

Wallingford Planning & Zoning Commission
Regular Meeting
Monday, March 10, 2025
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; J.P. Venoit, Vice Chair; James Fitzsimmons, Regular Member, Jeffrey Kohan, Regular Member; Joseph Sanders, David Parent, Alternate; and Kevin Pagini, Town Planner.

Chairman Seichter noted that Mr. Sanders will be voting tonight.

Chairman Seichter noted that the following agenda items will not be heard tonight.

1. **PUBLIC HEARING – Zoning Text Amendment – Section 6.38 – Middle Housing #901-25 – Continued to April 14, 2025**
2. **PUBLIC HEARING – Zoning Text Amendment – Sign Regulations #902-25 – Continued to April 14, 2025**

Consideration of Minutes – February 10, 2025, Regular Meeting

Commissioner Venoit: Motion to approve the Minutes of Monday, February 10, 2025, Meeting of the Wallingford Planning and Zoning Commission as submitted.

Commissioner Fitz: Second

Vote: Unanimous to approve.

PUBLIC HEARINGS

3. **Text Amendment/Paradise Hills Vineyard – Section 2.2 Farm Winery #501-25**

Commissioner Kohan read the legal notice and noted the correspondence. Application 501-25 – Text Amendment request from Paradise Hills Vineyard to amend the definition of “farm winery” in Section 2.2. Correspondence included letter from Jerry Farrell Jr., Law Office of Jerry Farrell to Chairman Seichter, Planning and Zoning, dated February 10, 2025; memo from Keith Rosenfeld, Nauatuck Valley Council of Governments to the Planning & Zoning Commission, the Town Planner and the Mayor, dated February 24, 2025; email from Dorcas Prior to Kevin Pagini, Town Planner, dated March 3, 2025; letter from Sean and Theresa Doherty to Planning & Zoning Department dated March 3, 2025; email from Kim Gregoire to Kevin Pagini, Town Planner dated March 4, 2025; testimony of Renee H. Miller, Quinnipiac Chamber of Commerce to Planning & Zoning Commission dated March 4, 2025; memorandum from Peter Hornak, Engineer/Planner, Water & Sewer Division, to Kevin Pagini, Town Planner dated February

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25, 2025; email from Torrance Downes, to Kevin Pagini, Town Planner, dated March 4, 2025; email from Jerry Farrell, Jr. to Kevin Pagini, Town Planner dated March 5, 2025; letter from J.H. Torrance Downes, Lower Connecticut River Valley Council of Governments to James Seichter, Chairman, Planning & Zoning, dated March 5, 2025; email from Andrea Harney to Kevin Pagini, Town Planner and Planning & Zoning Commission, dated March 7, 2025; letter from Lisbeth Steen-Hackett and Craig Hackett to Planning & Zoning Department dated March 8, 2025; email from Colleen Makepeace to Kevin Pagini, Town Planner, and Planning & Zoning Department dated March 10, 2025; email from Peter Czerniewski to Kevin Pagini, Town Planner, dated March 10, 2025, letter from Liz Davis to Planning & Zoning Commission dated March 10, 2025; letter from Karen Marrotta, to the Planning & Zoning Commission, dated March 10, 2025; and letter from Mike Miller to the Planning & Zoning Commission dated March 10, 2025.

Jerry Farrell, Jr., Law Offices of Jerry Farrell, Jr., 35 South Main Street, representing the Ruggiero family, Richard Ruggiero, and Brenda Ruggiero, 15 Windswept Hill Road, presented. Atty. Farrell explained the text amendment for farm wineries that would allow additional liquor licenses that are allowed by State statute. This would also align the regulations with the business environment and climate conditions. The weather has tremendously affected farm wineries in Connecticut. Paradise Hills, like other farms, lost a decent amount of their harvest during the hail storm a year ago. He explained that the State and some towns have assisted farm wineries by creating two additional liquor licenses. In the draft amendment, it is mandatory that a Farm Winery must have a Farm Winery liquor license. Then there would be an option to have a Manufacturers Liquor License. This would allow the use of more outside grapes than is currently allowed. He noted that all farm wineries bring in some outside grape juice to supplement their own. This is nothing new. The proposal also gives the licensed Farm Winery the option of having a Craft Café Liquor License which allows them to serve other CT-produced products. This means they could serve wine from other wineries, beers, or spirits from craft distilleries. The other products must be made in Connecticut.

