

## **SPECIAL MEETING**

Wallingford Planning & Zoning Commission

Workshop #2

November 27, 2017

Room 315 – Town Hall

45 South Main Street

Wallingford, CT

### **MINUTES**

**PRESENT:** Chair James Seichter; Vice-Chair J.P. Venoit; Commissioners: James Fitzsimmons; Jeffrey Kohan; Gina Morgenstein; Steve Allinson, Alternate; Kacie Hand, Town Planner.

Chair Seichter called the Meeting to order at 7:05 and the Pledge of Allegiance was recited. He went over the agenda and said there are various options which will be discussed.

Ms. Hand said she started codifying what was discussed at the last workshop, and at the next meeting, there will be a basic working document to discuss with a public workshop scheduled for the future.

#### **Uses**

Under "Uses" Ms. Hand noted that the current zoning regulations reference certain uses allowed by zoning permit, i.e., by-right uses, which is often seen as a change of use. She also discussed administrative approvals and changes of use which don't involve any change to the site. Ms. Hand one or both of these could be handled by staff rather than having people going through the approval process which would be under the discretion of the PZC. She noted this would only apply to the Town Center.

Chair Seichter said the PZC has discussed change in use but in this particular case, if there is a change in use the current parking is the parking that one has. He cited an example that if one puts in a restaurant which requires additional parking, as long as the footprint isn't expanded, then in the Town Center, one wouldn't have to provide additional parking or obtain a variance. Mr. Hand said the PZC could also look at minor site plan changes. Mr. Kohan asked about the change of use zoning permits and asked if the same procedure would be followed for an administrative approval where the PZC is sent notification. Ms. Hand said this is up to the PZC. She suggested the PZC allow her to just sign-off on the administrative approvals, and the PZC

would receive a list of staff sign-offs. She said currently, there is a two and a half week lapse for the PZC to review the administrative approvals. Ms. Hand said with her suggestion, this would save time. The Commission agreed to this suggestion.

Chair Seichter said if there were minor changes, to some degree he would like to keep it the way it is with administrative approvals. Ms. Hand said this would be faster than a significant full site plan application. Ms. Hand then spoke about uses that seemed appropriate on a limited basis which include outdoor display of merchandise, mobile food vendors. She said she hears and sees from Town Center businesses that they want to have a once-a year event which brings people into the downtown, especially if this can be done without impacting parking. Ms. Hand spoke about possible events in the alleyway noting these types of events were being considered and noted it made the most sense to consider these events as accessory uses. She said if people want to have an outside display for a bake sale or something of this nature, this would give them an option.

Ms. Hand said there are concerns with outside sales causing clutter. She recommended up to six days in any calendar year for outside sale/display of merchandise provided the sale/display is located on private property and doesn't block any required vehicular or pedestrian access way.

Ms. Morgenstein noted her thoughts on the six days and said if the Town could ever get a cluster of vendors who could come together and wanted to do farm Fridays once a month, six days would be too little of an amount of time. Mr. Allinson wondered if the PZC put this six days for a calendar year, who would keep track of the businesses. He suggested having fixed days. He questioned how the regulation would be enforced if someone committed a violation.

Mr. Allinson noted that any sidewalk sale or tent sale will spawn sandwich board signs and this needs to be addressed. He said these signs clutter sidewalks. Ms. Hand said with temporary signs, a form needs to be completed and then the signs are tracked. She said there is a regulation that if this permission is violated, the business is penalized and cannot use the sandwich board sign for a year. Ms. Hand said the PZC has typically taken opposition to the sandwich board sign. She suggested the sandwich board sign get limited to pricing signs. She said the business could also use their temporary signage permission.

## **Public Comment**

John LeTourneau said the A-Frame signs should be allowed. He noted some downtown businesses already use these signs on the weekend because of lack of enforcement and there isn't a problem. He noted a few hair salons and barber shops downtown put out the signs and bring them in at night. He said these types of signs work and the current regulations are too restrictive. He noted in downtown Branford and Madison, A-Frame signs are allowed. He said he would like Wallingford to loosen up this restriction.

