

**Wallingford Planning & Zoning Commission**  
**Monday, July 12, 2021**  
**Remote Meeting**  
**MINUTES**

Chairman Seichter called the meeting to order at approximately 7:00 p.m.

**Pledge of Allegiance** was recited by all.

**Roll Call:** Present: James Seichter, Chairman; JP Venoit, Vice-Chair; James Fitzsimmons, Regular Member; Jeff Kohan, Secretary; Jaime Hine, Alternate; Steven Allinson, Alternate; Kevin Pagini, Town Planner; Thomas Talbot, Planner; Amy Torre, Zoning Enforcement Officer.

Absent: Regular Member; Rocco Matarazzo, Armand Menard, Alternate.

**Consideration of Minutes – June 14, 2021**

Chairman Seichter noted a correction. The first line needs to be changed to “Chairman Seichter called the meeting to order at approximately 7:05pm.”

**Commissioner Fitzsimmons: Motion to accept the Planning and Zoning Minutes of the June 14, 2021 meeting as amended.**

**Commissioner Kohan: Seconded**

**Vote: Unanimous to approve with Commissioner Venoit abstaining.**

Chairman Seichter reviewed the remote meeting protocol and noted that the following agenda items will not be heard this evening at the request of the applicants.

2. Public Hearing: Special Permit/1070 North Farms Road, LLC/1117 and 2 Northrop Road (Continuation)
4. Public Hearing: Zoning Text Amendment (§4.9.B.(10) & 6.11(C) /Small Animal Surgical Services of CT, LLC #501-21
5. Old Business: Site Plan/6 Research, LLC/4A Research Parkway #210-21

**PUBLIC HEARINGS**

**1. Special Permit (Warehousing)/Montante Construction/5 Research Parkway (CONTINUATION) #401-21**

Commissioner Allinson noted all correspondence received since the last hearing. Email dated June 14, 2021, from Emma Mendillo to Kevin Pagini; email dated June 14, 2021, from Susan Durant to Kevin Pagini; email dated June 14, 2021, from Jane Wronka to Kevin Pagini; email dated June 14, 2021, from Robert DeMaio to Kevin Pagini; Memo dated July 1, 2021, from Department of Engineering to Planning and Zoning Commission; email dated June 17, 2021, from Bill Piantek to Kevin Pagini; email dated June 21, 2021, from Chief William Wright to Alison Kapushinski, Town Engineer; letter dated June 22, 2021 from Thomas Cody, Robinson & Cole, to James Seichter, Chairman, Planning and Zoning; memo dated June 22, 2021, from Michael Gudelski, Fire Marshal to Kevin Pagini, Planning & Zoning; Inter-Office Memorandum dated June 23, 2021, from Kevin Pagini, Town Planner to Janis Small, Corporation Counsel; letter dated June 29, 2021 from Kevin Pagini, Town Planner, to Byron DeLuke, Montante Construction; Memo dated June 28, 2021, from Michael Gudelski, Fire Marshal to Kevin Pagini, Town Planner; correspondence dated

