

**PLANNING & ZONING COMMISSION  
Town of Wallingford**

**WORKSHOP MEETING  
Monday, January 25, 2010  
MINUTES**

A Workshop Meeting of the Wallingford Planning and Zoning Commission was held on Monday, January 25, 2010 at 7:00 p.m. in Room 315 at Town Hall Municipal Building, 45 South Main Street, Wallingford, Connecticut.

In attendance were Commissioners: Mr. James Fitzsimmons (Chairman), Ms. Marci Baxter (Vice Chairperson), Mr. James Seichter, Mr. Patrick Birney, Mr. Jon-Paul Venoit, Ms. Stacey Voss and Mr. Armand Menard

Absent was: Mr. Chris Smith

Town staff persons present were: Mr. Adam Mantzaris, Corporation Counsel, Ms. Linda Bush, Town Planner and Recording Secretary Sonja Vining.

Chairman Fitzsimmons called the meeting to order at 7:05 p.m. Chairman Fitzsimmons introduced the Commissioners and the Town staff persons to the audience of approximately 12 people.

Chairman Fitzsimmons indicated that the Commission would be hearing from Attorney Mantzaris first and then move on to the other items on the agenda.

**3. Potential Amendments to the Regulations**

Attorney Mantzaris presented the Commission with a draft for an addition to be made to the meaning of “dwelling unit” in the regulations. He explained that it is an attempt to solve the situation between the Building Department and the Zoning office in regard to accessory apartments. The Building Code has no such thing as an accessory apartment. In the existing Building Code a home is either single family or multi-family. Presently a person can have as many kitchens in their house as they want without violating the Code. Attorney Mantzaris stated that what he is proposing is that if an application for a permit comes in for new construction or an addition and it shows a second kitchen it would be rebuttable that it is really coming in for a two-family or accessory apartment and would automatically go to Zoning. He feels this proposed change to the meaning of “dwelling unit” would solve the current problems with this issue.

Ms. Bush, Town Planner, asked that the language be changed so it is not so legal and so it would be easily understood by residents. She pointed out that any opinion could be appealed to the Zoning Board of Appeals. There was discussion about different circumstances of having a second kitchen. Ms. Bush gave some examples of situations that have come across her desk regarding second kitchens and accessory apartments. She

stated that if this change resolves the problem between the Building Department and Zoning, then she supports it.

Attorney Molloy reworded the proposed change submitted by Attorney Mantzaris. The revision would be sent out to the Commission Members for review before the March meeting.

This issue would be discussed at the March meeting of the PZC.

Linda Bush, Town Planner, handed out a Proposed Amendment Subdivision Regulations (Att. 3A) that came from the Mayor through Attorney Mantzaris. The Mayor wants to make it clear that if the Town abandons a cul-de-sac the land goes to the abutting property owner.

This proposed amendment would be discussed at the March meeting of the PZC.

## **2. Discussion – Zoning Violation Enforcement**

Attorney Mantzaris indicated that he planned to offer the Citation Ordinance at the first available Ordinance Committee meeting. Chairman Fitzsimmons asked that the Commission be kept up to date on this issue.

### **1. Discussion – Interchange Zone**

Attorney Molloy handed out two packets of information. Summary – Proposed I-5 Regulation Changes & Responses (Att. 1A) and a packet including a map of the existing I-5 Zone along with some renderings of what the area could potentially look like after developed (Att. 1B). Linda Bush, Town Planner, had previously handed out I-5 Gateway Development Zone (I-5GD) (Att. 1C).

Attorney Molloy gave some history on how she has gotten to this point regarding the I-5 Zone. She reviewed the summary she provided for the Commissioners (Att. 1A) item by item.

Mr. Ray Gradwell, BL Companies reviewed the packet of materials prepared for this presentation (Att. 1B). There was discussion about Class-A office space being less in demand today than in the past and the reasons for that.

Ms. Carol Ringrose Perratta stated her opinion that business will never be the same. It is a new world. She doesn't feel that business will ever go back to the way it once was.

Attorney Molloy pointed out that the regulation that she has proposed does not include a residential component. Her preference is to do a mixed commercial development with retail and office. She stated that the first thing she needs to know is if there is a real willingness, from the Commission, to contemplate such a change. Once that is decided Attorney Molloy would move forward with the regulation change.

