

Wallingford Planning & Zoning Commission
Regular Meeting
Monday, June 10, 2024
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 7:00 p.m.

The Pledge of Allegiance was recited by all.

Roll Call: Present: James Seichter, Chair; Stephen Allinson, Secretary; James Fitzsimmons, Regular Member, Jeffrey Kohan, Regular Member; David Parent, Alternate; Bryan Rivard, Alternate; Joseph Sanders, Alternate; and Kevin Pagini, Town Planner.

Chairman Seichter asked Mr. Parent to vote tonight in place of Commissioner Venoit.

Consideration of Minutes – May 13, 2024, Regular Meeting

Commissioner Kohan: Motion to approve the Minutes of Monday, May 13, 2024, Meeting of the Wallingford Planning and Zoning Commission as submitted.

Commissioner Parent: Second

Vote: Unanimous to approve with abstentions from Fitzsimmons and Allinson

PUBLIC HEARINGS

1. Special Permit (Electric Vehicle charging facility, retail) Gem Property Group, LLC/1 Miles Drive #406-24

Commissioner Allinson read the legal notice and noted the correspondence. #406-24 Special Permit request from Gem Property Group, LLC at 1 Miles Drive to construct an Electric Vehicle Charging Facility with accessory retail Gem Property Group LLC – WI (Watershed Interchange District). Correspondence included a revised Site Plans dated June 4, 2024; Traffic Study, by SLR International Corporation, dated May 8, 2024; Inspection Report from the Wallingford Fire Department dated May 17, 2024; revised Traffic Study, by SLR International Corporation, dated June 3, 2024; Memorandum from Erin O’Hare, Environmental Planner, to Kevin Pagini, Town Planner, dated June 6, 2024; Stormwater Operations and Maintenance Manual, by SLR International Corporation dated April 24, 2024; Drainage report dated April 21, 2024; Memorandum from Alison Kapushinski, Town Engineer, ,to Planning & Zoning Commission dated June 6, 2024; Interoffice Memorandum from Scott Shipman, Senior Engineer, Water & Sewer, to Kevin Pagini, Town Planner, dated June 6, 2024; email from Robert DeMaio, to Kevin Pagini, Town Planner, dated June 6, 2024; email from Bill Stuckey, to Kevin Pagini, Town Planner, dated June 10, 2024; comparative architectural design exhibit; revised Traffic Analysis by SLR International Corporation, dated June 10, 2024; and Memo from Alison Kapushinski, Town Engineer, to Planning & Zoning Commission, dated June 10, 2024.

Elizabeth Varna, 26 Maple View Road, representing Gem Property Group; David Sullivan, P.E., US Manager of Transportation and Planning, SLR International Corporation, Cheshire, CT; and Thomas Daly, P.E. US Service Line Director, SLR International presented.

Mr. Daly reviewed the existing property, which is about two acres of open meadow within the Watershed Interchange District. This will be an EV Charging station. He explained that they took a close look at the water quality since it's in the WI zone. He noted that due to a variance on the property in the 1980's it is grandfathered into the previous zone. The facility will have 38 EV parking spaces and is similar to facilities in the UK. The two entrances will be off Miles Drive. He stated that the Fire Department is satisfied. There will be a central corridor with the EV stations which will be covered by a canopy. There will be a 3000 sq. ft. building with retail space and a small outside patio. Overflow parking will be provided. There will be a handicapped-accessible EV charger. He described their robust landscaping plan around the perimeter and the building foundation. He reported that they worked with the Water Department and the Engineering Department to develop the stormwater management system. They are providing both water quality and water quantity mitigation. They received sign-off from the Fire Department, Water & Sewer, and Engineering.

Mr. Sullivan explained that they reanalyzed the traffic a few times. The initial estimate used the ITE trip generation manual, but this is a new use. They reached out to the CT Department of Transportation as well as looked at the traffic generation of a similar facility in Delaware. Their initial estimate, including some retail activity, was for 15 – 25 vehicle trips at peak. They talked to people in the UK where EV stations are more common and they agreed with this estimate. They did traffic counts at the intersection and the level of service analysis found no impact. This is the traffic study dated May 8th. Mr. Sullivan reported that the Town Staff asked for something else. They looked at the trips for an 8-vehicle gas station with a convenience store and calculated a new estimate using the longer EV charging time. The new estimate increased trips to 30 to 40 during peak times. This was shared in the June 3rd report. After more discussion with Town Staff, they looked at it again starting with the 38 vehicle positions and factored down to a gas station. This tripled the number of trips and was reported in the June 10th study. That level of service still does not impact Rt. 68. They believe the actual experience will be closer to the first estimate.