Steve Knight, Wallingford Center Board member, said he hadn't heard of a lot of abuse of the A-Frame signs. He said these signs indicate a lot of small business activity which he encourages. He also requested that part of the regulation be reviewed.

Patricia Cymbala, 845 Durham Road, suggested regulating the size of the signs instead of just prohibiting the A-Frame signs altogether.

Jon Walworth, asked if there were certain sections of the draft not being discussed. He said he invited people to come tonight to discuss density based on his discussion with Ms. Hand after the first workshop. He asked the PZC to allow a few minutes for this subject.

Ms. Hand said she could think of bad and good scenarios regarding the A-Frame signage. She said the Town can't regulate for attractiveness. She said with the temporary signs there are regulations which state that the signs be professionally prepared. She said sizes and locations of signs can be regulated but not what they look like.

Chair Seichter pointed out that with the A-Frame signs, what is put in the regulations can be taken out. He said if an issue arises, there could be regulations regarding the taking in of the A-Frames at night. Chair Seichter said if the PZC decides to allow these signs, and they are abused, the signs could be taken out of the regulations. Ms. Hand said if the PZC is going to allow something in the Town Center which isn't allowed in other parts of Town, the specific reasons for allowing this has to be clear. She spoke about outside sales, noting the PZC didn't come to a conclusion regarding the number of days. Mr. Allinson said outside sales shouldn't occur more than once a month. Ms. Morgenstein agreed stating outside sales should be at least that much, noting that the downtown should be promoted to have a lively draw and something that will draw people out at night and weekends. She said currently, the Town is a destination for restaurants and nothing more. She said encouraging rather than eliminating is what she would like to see, noting the number should be at least 12.

Ms. Hand asked the PZC if they would like to differentiate between outside display of merchandise and sales items vs. some of the other items considered in the regulations, i.e., events, and booths. Chair Seichter said when one starts differentiating, it becomes much more difficult to enforce. Ms. Hand gave an example of serving food outside vs. displaying items for sale. Mr. Fitzsimmons said six days is a workable figure as a start and this can always look and a separate differentiation can always be looked at. He said he doesn't want to differentiate between outdoor merchandise and outdoor event. Chair Seichter said if Wallingford Center, Inc., had an event, the six days wouldn't count because it is a Town sponsored event.

Ms. Hand spoke about mobile food vendors, noting there was a lot of mixed discussion about this not having a negative impact on area restaurants. She said there is a positive side creating vibrancy, but said she has had inquiries from some non-restaurant businesses regarding also being able to have a mobile food vendor or caterer during a special event. She suggested if this

is done, mobile food vendors or catering be limited to two times a year, including Town-sponsored events. Ms. Hand discussed temporary tents, booths, etc., associated with the uses permitted in the section, provided they shall not occupy any required parking spaces. She also discussed Town-sponsored outdoor events, farmer's/garden markets, entertainment, etc., pointing out she added this into the section, because a provision was never added into the regulations.

### **Lot & Bulk Requirements**

Ms. Hand went over her recommendations which included 25,000 sq. ft. as the minimum lot size. She said if there is a non-conforming lot less than 25,000 sq. ft., one can keep the lot at whatever it is, the Town can't make the applicant expand the lot. She said even if an applicant tore down a building and wanted to rebuild at 12,000 sq. ft. this could be done. Ms. Hand noted that at 25,000 sq. ft., this incentivizes or prevents the sub-dividing of bigger lots into smaller lots. She said 25,000 sq. ft. is realistic for new developments; minimum frontage – 50 ft. she said this is the current regulation; minimum setbacks – zero, Ms. Hand said the only difference is the current rear yard setback is 30 ft. and she is recommending zero ft. She said to her, this didn't matter because people would probably be putting their parking in the back, but said there could be a small setback if the PZC preferred.