Chairman Fitzsimmons pointed out that the discussion this evening is to gauge the interest and decide on the next step. He stated that he would be willing to entertain some type of change for this zone.

Mr. Seichter stated that he would be open to the idea of putting retail in the zone but doesn't feel that retail should be the majority of the zone. He is not sure exactly what would be proposed for retail and what the density would be. Those are details that he would like to see if this moves forward. Attorney Molloy stated that she does not have a plan at this time where she could give percentages of retail or office space.

Mr. Menard stated that he has been in support of this change since it first came up. He would be in favor of retail in the zone to a certain extent.

Mr. Venoit is in support as long as there is some type of balance. He wants to be sure that this does not become a competition with other areas of the town.

Ms. Voss stated that she works on Research Parkway and there really is nothing around unless you go to downtown Wallingford or to Meriden. She would like to see some retail in the zone for people who work in the area.

Mr. Jim Wolfe, Economic Development Commission, stated that the EDC is open to change but not to the extent that is proposed. The EDC drafted a letter back in July that suggested that the I-5 zone be mixed with the IX zone. There are some uses that will work together in those two zones. The EDC is opposed to retail. They don't want to see a big box retail to be the entrance to that interchange. Mr. Wolfe feels that smaller class-A type office space should be considered.

Mr. Joe Mirra, EDC, feels that residents in the area must be considered when talking about what type of development should be allowed in this zone. He stated that there is a lot of work that gets outsourced overseas but he does know of business that are bringing it back to the states. Mr. Mirra feels confident that the EDC and the P&Z can work together to come up with a plan. Retail in that area concerns him. He doesn't want to take away from downtown.

Mr. Seichter doesn't feel that the P&Z would consider putting in a big box store in the zone. He believes that an office/commercial and retail would be the mix that they would be looking for. The percentages and details would have to be worked out.

Mr. Wolfe stated that there has been opposition from some downtown merchants. They are afraid that retail in the I-5 zone would negatively affect the downtown area.

Mr. Fishbein, Grieb Road, is concerned with the Workstage property, which is a part of the I-5 zone. He is against retail being in the I-5 zone. He feels that the downtown area would suffer if retail were to go in this area. Mr. Fishbein feels that property values

would be negatively effected. Just because there is development in the I-5 zone does not mean it will bring people into Wallingford to live.

Chairman Fitzsimmons suggested that there be another workshop and that the entire EDC be invited along with Attorney Molloy. Ms. Baxter would like to see some downtown merchants present as well. Chairman Fitzsimmons would like to see the workshop held in either February or March and before that meeting everyone would have time to do some homework. Mr. Seichter feels that an effort should be made to reach out to surrounding property owners, who are not in the I-5 zone, and make them aware of what is going on.

Ms. Bush indicated that there might be a way to do some kind of sub-zone with the Workstage building. The undeveloped land would then have more uses available to it. That is something that should be kept in mind.

Attorney Molloy pointed out that the larger the group the harder it is to come to a consensus. People tend to focus on what their objections are and not what the common ground would be. She understands that the local residents do not want retail in the area. Attorney Molloy would like to see the Commission focus on what it would be willing to accept in terms of a regulation. She understands that the Commission would like to get input from the EDC. She pointed out that these are all public meetings and everyone is invited. She doesn't want to focus on people's fears. She would rather focus on what they can come to an agreement on.

Chairman Fitzsimmons stated that the P&Z has not sat down the with the EDC as a group for some time. He feels, after listening to the Commissioners, that this discussion should continue to move forward. It was decided that this item would be put on the agenda for February and another workshop would be scheduled for March. Linda Bush, Town Planner, will work with the EDC and P&Z to come up with a date in March for the workshop.

Ms. Nancy Ringrose would like to see some sort of restaurant in that I-5 zone to go along with the hotels in the area. She feels that there needs to be something to attract people to get off the highway in Wallingford. Wallingford should have hospitality.

**Mr. Venoit made a motion to adjourn. The motion was seconded by Mr. Seichter and passed unanimously.**

The meeting adjourned at approximately 9:00 p.m.

Respectfully submitted,

Sonja Vining  
Recording Secretary