Chairman Seichter thanked him for the third analysis and asked for the size of the Delaware facility. Mr. Sullivan stated that it had 10 charging stations. Chairman Seichter asked if they had any data on the size of the charging facilities the government is looking for and if there is a common model for size. Mr. Sullivan stated that the proposal is probably a large size facility but the size would depend on the location. His office is following this technology closely.

Ms. Varna added that the amended WI district limited the size of trucks to 26,000 lbs. So this facility won't accommodate 18-wheelers. She stated that they have agreed not to put a drive-through on the site, which limits the retail options. She calls it a convenience center because they will have restrooms, some sort of coffee bar, snacks, candy, batteries, etc. Things people may need while charging. It takes 20

minutes to charge a car battery. She also noted that the proposal is the maximum use for the site. She has no tenant yet or company to manage the facility. The actual facility may be smaller. She added that they have agreed to an administrative architectural review of the exterior design of the building. The building will be more rustic or rural to fit into the community.

Chairman Seichter clarified that this won't be like the convenience store at the gas station where you can buy groceries. He added that they don't want a restaurant franchise or a retail store. Ms. Varna suggested thinking about the convenience centers on the Merritt. Since she doesn't have a tenant, she can't commit to what will be sold. Her company is a rental agent. She stated that this facility would set a standard.

Commissioner Rivard thanked the presenters for the assessment of traffic. He asked if they were comfortable with the final estimates. Mr. Sullivan replied yes. The growth of the EV vehicle industry is stunted by the lack of charging stations. As there are more EV vehicles, the market will adjust. Even if all the charging stations are in use, the cars won't all leave at the same time. Commissioner Rivard thanked the applicant for the addition of trees and the area of foliage on the Rt. 68 side.

Commissioner Kohan asked if there is standardized pricing for the electricity, noting that there may be increased traffic since Wallingford's electric rates are lower than other towns. He also asked why the building is placed at the Rt. 68 end of the property. Ms. Varna replied that the building placement is to screen the chargers from Rt. 68. She added that the side facing Rt. 68 will look like the front of the building. Commissioner Kohan asked about plans for fire suppression. Ms. Varna replied that when they pull the building permit, they will have to meet any codes. Mr. Daly added that whatever the architect determines is needed will be included. He noted that there are two fire hydrants on the property.

Commissioner Fitzsimmons asked if the regulations require the building to face Rt. 68 or Miles Drive. Mr. Pagini replied that the regulation states that the front has to face a thoroughfare, so it will need to face Rt. 68. Commissioner Fitzsimmons asked if there would be an attendant or if it would be self-service and asked about pricing. Mr. Daly replied that it will be similar to the self-service EV stations on I-95. He couldn't comment on pricing. Ms. Varna replied that different companies may have different pricing models. Many companies do this. Commissioner Fitzsimmons asked about their vision for a welcome center concept. How will it not look like a gas station? This is a unique corner on a busy road. Tonight's discussion should be focusing on use, not architecture. Ms. Varna stated that they don't have an architect yet. Commissioner Fitzsimmons asked about the hours. Mr. Daly replied that there would be an attendant even though it is self-service. Ms. Varna stated that they can't talk about business hours since they don't have a tenant yet. Commissioner Fitzsimmons stated that he thinks the traffic information supports the proposed use. This is a potentially busy corner but it has a traffic signal.

Commissioner Allinson stated that he drives an EV. There is tiered pricing. Some apps tell the wait times and prices which can change during the day. If you cannot charge your car fast enough it will shut you down or charge a higher rate. It is an interesting technology. He stated that this model seems to make

sense. He asked for an explanation of the calculations used to get the three traffic analyses. Mr. Sullivan explained and stated that they were comfortable with the analysis. Commissioner Allinson asked if they would provide Wi-Fi and a business center. Ms. Varna replied that she imagines that there will be Wi-Fi and all the technology that people would need for 20 minutes but there will be no room for meetings. She added that she liked the idea of some workstations or desks. Mr. Daly stated that there can be a counter where people can work on their laptops. Commissioner Allinson asked if the tenant could do less than the 38 stations. Mr. Daly replied that this could easily be done in phases as the need grows.

