

Wallingford Planning & Zoning Commission
Special Meeting
Monday, August 29, 2023
7:00 p.m.
Robert F. Parisi Council Chambers – Town Hall
Town Hall – 45 South Main Street
MINUTES

Chairman Seichter called the meeting to order at approximately 6:10 p.m.

The Pledge of Allegiance was recited by all.

Roll Call: Present: James Seichter, Chairman; Jeffrey Kohan, Regular Member; Jamie Hine, Alternate; David Parent, Alternate; Kevin Pagini, Town Planner, and Allison Kapushinski, Town Engineer.

DISCUSSION

1. Warehousing regulation changes for Industrial (I-40 & I-20), Watershed Interchange (WI), and Industrial Expansion (IX) zones.

Chairman Seichter explained that this is a follow-up to recent workshops with a focus on these zones.

Mr. Pagini provided an overview of the prior discussion and explained the changes made as a result of the prior workshop. There is currently a moratorium on these districts. The document that was distributed contained only minor changes from the last distribution.

He stated that we are still on board with High Cube E-commerce, as defined in ITE land use codes 155 and 156 including parcel hub and parcel sorting and retail distribution to be prohibited in all zones. In general, we define general warehousing and distribution, heavy warehousing and distribution, mini-warehousing, and self-storage. High Cube Warehouse General includes Trans-load, Short-term storage, and cold storage. We also define High Cube Warehouse E-Commerce. The document has a chart with the definitions and allowed uses per zone. The I-40 and I-20, by site plan approval, allow general warehousing, mini-warehousing, and self-storage. High Cube General and Heavy warehousing will be by special permit only. This includes Freight Terminals and Drop Yards. The IX would not include any type of Warehousing by Site Plan approval due to the road conditions of North Farms and Northrop Road. By Special Permit, High Cube General, Heavy Warehousing including Freight Terminals and Drop Yards and General warehousing would be allowed. WI allows General Warehousing by site plan and by special permit, High Cube General, and Heavy Warehousing including Freight Terminal and Drop Yards.

Chairman Seichter asked why the recommendation was to eliminate freight terminals and drop yards from the WI zone when it is allowed in the IX. Mr. Pagini replied that the Water Division had significant concerns with these as there would be a lot of trucking involved. It doesn't fit with the district.

Mr. Pagini explained Special Permit requirements include setbacks and access points. The I-40, I-20, and WI zones include Heavy Warehousing and Distribution and High Cube General Warehousing by special permit. They require a full traffic study, including the proposed number of semi-trucks per 24-hour period. This is shown in the table in Section 6.11.

Ms. Kapushinski explained how they defined the traffic study. They used a compilation of previous studies to see which uses have more passenger cars vs. 2 – 4-axel trucks. Currently, the regulations require the use of the ITE manual. She explained that the staff proposes instead of treating all vehicles equally, that we apply factors. So we would get the vehicle count from the ITE which is based on the gross square footage and then use a factor to account for the 2-4 axel trucks. This will raise the number.

Chairman Seichter clarified that this takes into consideration that trucks are larger than cars. Ms. Kapushinski confirmed and stated that the factors seem to be a fair estimation of traffic based on studies.

Commissioner Kohan noted the calculation on Cold Storage Warehouses on the chart. He asked if there was a breakdown for anticipated trips. He found data that there would be between 800 and 1250 daily trips. He doesn't know if it is all trucks. He wants to see what the right number is for that. Ms. Kapushinski replied that the chart shows higher traffic than other proposed uses which would be in line with expectations. Cold storage has a lower vehicle generation than a Fulfillment Center. Commissioner Kohan stated that based on the charts High's concerns are addressed.

PUBLIC COMMENT

Bob DeMaio, Marie Lane stated that this is a tremendous step forward. He asked if we are using this to determine if a special permit is required. Ms. Kapushinski replied if the proposed use does trip the 100 vehicle trips using the Passenger Car Equivalent (PCE), that would be one use. Also using PCE for the general traffic study can change the level of service on interchanges, etc.

Chairman Seichter asked about the full traffic study for a special permit for the IX and others. Is the Full traffic study to be submitted if less than 100 trips? Mr. Pagini replied yes. Chairman Seichter clarified that these uses would be special permits regardless of traffic.