Ms. Hand said she was also recommending a maximum side yard of 5 ft. except for a driveway, meaning that a building would end up occupying most of the frontage. Ms. Hand the 5 ft. still would allow for alleyways; maximum front yard-Ms. Hand explained the PZC currently has 5 ft. she recommend this remain, but to allow this to go up to 20 ft. for outdoor dining to create space to create a street wall. Ms. Hand asked the PZC about corner lots, noting that if someone was on a corner lot in town center, would the PZC want the requirement/provision on both frontages as far as the 5 ft. or the potential 20 ft. She said she believes the PZC keep this requirement but on a secondary street, the requirement wouldn't have to include the entire length of the road.

Chair Seichter said he didn't necessarily see a need for having the 5 ft. on the side. Ms. Hand noted that building height was discussed at the last workshop but the general consensus was that the four stories seemed reasonable. Chair Seichter said he didn't have a problem with four stories, but noted in some spots, this may or may not fit in, and so would rather see this as a Special Permit. Ms. Hand said this Special Permit gives the PZC a higher level of discretion when reviewing the layout of the building. The Commission agreed.

### **Public Comment**

Jon Walworth said more guidance needs to be provided noting that how would a developer know enough not to spend \$25,000 to \$30,000 for a site plan or rendering only to be turned down because the PZC didn't believe the location was proper. He said he didn't have an

argument with certain locations, but said guidance should be given of where the proper locations would be now. Chair Seichter said this needs thought. Ms. Hand said the only way to do this would be to split up the zones or create sub-zones. She said the PZC can't pick out individual properties ahead of time and say this is acceptable but this isn't. Ms. Hand said this is where a Special Permit comes into play. Mr. Fitzsimmons said he can support higher structures near the TD Bank but further down the hill, across from the cemetery, he didn't believe four stories would work there. He said a four story structure may not work in all lots in the downtown.

Chair Seichter said the PZC has to look at the four story buildings, because with the smaller lots, people might purchase several small lots to make a larger parcel. He said in order to make this work, especially for residential, the density is needed. He said he believes it sounds good to have this by Special Permit, but on the other hand, he isn't sure where he would say he wouldn't want a four story building. Mr. Fitzsimmons spoke about Parker Place which is surrounded by single family residential and it works there. He said he is in favor of going four stories and said a Special Permit allows this and works for him.

Ms. Morgenstein said if the town wants developers to develop, the town must make it viable for them. Chair Seichter said that any type of development will happen over a period of time. He said if things are made flexible over time, there will be movement.

The Commission agreed on four stories with no restrictions.

### **Public Comment**

Joe Mirra, EDC, said this plays into the emphasis being put on the Incentive Housing Zone (IHZ). He said the PZC was correct in stating to promote development in this area. He said one must look at Wallingford tomorrow and four stories fits in with the area. Ms. Hand said she believed everyone was in agreement with four stories by right in this area.

### **Building Form/Site Layout Standards**

Ms. Hand said currently the requirement is for separate entrances for first floor and upper story uses. She said this is for upper story residential so there is a separate entrance. She said the difference between the IHZ and this zone, is that the IHZ can have full blown design standards (architectural and building). She said this is special permission by State Statute that is not permitted generally in zoning. She said what is permissible is building form standards and site layout standards which are written in all the zoning regulations, i.e., landscaping and parking. Ms. Hand noted that building materials can't be regulated, as can be done in the IHZ, the PZC can regulate how the building can be oriented on the lot. Ms. Hand said she has been looking at other towns and the conversations the PZC has had. She said the building standards she has come up with, get us where the town wants to be for the Town Center. She said particularly

important is the top story of a building shall incorporate mansard roofs with dormers or strong cornice at the floor level of the top story, or a combination of the two (four story buildings only or a combination of the two). She said the idea for this would be so the four stories don't look as big by dividing it up and is important in keeping with the character of the Town Center, while at the same time, getting an extra floor.