Commissioner Fitzsimmons asked what else the Craft Café license allows. Atty. Farrell replied that legislation created this license 2-3 years ago. It applies to the Farm site. Commissioner Fitzsimmons asked if any other place in Wallingford has this type of license. Atty. Farrell replied maybe distilleries, but he's not aware of one. Mr. Pagini added he is aware of a few businesses in town. Commissioner Fitzsimmons clarified that they would need the Farm Winery License first. He asked if other wineries would benefit if this is passed. Atty. Farrell replied that they could apply for the license.

Commissioner Parent asked if the Craft Café license would result in an additional source of income. Atty. Farrell replied that the Manufacturing license stabilizes Farm Wineries and allows them to use other juice. This is a way to keep this unique industry working in Connecticut. Mrs. Ruggiero stated that Center Street Brewing carries their wine and they can't reciprocate. They would like to be able to support other local businesses. The revenue diversification would help them to stay afloat.

Commissioner Sanders noted that the Commission received many letters in support. This carves out an exception within the zoning regulations. Do we lose the ability to have some control and say over what happens? He agrees it's important to allow property owners to make reasonable use of their property.

He asked about the sentence "Thereafter attempt to grow the same." Atty. Farrell replied that it is there to acknowledge that there may be future farm wineries. The amendment is based on the existing regulation with the word "original" added and that phrase added. He stated that the State gave up trying to pin down a particular percentage. It refers to the people who may come after. Commissioner Sanders asked where this move the zoning regulation if granted. There may be things that we are not considering. Atty. Farrell replied that he focused on the definition and that it is mandatory that they have the Farm Winery License. The Statute limits what additional licenses they can have. Anyone who applies for a liquor license can be opposed at the State level. One acceptable reason is location. Commissioner Sanders asked if a special exemption would be sufficient. Atty. Farrell replied that he focused the amendment on the definitions so that it didn't affect the regulations. He only changed one sentence.

Commissioner Kohan noted that several residents mentioned the 'attempt to grow the same' wording. We want wineries to produce wine. This may give the impression that they don't have to grow grapes at all. He suggested removing that phrase. Mr. Ruggiero stated that over 50% of their juice is grown on their farm. The State standard is 25%. The State came up with the Manufacturers License so if needed they can use more. This opens up more of the market. Mrs. Ruggiero stated that there is a license for an Urban Winery that does not grow grapes or use Connecticut products. She stated that their winery is an asset to the town and they would not do anything that was not on the up and up. There would be no difference in day-to-day operations. Atty. Farrell stated that he was okay with taking out the last sentence. Commissioner Kohan stated that he is okay with the regulation change.

Chairman Seichter noted that the Craft Café License allows the sale of other's products. Atty. Farrell clarified only wine, spirits, and beer that is produced in Connecticut. Chairman Seichter asked about food. He noted that ordinances control events, sound, and restaurants. How would this license affect those restrictions? Atty. Farrell replied that this amendment doesn't enlarge anything for food. He doesn't believe this amendment will affect those restrictions. Mr. Pagini stated the amendment doesn't touch any restrictions. Chairman Seichter asked if the sound, event, etc. restrictions are in the regulations or part of particular applications. Mr. Pagini replied that those are accessory activities permitted as part of Farm Wineries. Chairman Seichter clarified that whatever restrictions are there, they would be still in effect with this license. Mr. Pagini stated that it just allows them to sell more products. Chairman Seichter stated that we should make sure that this license doesn't negate any of the restrictions and that there are no unintended consequences.