Jim Wolf, Economic Development Commission, asked if regulation 6.11 would apply to the construction period, as truck traffic is heavy during construction. Ms. Kapushinski replied that the application is for permanent use, not for the construction phase. Mr. Pagini added that the construction phase is not usually part of the approval. He added that the regulation can restrict the time of day for construction traffic. Mr. Wolf noted that it is not in there.

Commissioner Hine asked the staff how comfortable they were with the numbers we are using. Ms. Kapushinski replied that the only two uses that require a Site Plan are General Warehouse and Self-Storage. For General Warehouses, she is very comfortable with the definition. If they have more than 100 parking spaces or more than 100,000 gross sq. ft. then it's Heavy Warehousing.

Mr. Pagini proceeded to the noise mitigation section. He noted that can we recommend a study if warranted. He provided samples of Visual Impact Assessments. He asked for questions on the setback or height max for the High Cube. He noted that the IX doesn't have a height max. He suggested adding a restriction or stating "Commission may restrict height". He added that some High Cube warehouses can go to 150 ft. in height. Special Permit has that flexibility.

Chairman Seichter asked if the 500 ft. setback restriction is from the zone line or the residence. Mr. Pagini quoted the regulation: "not less than 500 ft. from the boundary of the residence or a rural residence district". Chairman Seichter proposed including a way to lessen the setback due to terrain or other features, like a hill. Mr. Pagini suggested stating that setback distances are considered on a case-by-case basis. He agreed that some setbacks are overly restrictive.

Commissioner Kohan stated that he would be okay starting with 500 ft with noise mitigation strategies. He also stated that using case-by-case is too open-ended.

Commissioner Hine stated that he likes the flexibility but in this case, we need fair guidance. It is helpful to have black-and-white limitations.

Commissioner Parent asked what happens if the residence is already 500 ft. from the boundary. Is there some relief for that situation? He suggested using the actual distance between the noise source and the property. He agrees that using case-by-case would be too arbitrary. He asked if there was a measure to account for the location of the house and the terrain. or a feature to the topography that would limit the noise. This is something to think about.

Chairman Seichter noted that it could become more complicated. All applications should be treated the same. If there is too much flexibility we lose credibility. We need to keep the regulations as clean as possible to limit interpretation.

PUBLIC COMMENT

None

Mr. Pagini stated that he would ask the Law Department for suggestions. Chairman Seichter stated that he supports keeping the 500 ft. from the boundary and discussing other considerations, such as topography, at the public hearing.

Chairman Seichter asked what the current maximum building heights are. Mr. Pagini replied that the WI has a max of 80 ft. The IX has unlimited height if they have the space. The Industrial Districts are 30 ft. He asked if the Commission feels 80 ft. is too high and if we need to limit height in the IX zone.

Chairman Seichter suggested that 80 ft. would be the maximum.

Commissioner Kohan stated that he did some research and didn't find a standard for height for these use codes. He noted that the Fire Marshal should provide input on what the Fire Department can service. Commissioner Kohan stated that he doesn't like unlimited height for the High Cube Warehouses. He believes that the 80 ft. max is good. He thought the 30 ft. max for the Industrial Zone may be a little short.

Chairman Seichter asked Mr. Pagini to check with the Fire Marshal on height maximums.

PUBLIC COMMENT

Jim Wolf, Economic Development Commission, agreed with the 80 ft. max because anything beyond that would mean higher traffic volume. He stated that there are currently buildings in the I-20 and I-40 districts that are higher than 30 ft. He recommended raising it to 40 ft.

Chairman Seichter suggested discussing changing the height maximum in the Industrial Zones separately.

Regarding access, Mr. Pagini stated that for the IX Special permit, there is no driveway allowed from Northrop, North Farms Road, or Tankwood Road. A driveway is only allowed in the first 1000 ft. from the Northrop and Rt. 68 right-of-way line at that intersection. This is because these roads can't handle much more industrial activity. Ms. Kapushinski added that Northrop Road narrows after 1000 ft, so it is not good for trucks.

