

PLANNING AND ZONING COMMISSION
Town of Wallingford
WORKSHOP MEETING
Monday, February 28, 2011
MINUTES

The Workshop Meeting of the Wallingford Planning and Zoning Commission was held on Monday, February 28, 2011, at 7:00 p.m. in Council Chambers of the Town Hall Municipal Building, 45 South Main Street, Wallingford, Connecticut.

In attendance were Commissioners: Mr. James Seichter (Chairman), Mr. Patrick Birney (Vice Chairman)(left the meeting early), Mr. Jim Fitzsimmons, Ms. Marci Baxter, and Ms. Stacey Voss (alternate)(arrived during meeting).

Absent: Mr. JP Venoit (Secretary), Mr. Armand Menard (alternate), and Mr. Chris Smith (alternate)
The Town staff persons attending were: Linda Bush, Town Planner, Kacie Costello, Assistant Town Planner, and Recording Secretary Sonja Vining.

Chairman Seichter called the meeting to order at 7:08 p.m. The Pledge of Allegiance was given to the Flag. Chairman Seichter introduced the Commissioners and the Town staff persons to the audience of approximately 17 people.

1. Proposed Incentive Housing

Chairman Seichter gave some background on how the Commission has come to this point. He briefly reviewed some of the discussions that previously took place regarding the proposed incentive housing zone.

Linda Bush, Town Planner reviewed her notes dated February 28, 2011 that were provided to the Commission. She reviewed what she considers to be the main issues.

- **Parking**

Ms. Bush stated that the parking study done by the consultant should be thrown away. The study is unclear. With a zoning regulation it is required that each building that is built has certain on site parking. This zone is no different so there is no need for the parking study. If someone builds a new building they will, on their property, be required to provide on site parking for all of the uses in that building. The parking standards that are in the proposed IHZ are different than for other uses in town because the industry standard for this kind of development requires a lot less parking than a single family house somewhere. If the town feels that it wants more parking it can raise the standards. What has to be kept in mind is that the more pavement that is required the less building there would be. The town would have the option to require more parking if parking is a concern. Ms. Bush recommended that the parking study be thrown out and that the commuter line be separated from this proposed zone, whatever it is to be called. She feels that the commuter line and the new zone are two different things that are not dependent on each other although they meld well together.

- **Parking garage**

Ms. Bush stated that her office has supported a parking garage because esthetically, environmentally and for other reasons big paved parking lots aren't best for the town. Parking lots don't pay much in taxes,

they create a lot of stormwater runoff and they are not very attractive. Ms. Bush believes that the commuter line is going to happen and according to the studies Wallingford is going to be a major stop. If Wallingford is a major stop it would need a lot of pavement to service all of those vehicles and by building a two or three story parking garage it would cut down on the amount of pavement. There would be more buildings and less parking lots.

- **Height of buildings**

Ms. Bush stated that if the town wants to limit the height of the buildings to three stories rather than four it would not lose anything.

- **Site Plan vs. Special Permit**

Ms. Bush stated that to be a part of the official State Incentive Housing Zone the law requires that approvals be by site plan only. In her opinion all of the Special Permit standards are included in the proposed IHZ regulation. Her concern with making the IHZ a Special Permit is when a developer comes in and asks what the town is looking for. There is no way to know how the discretion of a Special Permit is going to be used. She doesn't believe that a developer will submit plans if he/she doesn't know what the Town wants. Ms. Bush feels that the regulation should say what the Town wants.

- **Design Standards**

Ms. Bush stated that design standards are not covered under CT General Statutes as under the purview of the Planning & Zoning Commission. Design standards were put into the IHZ to give communities more control. If the Town were to adopt this and call it the Downtown Transit District and forget about the IHZ, the design standards would have to be taken out. The Town could do a second overlay zone which would be a Village District which could have a design standard. A Village District was designed for small towns to keep a rural appeal. The whole idea is that the Village District allows for design standards.

Mr. Birney feels that it is very important that the Town have discretion. He believes that the Town could lose that discretion if there is no Special Permit process. Ms. Bush feels that the downtown area could use a makeover and the Town does not have that kind of discretion for most applications all over Wallingford. The only time the Town uses that type of discretion is when there is a major traffic generator and for uses like churches in residential zones. Ms. Bush doesn't understand why it would be needed in this small area that is under developed and it is not needed on Rte 5 or in Barnes Park or Research Parkway. She feels that development should be encouraged in this area not discouraged by using the Special Permit process. Ms. Bush stated that if it goes the way of Special Permit it should be made very clear why it was done and what the Town would gain by that process.

