be better to create another category "mining" because Ms. Saunders said this is all Tilcon can do. She asked for a second look.

Mr. Bradley asked about the property on page 13 on the west side of High Hill Road. Mr. Baird said this was the USPS mail distribution facility. Chair Seichter went over the comments and recommendations from the public. Mr. Baird said the primary comments centered around TOD funding opportunities; the link between the senior center and the trails on page 22 and the language on pages 74 and 75 regarding the Quinnipiac River Trail Advisory Committee and River Advocates of South Central CT as an important partner working on invasives and with social services.

Mr. Zabrowski noted the official name of the Community Lake Planning Committee. Ms. Costello said the plan refers to disassembling this Committee and creating a new committee. Rep. Mushinsky said she recommended, the Quinnipiac River Linear Trail Advisory Committee, be included in the new committee, since they are the main citizen group designing the trail and seeking funding for the trail. Mr. Baird noted that Ms. Saunders basic comments centered around the conservation elements of the plan were "too tailored", and over specific and there was not enough additional provisions regarding agriculture. He noted that Ms. Saunders said the State provides generic language towards the promotion of agriculture businesses in support of business and the regional economy, while simultaneously preserving farmland through the acquisition of development rights.

Mr. Baird noted Ms. Saunders comments that the Farmland Lease Program is a very small component of agriculture within the Town and that big farms play a larger role. Mr. Baird noted Ms. Saunders comments that in the open space mapping, reservoirs are not noted out as their own open space categories as are playgrounds and parks. Mr. Baird noted Ms. Saunders

comments regarding inconsistencies in that Tamarack Swamp is included in the utilities service map. On page 35, regarding the Gouveia parcel and the parcel across, Mr. Baird noted the development rights have been purchased by the State and are protected farmland. He said on page 20, Wharton Brook will be treated as a sensitive habitat. Mr. Baird said the management plan for Tyler Mill Preserve and the Muddy River are important pieces of land to be included in the POCD as well as watershed protection for grant eligibility. He said this aligns with the comments provided by the Environmental Planner.

Ms. Costello stated the State's language regarding the promotion of agribusiness; reservoirs on the open space map; a list of all open space in Town with classification including parks, playgrounds, reservoirs, etc., should be added to the POCD. She noted Tamarack Swamp should be removed from the utilities service map and a category for all applicable maps for purchased development rights separate from all types of open space should be added. Mr. Baird said the mining aspect should be made clear for this piece of land. He said there was a discussion regarding the watershed boundaries regarding the Tamarack Swamp area. Mr. Fitzsimmons suggested adding the language of "updating the maps as discussed". Ms. Morgenstein asked if everything on the past list was current. Ms. Costello said the past list was updated since the last POCD but noted it was not fully up-to-date. Mr. Fitzsimmons noted land trust pieces weren't listed. Ms. Costello said the list included Town-owned properties only. She said there is the open space map which was updated by Milone & MacBroom. She said there isn't a full associated list for each piece of land.

Mr. Kohan asked about the riparian buffer area around Wharton Brook. He asked that the management plan be included for the Muddy River. Mr. Baird addressed the comments made by Mr. Bradley, noticeably, the lack of representation of the Inland Wetlands Commission on the list of boards and commissions to the Implementation Committee. He said Mr. Baird also noted concerns regarding the area around Rt. 68 and question whether there would be changes towards retail, gas stations and restaurants in this area, and emphasized the role of water quality on the Muddy River and noted it is a sensitive area with wildlife and biodiversity and should be protected. He noted Mr. Bradley also commented on zone changes for the I-5 and I-X areas.

Ms. Costello said these concerns were all incorporated into previous discussions. Chair Seichter said he understood Mr. Bradley's comments, but said he believed there was a broad representation on the proposed Implementation Committee. He said he felt comfortable with what was recommended in the plan. Mr. Baird noted the comments made by Mr. Morgenstein, i.e. Town Council support in creating the Implementation Committee and the possibility of the P & Z setting up a sub-committee with a member of the public as a liaison. Ms. Morgenstein said we need to be prepared and wasn't certain if other people watched the Council meeting and the flavor of it. Chair Seichter said whatever the Council does or doesn't do, the P & Z can set up a sub-committee of the P & Z. He said it was a key item to have an Implementation Committee

and feels confident this will occur. Mr. Kohan said with some minor changes, this is a good POCD. He asked Mr. Baird about the Implementation Committee, noting this would be critical to the success of the POCD. He asked how many towns have an Implementation Committee.