Chairman Seichter asked about the western part of North Farms Road. If a warehouse was proposed, would it have to get access from Rt. 68? They would not be able to put a driveway on Tankwood Road or North Farms. Mr. Pagini replied yes.

PUBLIC COMMENT

Bob DeMaio, Marie Lane, stated that uses in IX and WI for Heavy Warehousing and High Cube warehouse are concerns for North Main Street through to Durham. He stated that some of these things should not be allowed. The road capacity of what has already been approved needs to be considered. He is okay with General Warehousing. The concern is access to these roads. The area is becoming overwhelmed.

Mr. Pagini replied that they looked at that. What's allowed now is conducive to the geographical restrictions for what we are putting in place for a special permit in the IX. We are not allowing the Freight Terminals and Drop Yards. It is up to the Commission. Ms. Kapushinski noted that the traffic impact study takes into account projects that have been approved but not built yet.

Chairman Seichter noted that the ITE traffic numbers are based on floor area. A normal warehouse is 30 to 40 ft. high. A High Cube Warehouse puts more things into the same space which could mean more trucks. He asked how they adjust for that. Ms. Kapushinski stated that they need to better understand

how the ITE calculates the floor area and that they will do more research. Mr. Pagini noted that how we define gross floor area should be the same as how the ITE defines it.

Commissioner Parent asked if the different height of the buildings is built into the traffic study. Ms. Kapushinski replied that it could be but she wanted to be sure.

Ed Hohman, Marie Lane noted that if the businesses in the area get busier, we will end up with more traffic issues. He asked if we could survey existing businesses to see how busy they are. Ms. Kapushinski replied that they can only use actual traffic in the traffic study.

Chairman Seichter thanked him for that question. He noted that there are vacant buildings and buildings that are at reduced capacity. He asked how that is accounted for in the traffic study.

Commissioner Hine asked if the traffic study measures actual traffic or potential traffic based on the approved uses in the area. That is not the potential for the empty buildings. Ms. Kapushinski clarified that it measures present and approved but not yet built. They can take into account sites not yet built with traffic studies already filed. We have not yet run into a time when all the buildings are occupied at the same time.

Commissioner Parent noted that if we approve a project, sooner or later the capacity will have to be increased. What we have to do today is different from what we have to do 20 years from now. We need measurements but are limited by what we can do. We may be trying to drill down too far.

Mr. Pagini asked if there should be a square foot maximum for anything for special permit uses.

Chairman Seichter had no number in mind.

Commissioner Kohan stated that he has no specific suggestions but the proposed size will lead to traffic concerns.

PUBLIC COMMENT

None

Mr. Pagini asked for more input on the language in the definitions and added that the Law Department will also review them. He added that they tried to address multiple site plans for the same parcel. Chairman Seichter stated that he liked that idea.

Mr. Pagini proposed lowering the minimum parking requirement to 1 space for each 2000 sq. ft. of gross floor area. That would be less minimum parking. If the applicant needs more they can ask for more. The current requirement is too high resulting in unnecessary parking lots. The ITE parking manual 5th addition was used to get that number and it is still slightly higher than the recommended number.

Chairman Seichter noted that the moratorium will expire on October 30th. He asked when the public hearing would be scheduled and asked if we would need an extension. Mr. Pagini replied that all should be good for the October public hearing. Chairman Seichter asked if there was time for the draft to be sent to SCROG and some surrounding towns. Mr. Pagini replied that we should meet the 30-day requirement. He should have the final proposed regulations for review in the next week or two.

PUBLIC COMMENT

Bob DeMaio, Marie Lane asked if the use of AM and PM peak traffic can be changed to looking at traffic 24 hours due to the way warehouses work now. Mr. Pagini replied that the traffic study requires a breakdown of the operation, including the proposed number of semi-trucks over 24 hours and the proposed percentage of truck-to-car traffic including the peak hour generator.

Commissioner Kohan thanked the staff for a great job tightening up the regulations and defining uses. He believes these regulations are solid.

ADJOURNMENT

Commissioner Kohan: Motion to Adjourn the Wallingford Planning and Zoning Commission for Tuesday, August 28, 2023, at 7:15 p.m.

Commissioner Hine: Second

Vote: Unanimous

Respectfully Submitted,
Cheryl-Ann Tubby
Recording Secretary