

ACTION MINUTES
Wallingford Planning and Zoning Commission Special Meeting
Tuesday, October 13, 2009

Call to Order – 7:04 p.m.

Pledge of Allegiance

Roll Call – **PRESENT:** J. Fitzsimmons; M. Baxter; D. Fritz; J. Seichter; C. Smith (voting for P. Birney)

ABSENT: P. Birney; S. Voss

J.P. Venoit entered after roll call was taken

Election of Officers

APPROVAL OF MINUTES

Action Minutes – September 14, 2009 – **APPROVED:** M. Baxter; J.P. Venoit; D. Fritz; C. Smith; J.Fitzsimmons

Minutes – September 14, 2009 – **MOTION TO APPROVE:** M. Baxter; J.P. Venoit; J. Seichter

ABSTAINED: J. Fitzsimmons; C. Smith

Motion to approve passed

WORKSHOP MEETING

1. Discussion – Temporary Signs

PUBLIC HEARINGS

7:30 p.m.

2. Special Permit/Tracy Realty, LLC/Old Colony Road #408-09

MOTION: To approve a 20-unit, multi-family development for Tracy Realty at Oak Street and Old Colony Road as shown on Plans entitled "Site Layout Plan, Old Colony Road, Land of Tracy Realty, LLC, 1163 Old Colony Road", dated 9/9/09, revised to 10/7/09, subject to:

- a. The conditions set forth in the inter-departmental referral dated 9/14/09, from Joseph Micalizzi, Fire Marshal, regarding this application.
- b. The applicant must receive a curb-cut permit from DOT prior to the issuance of the Building Permit.
- c. A \$10,000.00 sedimentation and erosion control bond.
- d. The conditions set forth in the October 8, 2009, interoffice memorandum from Vincent Mascia, Senior Engineer, Water & Sewer Divisions, to Linda Bush, Town Planner, regarding this application.
- e. A \$27,000.00 performance and maintenance bond.
- f. The conditions set forth in the October 6, 2009 memorandum from the Department of Engineering to the Wallingford Planning and Zoning Commission regarding this application.
- g. A \$5,000.00 construction bond.
- h. The applicant must grant the Town an easement acceptable to the Town for the purpose of permitting the Town to maintain the sidewalk that the applicant will install.
- i. Prior to the issuance of a Certificate of Occupancy, the Stormwater Management Plan shall be placed on the Land Records.
- j. All lighting on the site will be full cut-off lighting.
- k. The applicant will increase the landscaping along the property line to the north as discussed, and change the variety of the landscaping to the south as discussed.

APPROVED: M. Baxter; D. Fritz; C. Smith; J. Seichter; J. Fitzsimmons

8:00 p.m.

3. Zoning Regulation Amendment/Kieslich/Bed & Breakfast Inn #505-09

MOTION: To approve two changes to the zoning regulations: **1)** to add a definition of Bed and Breakfast Inn, and **2)** to amend the Bed & Breakfast regulations for the CLB zone to permit a Bed & Breakfast Inn to be occupied by and innkeeper, because: It is consistent with the Plan of Conservation and Development, the zone, and the zoning regulations.

APPROVED: M. Baxter; D. Fritz; C. Smith; J. Seichter; J. Fitzsimmons

NEW BUSINESS

4. Site Plan/Valenti/South Colony Road #216-09

MOTION: To approve a site plan for an auto dealership building with a 12,390 sq.ft. footprint for Valenti as shown on plans entitled "Proposed building prepared for Fred M. Valenti, 800 South Colony Road (Rte. 5)", dated 9/10/09, revised to 10/12/09, subject to:

- a. Conditions set forth in the interoffice memorandum, dated October 8, 2009, from Vincent Mascia, Senior Engineer, Water & Sewer Divisions, to Linda Bush, Town Planner, regarding this application.
- b. A \$10,000.00 performance and maintenance bond.
- c. Conditions set forth in the October 7, 2009 memorandum from the Department of Engineering to the Wallingford Planning & Zoning Commission regarding this application.
- d. The floor drains in the main service building and in the service area of the showroom building must be permanently sealed.
- e. The applicant works with the Department of Engineering to contain water flow off the site.
- f. \$2,000.00 sedimentation & erosion control bond.

APPROVED: M. Baxter; D. Fritz; C. Smith; J. Seichter; J. Fitzsimmons

RECEIPT AND ACTION REQUESTED

5. Special Permit Revision/Old North Colony Properties, LLC/Old Colony Road #404-09

VOTE: That this item be held to be a minor modification.

APPROVED: M. Baxter; D. Fritz; C. Smith; J. Seichter; J. Fitzsimmons

MOTION: To approve a revision to the Special Permit for Old North Colony Properties, approved on April 13, 2009, to change Condition #4 to state: "The permit will be valid for a period of one year *from November 1, 2009*", subject to: The payment of the fee for the Special Permit revision as of today's date.

APPROVED: M. Baxter; D. Fritz; C. Smith; J. Seichter; J. Fitzsimmons

CORRESPONDENCE

6. WCI/Signs
7. Lee/Chieppeo Farm Zoning

BOND RELEASES AND REDUCTIONS

8. Special Permit/Pulte/Wadsworth Drive - Released #413-04
9. Special Permit/Baker/Grieb Road – Reduced to \$15,000.00 #409-02
10. Special Permit/Center Place/Center Street - Released #403-07, #223-07
11. Special Permit/VW Homes/North Farms Road – Reduced to \$325,000.00 #413-07

REPORTS OF OFFICERS AND STAFF

12. ZBA Decisions – September 21, 2009
13. ZBA Agenda – October 19, 2009
14. Special Meeting – November
15. Legal Opinions
16. Incentive Housing Zone Update
17. Administrative Approvals
- a. Change of Use/Gambardella(Marino)/South Colony #316-09
18. Herasimovich vs. PZC
19. PZC & ZBA Fees

MOTION: To apply the \$30.00 increase in state fees to all applications.

APPROVED: M. Baxter; D. Fritz; C. Smith; J. Seichter; J. Fitzsimmons

MOTION TO ADJOURN

APPROVED: M. Baxter; D. Fritz; C. Smith; J. Seichter; J. Fitzsimmons

Meeting adjourned at 10:40 p.m.

PLEASE NOTE: First Commissioner listed after an action is: Commissioner making Motion
Second Commissioner listed is: Commissioner seconding Motion