June 30, 2021, from Ken Lloyd, President of the Wallingford Community Farmers Group to PZC; memorandum dated June 30, 2021, from Janis Small, Corporation Counsel, to Kevin Pagini, Town Planner; email dated July 6, 2021, from James and Carol Mikulski to Kevin Pagini; correspondence dated July 6, 2021, to the members of the Planning and Zoning Commission; Inter-Departmental Referral dated March 8, 2021 from the Fire Marshal; letter received July 7, 2021, from Thomas & Joan Marshall to Jim Seichter, Chairman Planning & Zoning; letter dated July 7, 2021, from Jeffrey Dewey, BL Companies to Kevin Pagini, Town Planner; Interoffice Memorandum dated July 8, 2021, from Scott Shipman, Junior Engineer, Water & Sewer Divisions to Kevin Pagini, Town Planner; email dated July 9, 2021, from Don Brennan to Kevin Pagini; letter dated July 9, 2021 from Christopher van Zanten, VN Engineers, Inc., to Kevin Pagini, Town Planner; multiple proposed development plans; Permit document for proposed development; letter from Montante Construction to Town Planner dated June 23, 2021; Correspondence from Benjamin Mueller, Ostagaard Acoustical Associates dated June 18, 2021; correspondence from Jeffrey Dewey, BL Companies to Alison Kapushinski, Town Engineer, dated June 21, 2021; correspondence from Jeffrey Dewey, BL Companies to Erik Krueger, Senior Engineer, Water & Sewer, dated June 21, 2021; Traffic Analysis Addendum number 1 received June 24, 2021; correspondence from Michael Dion, BL Companies, dated June 22, 2021; colored plans received June 24, 2021; black & white topographical and satellite image titled Eastern Site Line Exhibit, received June 24, 2021; Storm Water Management Summary Report, received June 24, 2021; email from Ann Lee dated July 10, 2021; email from D Stuckey, dated June 15, 2021; correspondence from the Fire Marshal dated July 9, 2021; letter from BL Companies to Kevin Pagini dated July 12, 2021; letter from BL Companies to Kevin Pagini dated July 12, 2021 regarding VN Engineering's Peer Review; Interoffice Memorandum dated July 12, 2021, from Water & Sewer Divisions; and a map revision received July 7, 2021 regarding the gated holiday closure.

Byron DeLuke, Development Director for Montante Construction at 2760 Camera Avenue, Tonawanda, NY, introduced the team: Brian Smith, Attorney with Robinson & Cole; Jessica Schumer, Brad Griggs and Michael Keleher with Amazon; Michael Dion, Chris Gagnon, Jeffrey Dewey, Wayne Violette of BL companies, and Ben Mueller with Ostagaard Acoustic Associates. Mr. DeLuke stated that their presentation will focus on responses to comments from the last hearing and to detail the site plan changes. He noted that the team has tried to listen and respond to all comments and concerns. He pointed out three main changes leading up to the June 14<sup>th</sup> meeting: vehicle access at Carpenter Lane has been eliminated; they reduced the number of parking spaces by 239 spaces and enhanced the landscape plan with 150 evergreens. In response to comments received at the June 14<sup>th</sup> hearing, from the town and the traffic peer reviewer, he reported on several areas. They reviewed the site plans with local emergency services who determined that the Carpenter Lane emergency access is acceptable and consistent with their design standards. They added a sound wall around the truck court to mitigate concerns with truck noise. Regarding the revised peer review of the traffic study, which included questions on the CT DOT (OSTA) review process, they provided a formal response. Regarding the correspondence from the Town Planner and the Water & Sewer Department, they will explain their responses on the technical aspects that were provided in formal responses. They agreed to block off 350 van parking spaces for peak holiday season/Prime event parking only in the southern portion of the lot, which is closest to the residential area. He noted in an updated rendering that showed these changes.

Jessica Schumer, Economic Development Manager for Amazon, explained that they will use a physical barrier to block off the 350 seasonal parking spaces except for the 35 days of their holiday peak which is November 1 – February 1 plus about 4 days for Amazon Prime days.

Ben Mueller, Ostergaard Acoustical Associates, gave a summary of his sound study and stated that the project meets state and local codes and blends with the existing ambient sound in the area. He stated that there will be heavy trucks intermittently at night but would have no negative impact. To mitigate concerns with truck noise, they have added an optimized sound barrier around the truck court which will be 450 ft long and 14 ft high. He noted that tractor-trailers are 13.5 ft high. This wall will be sufficient to block the truck noise. He noted that this causes a 4-6 dB reduction in noise to the East, which is a noticeable improvement.

Chairman Seichter asked if the 1-3 trucks an hour reflect the steady-state or the peak season. Mr. Mueller replied that his model accounts for the worst-case condition. He stated that at peak, more hours will be at the maximum, so it's not a busier hour but more of those hours. Ms. Schumer added that 3 trucks an hour are the maximum even during the peak season.