Ms. Hand said other requirements involve with every 20 ft. there has to be an interruption in the façade which would be a bump-out, recession, a balcony so as to prevent one large wall. She spoke about articulating the basement on top and building fenestration and recommended 50% of the street level, street-facing walls be composed of windows and public entrance/exit doors – i.e., between 2 ft. and 10 ft. above grade – 50%. She said this will promote window shopping . Ms. Hand also suggested a maximum of one alleyway/walkway per lot which must be to the rear parking lot, have ample lighting, wayfinding signage (coordinated with overall district wayfinding system; the entire front yard must be landscaped, public green/gathering space, outdoor dining (with landscaping); solid waste/recycling receptacles, shall be limited to 1 solid waste and 1 recycling receptacle per property, shall not be located in a front yard, and shall be screened from view from other properties and public Rights-Of-Way by an enclosure and/or landscaping.

Ms. Hand said she proposed this because the more dumpsters the less parking and building area there will be. She said the dumpsters also tend to get strewn around. Ms. Hand said she is working with developers. She also suggested mechanical and HVAC equipment, metal chimneys and elevator shafts on a roof be screened from view. Ms. Morgenstein asked if it would be possible to have only two dumpsters per business, citing restaurants that must dump grease in a grease dumpster.

### **Public Comment**

John LeTourneau said noted there is one dumpster which services the apartments on the corner in Town Center. He said there are also five apartments and two to three businesses. He said there is another business that has its own dumpster and its own cardboard recycling. He said just having one enormous dumpster will attract problems and can get out of hand. He noted the pizza business has a dumpster, a grease container and a recycling container. He said the restaurants should be allowed a grease recycling container. Mr. LeTourneau said he would be careful on restricting the dumpsters because it could be a problem. Chair Seichter said restricting the dumpsters would provide more parking. Mr. LeTourneau said the dumpsters can be corralled and hidden. He said he understands restricting the dumpsters would create more parking which he said he is in favor of. Ms. Hand said another option is to require the dumpsters be screened by landscaping in new developments and having the enclosure locked. She said the dumpsters could be required to be in the same area.

Vincenzo DiNatale, 8 Taylor Lane, said he believes the goal is to bring properties together and to have rigid requirements is unrealistic and will be difficult to comply. Mr. DiNatale said the goal is to see an overall improvement.

Mark Gingras, 154 Cheshire Road, Wallingford, had a question on the alleyway, pointing out there was nothing specific said as to what would go in the alleyway, i.e., grass, stone, pavement. Chair Seichter said he is looking at all of the above. Ms. Hand said the PZC could require certain types of pavement to be consistent with street scape in Town Center. Mr. Gingras added that dumpsters must be put in certain areas per the Fire Department.

### **Parking and Parking Garages**

Ms. Hand said a lot of time was spent working on modifying the parking regulations. She noted that currently, the regulations for studios and one-bedroom apartments are 1.5 parking spaces. She said there has been discussion regarding lowering this requirement. She noted every landlord or developer wants to guarantee one parking space to a residential unit. Ms. Hand said there is less of a need for the second space especially when there is other parking on site. She asked if the parking requirement should be reduced to possibly 1.2 parking spaces, noting she wouldn't recommend going lower than one.

Mr. Fitzsimmons said he preferred one parking space, i.e., one bedroom, one parking spot. He said people aren't buying cars, they are ride sharing and the days of everyone having three cars are gone. Chair Seichter said with one bedroom, in some cases, there may be two people with two cars. He and Mr. Kohan said they would be in favor of the 1.2 spaces.

### **Public Comment**

John LeTourneau, 3 Regent Court, said developers are looking to have one parking spot and this is important. He said we need to listen to the developers. He asked the PZC to support one parking spot.

Tim Ryan, Economic Development (EDC), said he also supported one parking spot. He said the dynamics and financial realities will dictate what will be built and added that developers won't build what they can't lease out. The Commission agreed on one parking spot.