Commissioner Parent noted that Miles Road goes through to the Anthem building. He asked if the traffic study took into account Anthem traffic. Mr. Sullivan replied yes.

Commissioner Sanders asked about fire suppression and if we can require that any tenant include plans for fire suppression. Could we require fire suppression as part of the plans? Ms. Varna replied that she assumes that any company installing the EV station would want it safe due to liability issues. This is a question for the architect. She noted that the Fire Marshal made no stipulation. Mr. Pagini noted that the Fire Marshal did not elaborate on a suppression system.

Chairman Seichter asked about the height of the canopy compared to the height of the building. Ms. Varna replied that the canopy would be about 14' high but not higher than the building. Mr. Daly replied that the building would be one story, probably with a pitched roof.

Commissioner Kohan noted that the Fire Marshal's comments, which will be a condition, include that fire protection system plans should be submitted to his office before construction.

PUBLIC COMMENT

Bob DeMaio, Marie Lane, stated that this is a good use for that property. He stated a concern with traffic. He stated that in a few years charging time could be less. He asked where cars would queue if they had to wait for charging. He asked if there could be a condition that could come into effect if something changes in the future. Ms. Varna replied that she would like to be able to predict the future. Any condition like that would put a burden on the applicant to plan for 10 to 20 years out. She noted that the Wallingford Police are a traffic enforcement tool. The State is in charge of Rt. 68 and the Town owns the right of way.

Mr. Sullivan added that if the charging stations can charge in half the time, the equipment would likely need to be changed. This is all market-driven. Technology changes. This facility is designed for this specific purpose.

Mr. Pagini suggested adding something that if the charging stations get replaced, they either have to come back to the Commission or at least notify the Town. Ms. Varna asked if gas pumps are replaced by faster pumping pumps, does the Town make them come back? This places a burden on the applicant

which is unfair. If the tenant wants to replace the chargers, they shouldn't have to come back to Planning and Zoning.

Commissioner Kohan noted that a similar question came up recently and the Wallingford Police Department said they would deal with it when the time came.

Chairman Seichter stated that it is an interesting point but doesn't know how it can be addressed. He assumes that 10 to 20 years from now there would be other charging stations in town. He agrees that it is a possible concern. He stated that he liked the appearance of the proposed building.

Commissioner Allinson thanked Mr. DeMaio for his comments but stated that he didn't know how we could do that. He noted that an electric car will tell you the location of charging stations, price, and wait time.

Hearing no further public comment, Chairman Seichter called for a motion to close the public hearing.

Commissioner Fitzsimmons: Motion to close the public hearing for application # 406-24 Special Permit (Electric Vehicle charging facility, retail), Gem Property Group, LLC, 1 Miles Drive.

Commissioner Kohan: second

Vote: Kohan – yes; Fitzsimmons – yes; Allinson – yes; Parent – yes; Chairman Seichter – yes.

Commissioner Fitzsimmons: Based on the totality of the information presented, I make a motion to approve a Special Permit request and Site Plan approval to construct an electric vehicle charging facility and accessory retail building on plans entitled "Proposed Electric Vehicle Charging Facility" dated May 7, 2024, and revised to June 3, 2024 subject to:

- 1. Comments from Town of Wallingford Senior Engineer, Scott Shipman, Water and Sewer Division dated June 6, 2024;**
- 2. Comments from Town of Wallingford, Town Engineer, Alison Kapushinski dated June 6, 2024, and June 10, 2024;**
- 3. Comments from the Town of Wallingford Fire Marshal dated May 17, 2024, including construction documents with building plans submitted to the Fire Marshal's office prior to construction and also and also fire protection system plans if necessary shall be submitted to the Fire Marshal's office prior to construction;**
- 4. Comments from Town of Wallingford Environmental Planner, Erin O'Hare dated June 6, 2024;**
- 5. The accessory retail building will be approved at a later time by the Planning and Zoning Commission with full architectural plans that are consistent with the existing architectural features of the district. The proposed building shall incorporate a convenience center**

concept. This approval must occur before a Certificate of Occupancy is issued for the property;

- 6. An erosion and sediment control bond in the amount of \$10,500.00; and**
- 7. Six (6) copies of the final plans forwarded to the Town of Wallingford Planning and Zoning office.**

Commissioner Kohan: second

Vote: Kohan – yes; Fitzsimmons – yes; Allinson – yes; Parent – yes; Chairman Seichter – yes.