Jeffrey Dewey, PE, BL Companies explained how they determined the site lines for the Carpenter Lane /Research Parkway intersection and Research Parkway through traffic. He noted that a small amount of clearing may be necessary. It is up to the Commission to determine if these areas need to be cleared. He also noted that it is a 4 way stop intersection.

Michael Dion, PE, PTOE, BL Companies, 355 Research Parkway, explained that traffic during steady-state (2056 trips a day) will be similar to a typical Starbucks which generates 1969 trips a day. He explained that they reviewed the Peer Reviewer's comments and most were minor clarifications. He stated that the peer reviewer generally agrees with the analysis. He noted that the peer reviewer recommended that the Town stay involved with the OSTA process through the local traffic authority. Mr. Dion stated that the Policy Chief would be involved in step 2 with OSTA. He reviewed the recommended improvements including the roadway width adjustment and line striping for the right turn off Rt 68 onto Research Parkway. This is already approved by the DOT. He also noted that they will reactivate the light and stop bars at the site entrance. He reviewed the I91 North off-ramp improvements that they have proposed to OSTA. He added that the Carpenter Lane access and egress for emergency vehicles has been narrowed and a second access gate was added. This was all vetted by the Fire and Police departments.

Commissioner Fitzsimmons referred to the comment that the Town Traffic Authority would work with OSTA and if the applicant will work with OSTA on the striping and signage, and asked why are they not working with the Commission. Mr. Dion replied that the concept needs to be worked through with OSTA. Commissioner Fitzsimmons asked for clarification that to get through OSTA the applicant needs to go through the Town. Mr. Dion agreed. Commissioner Fitzsimmons noted that Amazon has a building at South Cherry Street, which was approved with the condition of a timing adjustment to the signal at Rte 5 and John Street. But the adjustments have not happened. Is that what can be expected for this intersection? Mr. Dion stated that this is a three-step process and is different from the Cherry Street

facility. Town has more involvement from the Local Traffic Authority. He suggested that if they have not heard from OSTA on South Cherry Street, the local traffic authority should follow up. They are very responsive. Commissioner Fitzsimmons asked about the OSTA process. If the application receives P&Z approval, it does not come back to P&Z, just to the traffic authority. Mr. Dion replied that that is correct.

Mr. Dewey shared an overlay of the impervious surfaces showing the difference between the previous Bristol Myers Squibb (BMS) facility and the current application. He noted that BMS had 25.6 acres of impervious surface and the proposed site will have 41.4 acres, which is an increase of 15.7 acres. He explained how this is balanced out by providing substantially more open space than is required by zoning and using much less than the maximum site coverage. He explained that the robust stormwater management system is a big improvement over the BMS site. Their system will decrease the peak runoff rate and volume of runoff leaving the site. The proposed stormwater management system meets and exceeds CT DOT, DEEP, and Wallingford Watershed Protection District requirements. It is protective of sensitive environmental areas. There will be multiple levels of high-quality water quality treatment features as well as an increase in the number. He gave a high-level overview of the system. He noted that all paved areas will be directed through the water quality structures. Their system will treat the water quality three times while the requirement is one.

Attorney Brian Smith explained how the application is consistent with the criteria for evaluating a special permit in section 7.5.B. He reviewed how they meet the appropriateness of the location and use criteria. He explained their conformance with laws, regulations, and ordinances. Regarding the definition of the term Warehouse, he noted that the Town Attorney stated that this is the same kind of use as was approved use for the South Cherry Street facility. This is a warehouse use that is accepted in this district and consistent with the plan of development. He also noted that this is a clean facility with environmental protection features including conservation easements.

Mr. DeLuke closed the presentation stating that the applicant believes that the application is now consistent with all the decisional criteria for a special permit. They have tried to be very responsive to the Town's concerns. He noted that this is a redevelopment of a previously developed site, is an allowed use, and complies with zoning regulations. They have received approval from Inland Wetlands and the project has had several extensive peer reviews. The traffic will have no significant impact on the area roadways. He concluded that they believe it will be in harmony with the character of the neighborhood. He respectfully asked for approval.