### **Parking & Parking Garages**

Ms. Hand noted there had been previous discussions regarding the location of parking and parking garages. She said there are a few options and noted she was tweaking the language in the Incentive Housing Zone (IHZ) because she didn't believe the language was what was intended. Ms. Hand said parking shouldn't be along the main road. She said it could be required that the parking structure be located behind a principal use. Ms. Hand said there are questions when one gets into the detail and said there are situations where people want to

construct a nice parking structure with a portion on the road, either in upper stories or on a secondary road. Ms. Hand said for the first story on the main road, the PZC would want commercial use rather than a parking structure. She said for upper stories, this could be open, so that someone who wanted to create some parking above their existing use, this would allow them to do this. Ms. Hand said this would take away from other uses. Ms. Hand said there were a few options with odd corners; the parking structure has to be behind a principle use whether in the same building or a separate building. Ms. Hand discussed this issue pertaining to a secondary road noting that on a main road, there could be businesses with parking in the rear, and down the side road, the PZC may want to require the commercial also follow the frontage on the side road or would someone be able to turn the rear portion of the building visible from the side road into parking.

Chair Seichter said on the main road (Center Street), the PZC would want to see businesses and could discuss how big and small they could be. He said on the side road, there will be the depth of the building on the corner. He said he didn't have an issue with parking as long as there are design standards, i.e., building forms. He said putting parking on an upper level is fine as long as it can be done in a tasteful manner. He wondered if someone would waste that space for parking when there could be commercial or residential on those floors.

### **Public Comment**

Steve Knight, 29 Ives Street, said that parking garages would be a hot button issue if they were large and looked like pill boxes. He said there are now attractive design standards for multi-story parking facilities.

Vincenzo DiNatale said to allow flexibility in the design standards. He said if the garage is on a side street, some architectural features could be offered. He said we are dealing with small sites and there should be a balance of mixed use and there must be some give and take and should be some flexibility in the regulations. He said the goal is for things to look nice. Ms. Hand said she believes this should be done based on street classification. She noted the corner of RT. 5 and Center Street might be different than a corner of Center Street and a side thoroughfare which could be done by Special Permit.

Ms. Hand spoke about parking surfaces, noting that a dustless surface is the current requirement which could be millings, gravel, concrete or bituminous surfaces. She asked the PZC if they wanted specific requirements for new parking lots. Chair Seichter called attention to millings and said he wouldn't be in favor of that. He said when one looks at stone and gravel pointing out that snow plowing in a parking lot in Town Center would be difficult with these materials. Ms. Hand said she recommended bituminous and will add in pavers and the option for the PZC to approve an alternate surface.

Ms. Hand spoke about the change of use in an existing building which wouldn't require new parking spaces or modify the site. She asked how this would play into different scenarios i.e., existing renovations, additions or expansion and brand new buildings, which she noted would require compliance with the new regulations. Ms. Hand said she didn't want to make it difficult for people to rebuild or renovate that they left the building as-is. She said she also wanted to encourage and get properties to move towards compliance to have an appropriate downtown area. Ms. Hand pointed out that with residential with an upper story and one goes from storage or office to residential, does the PZC want the parking changed to be accounted for in some way or to just leave the parking alone without modification. She also spoke about the possible increase in residential density, turning five units to eight by shrinking or making them bigger, she said it would be appropriate to require parking.

Ms. Morgenstein asked if the building owner/landlord would do this if they believed they couldn't get tenants that wouldn't be willing to have an apartment that don't need a car. Mr. Kohan said if there was a change from storage to an apartment, some parking would have to be offered. He said he was satisfied with the one parking spot but this would have to be factored in. Mr. Fitzsimmons agreed and cited option #3 ensuring at least one space per unit on site. Ms. Hand said some towns have with their changes of use, they don't require additional parking, but require or allow certain site improvements be made, i.e. parking layout or landscaping.

### **Public Comment**

Joe Mirra, EDC, said the key is designated that if there are five spots with five apartments is acceptable as long as there isn't assigned parking. Ms. Hand said she believed this is a pre-existing condition and would have to remain available to whoever is there.

Mr. Mirra said he didn't believe this is a Town issue, noting it is up to the landlord and tenant. He said there are parking spaces downtown. He said this issue has been resolved with the shared spaces. Mr. Mirra said what he understands that when property is switched to residential, there has to be enough parking spaces.