PUBLIC COMMENT

Dave Feda, 1308 Scard Road stated that he is a neighbor and added that he has no financial interest in the winery. He urged the Commission to grant the request. The regulations are in conflict and hurt the business. Farm wineries are a treasure.

Mary Feda, 1308 Scard Road added that the recent hailstorm was devastating. It is important to support the Farm Wineries.

Joe Gouveia, 1339 Whirlwind Hill Road stated that he supports the amendment. He noted that many small wineries in the state are for sale or closing. Growing grapes in Connecticut is expensive. Any support is appreciated. He noted that the food trucks don't come because the business is not there. He would like to do private events in the evenings and outside music on his 140 acres but it is not allowed. He would like to be able to provide music, beer, and seltzer. Others already have the Craft Café license. This license would keep people from bringing beer in. Chairman Seichter noted that the application is just for the Craft Café and Manufacturing licenses.

Lisbeth Steen-Hackett, 3 Windswept Hill, noted that she is the closest neighbor and has been for 20 years. She doesn't see that adding local beer is a problem. We should encourage local businesses to work together. She urged the Commission to support the application.

Connor Makepeace, 150 Windswept Hill, stated that he is a neighbor. He loves the passion for farming and Wallingford. This is a residential area. He suggested that maybe the restrictions should be in the text. The Farm should sell farm products. We don't want to lower the bar too much.

Commissioner Fitzsimmons stated that the amendment makes sense. He believes this is the way to go. This was created to allow Farm Wineries to sell more Connecticut-made products. This doesn't open the door to food. He supports the amendment. He added that since it would impact other Farm Wineries in town, he is in favor of returning the application fee.

Chairman Seichter stated that he also supports the amendment. He wants to make sure there are no unintended consequences and make sure the existing restrictions don't go away. Mr. Pagini replied that the existing restrictions do not go away.

Commissioner Sanders asked for confirmation that the wording "Thereafter attempt to grow the same" is removed. Chairman Seichter confirmed consensus on the Commission for the removal of that wording.

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

Commissioner Venoit: Motion to close the public hearing for application # 501-25 Text Amendment/Paradise Hills Vineyard, Section 2.2 Farm Winery.

Commissioner Fitzsimmons: second

Vote: Kohan – yes; Fitzsimmons – yes; Sanders – yes; Venoit – yes; Chairman Seichter – yes.

Commissioner Venoit: Motion to approve application # 501-25 Text Amendment/Paradise Hills Vineyard a zoning text amendment to amend the definition of Farm Winery in Section 2.2 to include allowances for manufacturing and craft café liquor licenses because regulations

better define what is more suitable to the industry and state with the exception of striking “And thereafter attempt to grow the same”.

Commissioner Fitzsimmons: second

Vote: Kohan – yes; Fitzsimmons – yes; Sanders – yes; Venoit – yes; Chairman Seichter – yes.

Commissioner Venoit: Motion to approve returning the application fee to Paradise Hill Vineyards for application 501-25 because it impacts more than the one potential applicant.

Commissioner Fitzsimmons: second

Vote: Unanimous

The application is approved.

SITE PLANS

4. Site Plan Revision (Pedestrian Bridge)/Choate Rosemary Hall/59 North Elm Street, 356 Christian Street, 203 North Elm Street #201-25