- **Affordable housing**

Ms. Bush hopes that whatever is decided the affordable housing aspect remains.

- **Commuter rail**

Ms. Bush stated that the Town has told the State that it would like them to look at relocating the train platform to the end of North Cherry Street. They are considering this change because when the trains come through town the gates go down at Hall Ave and Quinnipiac Street and traffic backs up and emergency vehicles cannot get through the center of town. If the platform is relocated it is the hope that the gates would be down for a shorter period of time in the center of town. A specific study has not been done to prove this point yet. If the gates would not be down for a shorter period of time than there

would be no reason to relocate the platform. Ms. Bush doesn't believe that this decision would be made for several years. If the plan goes through there would be many more trains coming through town and the gates would be down much more. Ms. Bush stated that the commuter rail is a separate issue that is involved but could stand on its own. The Town could have the commuter rail without downtown redevelopment and the Town could have downtown redevelopment without the commuter rail but they fit together well. One should not be dependent on the other.

Ms. Bush stated that the Town has never done a financial feasibility study for any zoning regulation in town. She indicated that it is not something that is traditionally done for this kind of a zoning regulation.

Ms. Bush discussed the Charrette done in Simsbury. She stated that the consultant that did the work in Simsbury was going to be in Connecticut on March 17th. If Wallingford thinks it wants to do a Charrette than Ms. Bush would make arrangements for that day but she doesn't want to waste the consultant's time if the Town is not seriously considering spending the approximate \$100,000 it would take to do the Charrette. She just wanted to put it out there for the P&Z to consider. The discussion could also take place at a later date and the Town would just have to pay for the air fair for the consultant to come to Wallingford.

Ms. Bush stated that if the Town had the IHZ and got money from the State, the Town could not make certain changes to the IHZ without the State approving them. She pointed out that the State mandates certain standards for wetlands; aquifer protection and all sorts of things and this would not be any different. If the Town does not want to adhere to the specifics required by the State then it should not do the IHZ but just do a traditional zone.

Ms. Bush pointed out that the IHZ is an overlay zone. If someone doesn't want to use it then they do not have to.

Ms. Bush indicated that she sent letters to all of the people in the zone, the abutters to the zone and the Police and Fire Chief.

Chairman Seichter stated that the intention of this workshop is to discuss a housing incentive zone and to come to a decision as far as how much more time and effort should be spent moving forward with this plan. He does not expect to come up with any final decisions this evening but is looking to get some further discussions on this matter.

Ms. Bush stated that she would do some research and see if other suburban communities have had higher density residential develop built in their downtown and if so what kind of parking standards they have used.

There was some discussion about the demographic that this area would be targeted for. Ms. Bush doesn't believe that if developed this area would be attractive to families with children.

Mr. Fitzsimmons indicated that he would be very interested in continuing conversations on this topic. He feels that is has been made very clear in past meetings that people are not comfortable with the Town giving up authority and direction in this type of situation.

Chairman Seichter asked for public comments.

Speaking from the public was:

Craig Fishbein, Grieb Road, feels that the job of building up the downtown commercial development and housing development should be the responsibility of the EDC not the PZC. Mr. Fishbein believes that by not using the Special Permit process the Town would be giving up control and that is foolish. He stated that the Town does not have the infrastructure to support traffic figures included in the study previously submitted. Mr. Fishbein stated that if this area is targeted to a certain demographic and it is not families with children then that is how the regulation should be written.

Ms. Bush responded by pointing out that it is illegal for the Town, under the Fair Housing Act, to restrict children. She also stated that the Town cannot legally restrict variances in the regulations. Ms. Bush stated that the PZC is the only body that can legally address this issue and the EDC cannot. The EDC can give comments but the PZC writes the regulation and adopts it.

Mr. Wolfe, EDC, stated that he feels that the PZC and the EDC have a good working relationship. The EDC appreciates the opportunity to give input on issues and feels that the PZC is doing a fine job. Mr. Wolfe feels that the concerns for parking are a bit premature. He believes there needs to be a lot of thought and time put into the issue of parking if the commuter rail comes.

Andrew Carbutti, North Main Street, is in favor of this development. He pointed out that this development would take several years so the Town would have time to make changes if necessary. Mr. Carbutti believes that there is a need for this overlay zone in the downtown area.