Tim Ryan, EDC pointed out the example being put forward is not realistic. He said if he is building residential, his lease is going to guarantee parking spaces for the tenants. He said parking spaces have to be designated. He cited Webster Bank as an example noting there are enough parking spaces. Mr. Ryan said for residential, there has to be a guarantee that the tenants can park. Ms. Hand said residential is different from other uses because one can pack in a lot of residential uses in the existing space which could have a significant impact on parking needs. Ms. Hand said if one can change uses within the existing building, but assign the parking spaces to the unit, they are no longer a part of what the parking spaces were before.

Mr. DiNatale noted that what exists, exists and that's it. He said if someone wants to convert to residential, and can't assign parking spaces, there would be a private sign stating this. He said he didn't see why this would be a PZC concern. Ms. Hand said she didn't believe anyone was stating there couldn't be designated spaces if they are already under parked. She pointed out that if there was not enough parking, maybe this wouldn't be a good spot for residential space.

Mr. Fitzsimmons said he wanted more residential, more businesses and more of what works. He said he agrees there is plenty of downtown parking, but the builders has to make it work in their lot. He said he would retract his one parking space and noted this issue should be treated like commercial – no additional parking required which he said would happen downtown.

Mr. Fitzsimmons said we definitely need people downtown and residences downtown. He said he would no longer be in favor of one parking space per unit in this particular area which is the number of parking spaces required. He said if one has a prior non-conformity, and one will work with what they have, he is alright with this personally for the regulations, because they have to make it work on their own site. He noted there are large buildings downtown that have no parking which is a self-created problem.

Mr. Fitzsimmons said if someone came in and wanted to work with the PZC and wanted to construct a building with 30 units, and have a certain amount of parking, they have to make it work. He said the PZC is providing a blueprint. He said he is changing his idea about parking spots based on the input he is hearing and said he always believed there was enough downtown parking and that a developer is not going to build something without sufficient residential parking. Chair Seichter said there are two town lots that account for a significant amount of downtown parking, but are temporary lots. He said for him to go to zero parking, if the Town would need to have a plan for those properties to make them permanent lots, instead of temporary lots. He said this is one of the big issues. He said the town should take a look at exactly what they want to do with these two lots which he said are in disrepair half the time.

Jon Walworth said he can't come up with a location where there is second floor storage. Ms. Hand said she didn't believe the Town would have problems getting residential units. She said in terms of people wanting to make a lot of residential units, she wants to ensure room is left for the businesses. Chair Seichter suggested keeping this issue as an open item. He asked Ms. Hand for clearer options and their impacts.

### **Non-Conforming Site/Parking layout (space sizes, aisle widths, lighting, landscaping, etc.)**

Ms. Hand said she understood the PZC would not require any improvements to existing changes and use.

### **Building Additions/Expansions**

Ms. Hand said the low extreme would not to do any additional parking and the PZC can do an addition. She said the next step up would be to do an addition without requiring additional parking providing the PZC is not reducing parking. Ms. Hand pointed out the PZC could also limit the parking to certain square footages of addition, i.e., after 500 sq. ft., an addition can be done, adding a walk-in cooler, bump out the back, and could be done without having additional parking, even if under-parked and existing parking is not taken away. She said another option would be that an addition would have to be in compliance as reasonable possible, even if it means losing parking spaces, with lost spaces having to be accounted for.

Ms. Hand explained in this case, the parking requirements would have to be met for the addition, but could be done using other options, fee in lieu. She said another option would be coming into full compliance by special permit. Ms. Hand explained the options stating the Applicant could construct an addition and could build-out the entire site. Chair Seichter said the PZC would not agree to this. Ms. Hand stated another option would state that with any addition constructed, parking would have to be in full compliance. Ms. Hand noted the obvious statement would be for an addition except up to a certain sq. footage, would have to be in compliance, but the Applicant could use other options.