Commissioner Kohan noted the correspondence. Correspondence included letter from Kevin Pagini, Town Planner to Choate Rosemary Hall dated February 27, 2025; memo from the Department of Engineering to Planning & Zoning Commission dated February 27, 2025; email from Alison Kapushinski, Town Engineer to Kevin Pagini, Town Planner dated March 4, 2025; Interoffice memorandum from Peter Hornak, Engineer/Planner, Water & Sewer, to Kevin Pagini, Town Planner, dated February 25, 2025; memo from Philip Youker to Wallingford Planning & Zoning dated March 5, 2025; email from Dennis Ceneviva, Ceneviva Law Firm to Kevin Pagini, Town Planner and the Law Department dated March 7, 2025; email from Robert Halk, Student Body President to the Planning & Zoning Commission and Town Planner, dated March 7, 2025; letter from Victoria DeVito to Wallingford Town Council; email from Jennifer M.F. Hillgen-Santa, Esq. to Kevin Pagini, Town Planner dated March 7, 2025; email from Anthony Parent to the Town Planner dated March 7, 2025; email from Ray Mungo to the Zoning Office dated March 7, 2025; email from Donald Altschuler to Kevin Pagini, Town Planner dated March 7, 2025; email from Mike Kolakowski to Kevin Pagini, Town Planner dated March 10, 2025 and Bridge Easement Agreement from the Corporation Counsel.

Patrick Durban, CFO, Choate Rosemary Hall, Atty. Dennis Ceneviva, Ceneviva Law Firm, 721 Broad Street, Meriden, and Daren Overton, Project Engineer from SLR Consulting presented the application.

Atty. Ceneviva explained the request for a pedestrian bridge to meet concerns with pedestrian and vehicle safety. Preliminary steps have been completed including the air easement and the change to the Walkway zoning regulation. He thanked the Town Staff for their input.

Mr. Overton showed the location of the bridge, and the pedestrian walkways and explained the low-impact development principles used. The linear connection and bridge will connect the formal parking lot at Colony Hal and the athletic fields across Christian Street. This will eliminate the need to cross at grade. The bridge will be timber construction with an elevated boardwalk. Instead of a stormwater basin, they will use porous asphalt for the access driveway which allows infiltration. They are using low-impact development which is a greener solution. They met with the Town Engineer who agreed it was a good approach. The wooded areas will block the view of most of the elevated walkways. The abutments will be 18 – 20 feet away from the road, which meets State DOT guidelines.

Commissioner Kohan stated that he had no issues, but asked if this was the final design. Mr. Overton stated that the bridge would be very close to the rendering. Just minor detailing may be different. It will have a wood beam with black metal railings as it is depicted. Commissioner Kohan asked if there would be benches on the bridge. Mr. Overton replied, no. It will be a clear walkway. Commissioner Kohan asked if there would be signage. Atty. Ceneviva replied that they would comply with all sign regulations. Perhaps there will be some sort of memorial plaque identifying the pedestrian bridge, but no banners.

Chairman Seichter stated concern that there is no signage on the bridge. It is very attractive as it is. Mr. Durban noted that the final design of the railing is not yet done but there is no signage planned for the bridge. He agreed with Chairman Seichter that it would be inappropriate.

Commissioner Fitzsimmons asked about lighting. Mr. Durban replied that there is campus lighting related to the walkway and downlights on the abutments. Commissioner Fitzsimmons asked if the height was in line with the DOT requirements. Mr. Overton replied yes. Commissioner Fitzsimmons asked if there were comments from the Fire Marshall indicating the fire equipment would fit under the bridge. Mr. Pagini replied that the Fire Marshall had no comments. Mr. Overton stated that the DOT standards are based on the largest vehicle allowed in the state. Commissioner Fitzsimmons asked about the additional comments requested by the Town Engineer and Water & Sewer. Mr. Pagini noted the responses from the Town Engineer and Water & Sewer. Commissioner Fitzsimmons asked about fencing on both sides of the street under the bridge to discourage street crossing. Mr. Durban agreed if it is necessary. The intent is that no one crosses at grade. They are putting a fence and berm on the north side.

Commissioner Sanders asked if the lighting would be sufficient for crossing the bridge at night. Mr. Durban replied that he was confident that there would be enough. Mr. Overton replied that the poles are 14 ft high so there will be no dark spots. Commissioner Sanders noted that the porous asphalt is a great idea.