Ed Makepeace, George Washington Trail, is not in favor of the idea of designating the downtown area for higher density residential. He doesn't believe that the area should be developed on the assumption that our downtown would become a commuter town. Mr. Makepeace doesn't see any advantage to the taxpayers of the Town of Wallingford to promote higher density housing. He would prefer to see the area have more commercial development. He doesn't believe that retail stores will be successful in that area. He thinks this plan is promoting the urbanization of downtown.

Rachael Bonito stated that she would not like to see a parking garage in downtown Wallingford. She is concerned about who would have the responsibility of maintaining the garage. She suggested the idea of switching parking from the cemetery side of the street to the other side of the street to get people in front of the stores. She also believes it would be safer for people so they would not have to cross the street. Ms. Bonito expressed concern for businesses that might move into the area that would not be good for the downtown.

Steve Lazarus, Wallingford Center Inc, doesn't believe that diagonal parking would be allowed on Center Street. He feels that the average taxpayer would be benefited because the Town of Wallingford is judged by the heart of Wallingford which is the downtown. As the downtown area looks and improves or gets worse so the Town is judged. Mr. Lazarus does not see the commuter rail having any impact on what is being discussed. He feels the town needs to proceed to increase housing density downtown in order for the downtown to be more vital.

Peter Strubel, Fire Chief, stated that based on all of the information he has been given the process of the fire department doesn't really change. He stated the plan and builder has to comply with the CT Life Safety Code. He stated that there are two career fire stations in town and they work together and the main route for them is Hall Avenue to Center Street. The train gate being down for a long period of

time impedes their ability to get across town. Chief Strubel believes that the types of buildings that are being proposed would most likely have fire sprinklers installed in them. Once the plans come in the Fire Chief would insist on things like access and fire zones.

John Gervasio, Jodi Drive, stated that he would support this kind of project. He pointed out that where most of these buildings would be built the regulations states that one space per residential unit is required not 1.25 spaces. He discussed having the right mix of uses in the parcels so the shared parking would work. He stated that parking standards depend on the intensity of the area. Mr. Gervasio pointed out that the Town is looking to mesh a transit oriented district, a downtown revitalization plan, and an affordable housing aspect and that will be difficult to do. He provided and discussed the study done for the Town of Stratford when developing its transit district. He also discussed Middletown and Simsbury and provided a copy of their studies as well. Mr. Gervasio stated that he would like to see the Special Permit process used in this case if the Town didn't have a master plan to go back and refer to. If the Town had design standards for developers to refer to then he would be fine with it being just Site Plan approval. Mr. Gervasio presented to the Commission a photo of a four story building in downtown Middletown. He suggested that the density be lowered to 12 units per acre in this area. Ms. Bush indicated that the density is 20 units because that was the minimum under the IHZ and the goal was to make it attractive to developers. Mr. Gervasio left all of the studies that he discussed for Linda Bush to review.

Chairman Seichter would like to get some further details on the demographic being targeted with this development. He also has issues with parking and the proposed density of the area. He would also like to know what the impact of possible commuter traffic would have on the area as proposed.

Ms. Baxter feels that discussions should continue and obviously parking and traffic are major issues that have to be explored further.

Ms. Bush will do some further research and visit some shoreline towns to see what they have developed in similar cases. She indicated that at this time she would not pursue conversations with the consultant who did the Simsbury Charrette.

2. Possible Discussion Topics

a. Design Standards, I-5 Zone

Ms. Bush discussed Item 2A as handed out to the EDC and the PZC. Mr. Wolfe, EDC, stated that the Economic Development Commission as a whole has not had an opportunity to review it. Ms. Bush briefly discussed Item B2 which is very detailed and specific. She asked if the Commission would be looking for that kind of detail. The general consensus was that was that Item B2 has too much detail.

b. Sidewalks

Ms. Bush stated that after reading the Buttermilk court decision she asked the Town Attorney to give the Commission an opinion on the issue of sidewalks. She wanted to know if the Town could continue to require sidewalks. The Town Attorney basically stated that if there was a use that sidewalks were necessary for then they could be required. After some discussion it was decided that Ms. Bush would send Attorney Small an official request for an opinion on the requirement of sidewalks on Route 5.

Mr. Fitzsimmons made a motion to adjourn. The motion was seconded by Ms. Baxter and passed unanimously by a voice vote. The meeting adjourned at approximately 9:17 p.m.

Respectfully submitted,

Sonja Vining,
Recording Secretary