Mr. Kohan said the conversion of storage area to residential is an expansion or an addition. He said for the downtown area, there is enough parking to accommodate a lot of these changes. Chair Seichter said as far as the parking, in certain sections there is enough parking, but in lower to middle Center Street, on a Friday night, just with the businesses, people are parking on both sides of the street and it is tough to find parking, even in the backlots which are full. He said if we are converting and putting in more uses with higher parking requirements, in certain areas, there isn't enough excess parking.

Mr. Kohan said he didn't see this parking increase occurring overnight, it would be more of a staged long-term effect. He suggested constructing a small one-story parking garage. He said for the immediate future, there is enough parking. Ms. Hand said she gathered from the PZC that one could do an addition as long as it was not decreasing existing parking. Chair Seichter said if one is going to do a small addition, it makes sense to require additional parking, but above a certain level, he believed this had to be looked at. He said he would like to see options so more thought can be given to this. Ms. Hand said she could do scenarios with the existing situation.

### **Public Comment**

Tim Ryan, EDC, in reality the downtown sites are small and must be kept in mind. He said he would like to see in any scenario, no matter how many residential units constructed, there be one parking spot and the landlord would have the ability to assign parking spots. He said beyond this, we don't need any further parking regulations and there is enough parking downtown. Mr. Ryan noted no developer would construct a parking garage because of the cost.

He said the sites are small, but the opportunities are large. He asked the PZC to keep it simple and to let the marketplace run.

Mr. Allinson said he agreed with Mr. Ryan noting that a landlord that doesn't supply a parking space for what the landlord would charge in the downtown area will never rent the spot. He said he completely agrees with one unit, one apartment, with one space, and should be kept as the minimum. Mr. Allinson also spoke about the current temporary lots, wondering what would happen in the future. He said if a person opens a restaurant, and someone next door changes their use from retail or office to apartments, those tenants would be parking on a city lot in front of a restaurant where the patrons would park. He said the PZC should encourage developers who are going to develop landlord-type properties, to have spaces for their tenants as well as the restaurants and retail to have spaces and to utilize the town spaces. He said he didn't think it would be a good idea to rely on town spaces for residential.

Mr. Kohan said he would not buy a residential unit if he wasn't guaranteed a parking spot. He asked Mr. DiNatale his opinion if he would try to sell a residential unit without a guaranteed parking spot. Mr. DiNatale said one can't rent a unit without a parking space for the prices it would cost to build. He said if we try to rent with no spaces, this will never happen.

### **Replacement of buildings/Portions of Buildings**

Ms. Hand asked if someone replaces, does the PZC want to allow someone to replace something in kind or if they demolish, do they have to comply with the new regulations. She gave an example that if someone had 5,000 sq. ft. of space which would require 11 parking spaces and they only had 6 spaces and is an old building in bad shape, and someone wanted to rebuild the same size but not account for the new parking requirements. Chair Seichter said the applicant would be subject to our building form and he had no issues with this. Mr. Allinson asked about the new changes to the State Statutes regarding grant non-conforming and grandfathering and wondered if this would take this situation off the table. Ms. Hand said she would consult with the Law Department.

### **Public Comment**

Vincenzo DiNatale said he believed that if someone refurbished an existing property, this would just involve obtaining a building permit and would not involve zoning. He said he was confused on what was being said. Chair Seichter said replacing the building in-kind was being discussed. Ms. Hand explained that if someone tears down part of the building; the Applicant would be able to claim what exists. She said whatever the existing square footage is, the Applicant could re-build in-kind even if the parking didn't comply. Mr. DiNatale asked about refurbishing the existing building. Ms. Hand said whether one refurbishes or rebuilds in-kind, this would all be treated the same way. Mr. DiNatale asked what would happen if he had a 5,000 sq. ft. building and wanted to split it in half. Ms. Hand said this will be discussed further.

