



Town of Wallingford, Connecticut

APPLICATION NO.: 505-20

APPLICATION FOR ZONING REGULATION CHANGE

NAME OF APPLICANT: Steve Knight and Jerry Farrell, Jr. DATE: 11/22/2020

MAILING ADDRESS: 64 North Elm St. PHONE: 203 774 5002
Wallingford, CT. 06498

E-MAIL ADDRESS: jerryfarrell68@gmail.com

Section to be removed:

Proposed new section: Article VI, Section 6.26, D (Exemptions)
[new] 3. Uplighting of the steeple of any church,
synagogue or mosque built prior to 1940.

(Attach additional sheet if necessary)

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NOV 25 2020
WALLINGFORD
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Jerry Farrell, Jr.
Applicant's Signature
Jerry Farrell, Jr.

Company Name (if applicable)

For Official Use Only:

Date Application Submitted: 11/25/20

Filing Fee Paid: \$ 550-



Town of Wallingford, Connecticut

JAMES SEICHTER
CHAIRMAN-PLANNING & ZONING COMMISSION

KACIE A. HAND, A.I.C.P.
TOWN PLANNER

WALLINGFORD TOWN HALL
45 SOUTH MAIN STREET
WALLINGFORD, CT 06492
TELEPHONE (203) 294-2090
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December 28, 2020

505-20A

Steve Knight and Jerry Farrell
64 North Elm Street
Wallingford, CT 06492

RE: Zoning Text Amendment #505-20
Section 6.26.D. Exemption from uplighting prohibitions for certain religious institutions.

Gentlemen:

This office has the following comments/questions regarding the submitted application:

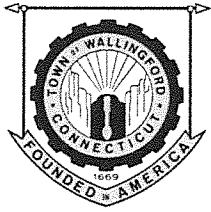
Due to the lack of supporting documentation the rationale for the proposed language is not clear. For example:

1. What is the significance of the 1940 building date?
2. Why exclude newer buildings?
3. How many existing religious institutions would this exemption apply to?
4. Would this mean that a new religious use in a pre-1940 building would be exempt?
5. The term steeple may apply to structures that are part of houses of worship built much later than 1940. Why would they not be included?
6. Some indication of why uplighting for any towered and/or spired structure associated with a non religious use is not proposed as an exemption should be considered.

Please contact this office to discuss these comments further.

Regards,

Thomas Talbot
Planner



Town of Wallingford, Connecticut

JAN - 7 2021

WALLINGFORD
PLANNING & ZONING

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GERALD E. FARRELL, SR.

ASSISTANT TOWN ATTORNEY
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JANIS M. SMALL

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MEMORANDUM

TO: Thomas Talbot, Planning and Zoning Department

FROM: Janis M. Small, Corporation Counsel

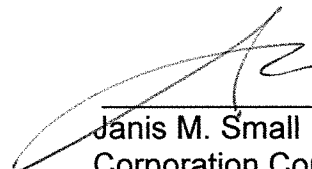
RE: Application 505-20: Section 6.26

DATE: January 6, 2021

You have asked me to comment on the proposed amendment. I do not understand the significance of the requirement that the church must have been built prior to 1940. Why are those churches allowed to uplight their steeple but not others? The Applicant should address this. Without a rational explanation, it appears to be an arbitrary distinction raising questions of possible discrimination.

The Commission should consider the reasons it has prohibited uplighting when considering the application. The section now allows limited exemptions. If the churches are in residential zones, consider any issues this could create for the residential neighborhood.

If the Commission deems this additional exemption appropriate, it should address the date restriction and avoid arbitrarily denying the exemption to others in the same category.



Janis M. Small
Corporation Counsel

JMS/bjc