The application is approved.

2. Site Plan (Above ground tank farm) Roehm America Inc./Ryan Putnam, 528 S. Cherry St. #210-24

Commissioner Allinson noted the correspondence for the record. Correspondence included Inter-Departmental Comments from Alison Kapushinski, Town Engineer, dated June 4, 2024; Inspection Report from the Wallingford Fire Department, dated May 21, 2024; Inter-Departmental Comments from the Electric Division dated May 17, 2024; and Inter-Office Memorandum from Scott Shipman, Senior Engineer, Water & Sewer to Kevin Pagini, Town Planner, and dated May 31, 2024.

David Rodriguez, Process Safety & Emergency Response, Roehm America, LLC; Ryan Putnam, Engineering & Maintenance Manager, Roehm America, LLC; and Cliff Barone, P.E., ChemTech, Consultant for Roehm America, presented.

Mr. Rodriguez provided the background, using a PowerPoint presentation. He explained what the facility does and where it is. He explained their products and markets. He stated that this project is critical to their raw material supply.

Mr. Putnam explained that he was the project manager. He stated that the underground storage tanks for raw materials that they have been using must be closed according to the State Statute because they are 30 years old. They are building a new above-ground tank farm with pipe racks, platforms, electrical, and utilities including a fire protection system. The old tanks will be removed and the land will be reclaimed. This project will be done in two phases. He showed the tank farm with the containment area and the new unloading station. The phase one tanks are already in place. He pointed out the new PFAS-free foam fire protection system to be installed around the containment area.

Commissioner Fitzsimmons asked if some of this project was already done and why they didn't know they had to apply to the Town. Mr. Putnam replied that he understood they fell under the Department of Labor. They had invited the Fire Marshal to inspect the Fire Suppression System and he informed them they needed to apply with Planning & Zoning. Commissioner Fitzsimmons asked if there have been other projects on the site that may have required Planning & Zoning approval. Mr. Rodriguez replied that they had not built any new structures. Most of the work has been under the roofs of their

buildings. Commissioner Fitzsimmons asked if we require approval for zoning approval for the tanks coming out. Mr. Pagini replied no. Mr. Putnam replied that they would work with the Fire Marshal on that. Mr. Putnam confirmed that phase one is done so the approval would include phase two.

Commissioner Kohan asked if the federal authorities that they are governed by have reviewed the plans for this project. Mr. Rodriguez replied that they are driven by insurers and risk management. Third-party insurers and auditors were onsite and approved the project. Commissioner Kohan asked how often these people were on site during construction. He added that insurers are not the same as federal authorities. Mr. Rodriguez replied that insurers hold them to a higher standard. They did a concept and design review with their internal insurance and external reviewers. Nothing went back to any federal agency. He said they have OSHA Process Safety Management requirements, EPA Risk Management Plan requirements, and DEEP Audits. They have passed all audits.

Commissioner Rivard stated that it looks like they have upsized the volume of the storage capacity. He asked what is contained in the tanks and what standards are they exceeding. Mr. Rodriguez replied they follow API codes for the fabrication of vessels. These are atmospheric vessels. These are certified and stamped vessels. Most of the vessels have monomers and some have toluene, which is a solvent. Commissioner Rivard asked if there would be any remediation for the site where the tanks are being removed. Mr. Rodriguez replied that a soil analysis is required by the DEEP. Mr. Putnam stated that the underground tanks are double-walled and have been monitored.

Commissioner Allinson asked why they couldn't put the new tanks back in the ground. Mr. Rodriguez replied that it was a financial decision. Installing them above ground allows them to keep them there forever. He stated that they are up against a deadline for the underground tanks to be decommissioned. Commissioner Allinson asked what the next steps would be if the application was denied. Mr. Pagini stated that the site would be in violation. He added that Inland Wetlands reviewed this application as well. He added that they were responsive to requests.

Chairman Seichter thanked them for coming forward. Now the company is aware of the local regulations.

Hearing no public comment, Chairman Seichter called for a motion to close the public hearing.