John LeTourneau, Regent Court, discussed a scenario where someone demolishes the Rubin Building downtown, and there isn't enough parking. He said the footprint would be replaced. He asked how the PZC would react if the Applicant wanted to add a few more housing units. Chair Seichter said this scenario would be for future discussion. Ms. Hand said there is the option of a parking moratorium on new developments for a certain period of time. Ms. Morgenstein asked if the development was done in the next three years it could be made all zero. Ms. Hand said we could allow people to do this until it becomes a problem. Chair Seichter said the problem he had with this is that the first people in benefit and other property owners later are impacted later. Ms. Hand said every time it is stated no new parking requirements, she isn't disagreeing with this but this is what is being said and is a way to encourage new development and must also think of the long-term impact.

## **Density**

### **Public Comment**

Jon Walworth, spoke about setting maximum residential density in the IHZ. He passed around a visual map of 26 units per acre and residential density on Fair Street and a hypothetical situation. Mr. Walworth said on an R-80 an R-6, one could visualize a half to seven units per acre. He showed a photo on Fair Street which he said has a building completed two years ago showing what 18 units per acre would look like. Mr. Walworth said the hypothetical situation embodies what is currently occurring. He noted the lots downtown are small. He encouraged lots to be combined in order to make development possible. He showed a hypothetical situation where a new development is being proposed, and an existing building is to the right rear of the property.

Mr. Walworth said this scenario is stating that where an elevator is required in a four-story building, the residential density at 26 units-per-acre, with the parking requirements with the multiple buildings on multiple lots, is a bit low. He said with this shown development, it would be incomplete, because at 26 units-per-acre, two units would have to be taken out of the development to meet this requirement which he believed was subjective.

Mr. Walworth suggested 30 units-per-acre is more appropriate. He noted on the second page of the handout, examples of 34 units-per-acre is shown. He said this didn't infringe of what is being proposed in Meriden of 50 units per acre which he said the town should try to avoid. Mr. Walworth implored the PZC to have a public hearing in January. Chair Seichter said he and Mr. Ryan had discussions on units-per-acre.

Tim Ryan said density is an important consideration because of the cost of a new building with limited density restricts the rental and the projects don't work. He said he has taken the IHZ densities and played the scenarios out and has yet to find the scenario that works. He said we need to look at bumping this up and look at what will make a project feasible. Mr. Ryan said the

densities in the IHZ based on extensive research, has yielded no projects. Chair Seichter said he was in favor of increasing density to 30, noting this should be the minimum. Mr. Ryan noted that Wallingford has a unique downtown and there are certain densities he wants to see. He said more needs to be done. Mr. Ryan said we need to regulate to an extent, but also need to more and have more financial skin in the game.

Steve Knight said the Town Center Collaborative and Wallingford Town Center has discussed the fact that we want to build downtown and want more people to reside downtown. He said in order to have this happen, there has to be a willing builder not just build it and hope for the best. He asked the PZC to heed to the suggestion of having a local builder who has done their homework and has provided interesting illustrations of what is possible. He said he is aghast on the complexity of this and urged the adoption of the suggestions put forth.

Ms. Hand said she concurred with what has been said and that she has done calculations of an on the ground theoretical acre of land regarding what can be done and different options based on some of the unit sizes seen in recent developments and agrees 30 is the low and probably higher. Ms. Hand spoke about a website that compares different densities in various scenarios and they are totally different. She said as long as other standards are being built in correctly, we can be more flexible with the densities. Mr. Kohan asked for an example to be discussed at the next PZC meeting in December. Chair Seichter asked Ms. Hand to have something to distribute to the PZC at the December meeting.

Mr. LeTourneau noted he received the agenda for the Nov. 27<sup>th</sup> agenda on Friday, Nov. 28. He said this has happened before. Ms. Hand said the agenda was posted on Tuesday. Chair Seichter said the issue may be how the Town handles the mail. Mr. LeTourneau asked about emailing the agenda. Ms. Hand said she could email the agendas.

### **Adjournment**

Mr. Fitzsimmons made a motion to adjourn the Meeting at 9:25 p.m. Mr. Kohan seconded the motion which passed unanimously.

Respectfully submitted,

Cynthia A. Kleist

Recording Secretary