Chairman Seichter asked if there is an option of adding low (close to the ground) lighting on the bridge. He also asked about snow and ice removal. Mr. Durban replied that they would remove the snow to avoid icicles. They currently clear miles of walkways in their normal maintenance. Chairman Seichter noted a concern with speeding. He asked if they considered working with the Police Department to get

a permanent flashing speed sign. Mr. Durban replied that they are already talking about purchasing one and will coordinate with the Police Department.

Commissioner Fitzsimmons asked if a height clearance sign is required. William Wright, 510 North Main Street, stated that the State vehicle height maximum is 13' 6". This bridge will be 17 ft. A sign is only required if it is lower than 13' 6". Commissioner Fitzsimmons asked about banners or permanent signs on the bridge due to the air rights granted by the town. Chairman Seichter noted that it is an attractive bridge and he'd rather not see signs and banners. Atty. Ceneviva noted that the easement document had nothing on signage. Mr. Durban stated that they would not be hanging things from the bridge. Chairman Seichter stated that this would be a condition of approval. Mr. Durban agreed.

PUBLIC COMMENT

None

Hearing no public comment, Chairman Seichter called for a motion on the application.

Commissioner Venoit: Motion to approve application #201-25 Choate Rosemary Hall Pedestrian Bridge for a site plan approval request for Choate Rosemary Hall to construct a pedestrian bridge over Christian Street on plans entitled "Site Plan Layout and Landscaping" dated February 7, 2025, and revised to March 5, 2025 subject to the following conditions:

- 1. Comments from the Water & Sewer Division dated February 25, 2025;**
- 2. Comments from Town Engineer, Alison Kapushinski, dated February 27 and March 4, 2025;**
- 3. Comments from Kevin Pagini, Town Planner, dated February 27, 2025;**
- 4. Inlet protection to be installed for catch basins in Christian Street;**
- 5. An excavation permit is required from the Department of Engineering for any work within the right of way;**
- 6. Erosion and sediment control bond in the amount of \$4,500.00;**
- 7. Six (6) copies of final plans forwarded to the Planning & Zoning Office;**
- 8. Fencing is to be placed on both sides of the bridge on Christian Street; and**
- 9. No banners on the bridge.**

Commissioner Fitzsimmons: Second

Vote: Kohan – yes; Fitzsimmons – yes; Sanders – yes; Venoit – yes; Chairman Seichter – yes.

The application is approved.

CGS 8-24

- 5. Town Purchase of 352 Main Street, Yalesville**

Mr. Pagini explained the request. The Town wants to purchase 352 Main Street in Yalesville. It abuts the Linear Trail. There are no plans yet for the property. The Town will come back with a Site Plan for approval. The plan is contingent on Wetlands approval.

Commissioner Kohan noted that he understands that the intent is to put parking there to allow pedestrian access to the trail.

Hearing no further comment, Chairman Seichter called for a motion on the application.

Commissioner Venoit: Motion to approve the Town purchase of the property at 352 Main Street, Yalesville through CGS 8-24 because it will be an extension of the Quinnipiac Linear Trail from Firewood Island to Rt. 150.

Commissioner Fitzsimmons: Second

Vote: Kohan – yes; Fitzsimmons – yes; Sanders – yes; Venoit – yes; Chairman Seichter – yes.

The application is approved.

BOND RELEASE

6. Galarrage – 110 North Plains Industrial Road

Mr. Pagini explained that the bond was not ready to be released.

REPORTS OF OFFICERS AND STAFF

7. **Administrative Approvals** – noted as approved
 - a. **219 & 227 Church Street/38 Ware House Point Rd. LLC.**
8. **ZBA February Decisions** – no comment
9. **ZBA Notice of March 17, 2025** – no comment

ADJOURNMENT

Commissioner Venoit: Motion to Adjourn the Wallingford Planning and Zoning Commission for Monday, March 10, 2025, at 8:55 pm.

Commissioner Fitzsimmons: Second

Vote: Unanimous

Respectfully submitted,
Cheryl-Ann Tubby

Recording Secretary