Mr. Baird said he wasn't aware of towns which have structured a formal Implementation Committee. Ms. Costello said Simsbury and several other communities had an Implementation Committee, and noted she received positive comments. She pointed out that most of the Committees were created by Town Councils. Mr. Kohan asked Mr. Baird to follow up on the question. Mr. Baird said he could take a look at the range of practices. He said Wallingford has put much effort forward to implement the POCD. Mr. Kohan added that Ms. Costello has done a good job in many of the applications before the P & Z and has noted when the application fits in to the POCD. He said Ms. Costello is also an important piece of the POCD. He said he was in favor of the POCD. Ms. Morgenstein spoke about a timeline and implementation of when things would occur. She said she was also in favor of an Implementation Committee.

Ms. Costello said the P&Z can modify the recommendation as the P&Z sees fit. She said the Council did not vote to make any modifications to the plan or recommendations. She said the P&Z has the option to add a second alternative if the Implementation Committee was not created in the timeline. Ms. Costello said the P&Z could make a revision tonight and adopt that as part of the initial adoption action, or a formal modification could be made to the adopted plan which would involve a public hearing.

Rep. Mushinsky asked about the possible future development of the orchard. Mr. Baird said the orchard is intended to stay in its current use.

Chair Seichter entertained a motion to close the Public Hearing on the POCD.

**Mr. Fitzsimmons: Motion to close the Public Hearing at 8:46 p.m. on the POCD**

**Mr. Zabrowski-Second**

**Vote: Unanimous**

Mr. Fitzsimmons thanked everyone involved and noted this process involved a lot of people in Town and said it was unfortunate there was only eight members of the public and one member of the Press. He said he was in favor of an Implementation Committee and noted the public participation was significant. He noted page 99 of the POCD regarding traffic counts. He pointed out traffic today is less than it was at the last POCD. He said people working at home and shopping on-line has changed the traffic patterns and noted the idea of focusing on downtown in the POCD is helpful. Mr. Fitzsimmons said the POCD reference Wooding-Caplan and is important to the downtown. He said he would like to see something happen there. Mr. Fitzsimmons noted the POCD needed a title page and asked about the memo from Public Utilities Director George Adair dated June 6, 2016. Mr. Fitzsimmons asked if the memo was

from staff or from the PUC, noting that members of the Commission would be Town residents. Ms. Costello said the comments received today were from Mr. Adair as staff to the PUC. She said these were based on comments which were previously provided by the Sr. Engineer of the Water & Sewer Division and didn't know if these comments were discussed with the PUC. She said the comments from the Environmental Planner were her comments only.

Chair Seichter thanked the members of the public and noted the majority of the comments will be implemented.

Chair Seichter entertained a motion to adopt the 2016 Town of Wallingford POCD.

**Mr. Fitzsimmons: Motion to adopt the Wallingford Plan of Conservation & Development 2016-2026 dated March 23, 2016 revised to June 6, 2016 subject to the following revisions to be effective Monday. June 13, 2016:**

- 1. Inclusion of Town Administration as a supporting agency for applicable recommended strategies in the action agenda;**
- 2. Incorporation of the comments in the memorandum from Erin O'Hare, Environmental Planner dated June 2, 2016, as discussed this evening;**
- 3. Incorporation of the comments of the Public Utilities Director dated June 6, 2016 as discussed tonight;**
- 4. Add note pursuing opportunities regarding the Town Transportation District;**
- 5. Address connecting recreation neighborhoods and workplaces along Hall Avenue;**
- 6. Address the re-use of Community Lake and the connected recreational areas map to depict modified Linear Trail**
- 7. Incorporate the testimony of the River Advocates of South Central Connecticut, concerning the Wallingford POCD dated June 6, 2016;**
- 8. Incorporate the State of CT language with regard to promoting agriculture business;**
- 9. Add Town reservoirs on the open space map as discussed;**
- 10. Add a list of all open space in Town with classifications including parks, playgrounds, reservoirs, etc.**
- 11. Remove Tamarack Swamp from the Utilities Service Map;**
- 12. Add category on all applicable maps for purchase, development rights, identified properties;**
- 13. Add distinction on applicable maps of mining for Tilcon properties as discussed this evening;**
- 14. Add the Quinnipiac River Linear Trail Advisory Committee as supporting agency where applicable;**

**15. Include recommendation for riparian buffer of management plan along the Muddy River as discussed**

**Mr. Kohan: Second**

**Vote: Morgenstein-yes; Kohan-yes; Fitzsimmons-yes; Zabrowski-yes; Seichter-yes**

**POCD adopted.**

Chair Seichter entertained a motion for adjournment.

**Mr. Fitzsimmons made a motion to adjourn the meeting at 9 p.m. Ms. Morgenstein seconded the motion which passed unanimously.**

Respectfully submitted,

Cynthia A. Kleist

Recording Secretary