Commissioner Fitzsimmons: Motion to approve application #210-24 a Site plan approval request to construct an above-ground tank farm at an existing chemical manufacturing facility on plans entitled "New tank farm – Roehm America LLC" dated May 10, 2024:

- 1. Comments from Town of Wallingford, Water & Sewer Division, Senior Engineer Scott Shipman, dated May 31, 2024;**
- 2. Comments from the Town of Wallingford Fire Marshal dated May 21, 2024;**
- 3. That any future site plans or modifications are submitted to the Wallingford Planning and Zoning Commission for review before any activity; and**
- 4. Six (6) copies of the final plans forwarded to the Planning and Zoning office**

Commissioner Kohan: Second

Vote: Kohan – yes; Fitzsimmons – yes; Allinson – yes; Parent – yes; Chairman Seichter – yes.

The application is approved.

8-24

3. Proposed sewer lateral replacement project at Gaylord Hospital

Commissioner Allinson noted the correspondence for the record. Correspondence included an Inter-Departmental Memorandum from Peter Hornak, Engineer/Planner, Engineering Department, to Kevin Pagini, Town Planner, dated April 26, 2024, and a memorandum from Erin O’Hare, Environmental Planner to Kevin Pagini, Town Planner dated June 6, 2024.

Scott Shipman, Senior Engineer, Water & Sewer explained the project. They will be replacing an old obsolete pipe to eliminate a significant source of Inflow and infiltration into the sanitary sewer collection system during storms. They have an agreement with Gaylord to replace their lateral. The Town will replace the public sewer to the end of Harnish Lane and extend it another 120 ft. The project is currently out to bid and they expect it to take two months to complete.

Commissioner Rivard asked if any new residences will be linked to the sewer. Mr. Shipman replied no, they are all already tied in. This is actually a future road right of way.

Hearing no further discussion Chairman Seichter called for a motion.

Commissioner Fitzsimmons: According to the Connecticut General Statutes 8-24, Motion to approve the request from the Town of Wallingford, Water, and Sewer Division for a proposed sewer line replacement at Gaylord Hospital because it is consistent with the plans of the Town of Wallingford Water & Sewer Divisions.

Commissioner Kohan: Second

Vote: Kohan – yes; Fitzsimmons – yes; Allinson – yes; Parent – yes; Chairman Seichter – yes.

The application is approved.

4. Sewer Main Replacement project, North Turnpike Rd. at the intersection of Ridgeland Rd.

Commissioner Allinson noted the correspondence for the record. Correspondence included an Inter-Office Memorandum from Scott Shipman, Senior Engineer, Water & Sewer Divisions, to Kevin Pagini, Town Planner, dated May 24, 2024, with an enclosed plan of development.

Scott Shipman, Senior Engineer, Water & Sewer explained the project. The location is on North Turnpike at Ridgeland Road where two sewer mains come together under a manhole. They will run a new sewer main parallel to simplify the connection and clean up the flow. This will involve 120 – 130 ft. of new sewer.

Hearing no further discussion Chairman Seichter called for a motion.

Commissioner Fitzsimmons: According to the Connecticut General Statutes 8-24, Motion to approve the request from the Town of Wallingford Water and Sewer Division for a proposed sewer line replacement on North Turnpike Road because it is consistent with the upgrade plans of the Town of Wallingford Water & Sewer Divisions.

Commissioner Kohan: Second

Vote: Kohan – yes; Fitzsimmons – yes; Allinson – yes; Parent – yes; Chairman Seichter – yes.

The application is approved.

REPORTS OF OFFICERS AND STAFF

5. **Administrative Approvals** – noted as approved
 - a. **100 Center Street, Site Plan Revision, Tracy Malton #208-24**
 - b. **1164, 1174, 1180, 1192, and 1194 North Colony Road, Site Plan Revision, Executive Auto #207-24**
 - c. **95 South Turnpike Road – Oakdale Theater, Site Plan Revision, Tim Lawlor/Lawlor Builders Inc. #209-24**
6. **ZBA May Decisions** – no meeting
7. **ZBA Notice of June 17, 2024** – no comment

ADJOURNMENT

Commissioner Fitzsimmons: Motion to Adjourn the Town of Wallingford Planning and Zoning Commission for Monday, June 10, 2024, at 9:10 pm.

Commissioner Kohan: Second

Vote: Unanimous

Respectfully submitted,
Cheryl-Ann Tubby
Recording Secretary