Christopher van Zanten, VN Engineers, the traffic peer reviewer, stated that he had provided a subsequent peer review since the last hearing and just received the revised traffic study addendum and plans from BL Companies. Key findings from the peer review included a question on the number of parking spaces and that the applicant received approval of traffic volumes from OSTA as part of step 2. The applicant made revisions and corrections to figures and tables based on the previous review. He noted that the Build Condition largely remained the same regarding improvements offsite. One big proposed change is signal-focused, primarily cycle length revisions and timing adjustments. Mr. van Zanten noted some areas where queues will exceed available storage, by even more during the holiday periods. The most notable

movement is eastbound through at the I-91 southbound exit 15 off-ramp. This is key because in the No-Build condition it already exceeds available storage. For the off-ramps, the queues are smaller and there is space though it's not ideal. They provided the needed clearance interval calculation corrections, but it won't make a big difference. He noted that one of the OSTA requirements in step 2, is for any movement where control delay is increased by 15 seconds, they need to provide offsite mitigation or detail why it's not possible. They noted two movements in average weekday operations where the delay increased over 15 seconds. He noted that the eastbound thru at I91 southbound exit 15 off-ramp will increase by 18.5 seconds. The Exit 15 off-ramp at I91 Northbound the delay will be 21.2 seconds. This is because of the proposed middle lane change to left through right. They will need to be prepared to discuss this with OSTA. He questioned the use of 45 mph speed on Research Parkway because he couldn't find a record of the posted speed limit there. He asked if they were proposing to change the speed limit there. He noted that the proposed site line clearing is conservative. He noted concerns with the Rt. 68 I91 on and off-ramps in the previous review. His concern is that people will get trapped in the middle turn lane resulting in accidents. OSTA will look at that. One key point he noted is that OSTA doesn't require a peak holiday season analysis. So if the improvements are based on a holiday peak season analysis they may not require them. He noted that cycle length revisions at other intersections were not analyzed and the DOT may require it. The cycle length revisions proposed need to apply to mid-day peak and weekday PM peak hours as well. The Holiday analysis shows more impacts on movements. The Eastbound through and southbound left increased queues that exceed storage slightly. The I91 northbound left at the exit 15 ramp increases by 4 car lengths during the PM peak and the northbound right at exit 15 would also increase by 3 car lengths beyond available storage. Generally, those queues can be accommodated without backing up into through traffic. In the Holiday analysis we see eastbound thru movement at exit 15 south with a 41 seconds delay, the Westbound left has an additional delay of 35 seconds, the northbound thru at the off-ramp will increase by 35 seconds, the Eastbound left turn onto Research Parkway increase by 25-second delay and the southbound left and through movement at Research Parkway will have an additional delay of 26 seconds. He noted that OSTA will only look at the average weekday analysis. The Town needs to know that there will be additional delays. Northbound movement at Research and Carpenter operates at a level E currently. The applicant did update the accessible parking to 23 spaces and worked with local emergency services on the emergency entrance. He stated that the analysis the applicant presented is representative of the conditions to be expected of the facility. Mr. van Zanten recommended that the Town remain involved in the process as much as possible with the Local Traffic Authority.

Commissioner Fitzsimmons asked Mr. van Zanten if in his experience there are other opportunities to be involved in the OSTA process other than the Local Traffic Authority. Mr. van Zanten replied that you need to go through the local traffic authority. The public can complain to OSTA. Commissioner Fitzsimmons stated that he is concerned about the applicant's response to Mr. van Zanten's letter. He quoted from comment #16 on page 6, "BL Companies will work with OSTA to come up with solutions that are acceptable to the department." He asked why they are not presenting them to this Commission. Mr. van Zanten replied that movement in the no-build condition is operating at the D/E level with a 54.3-second delay. With additional vehicles and no timing adjustment, the delay increases to 56.5 seconds. With timing adjustments to cycle lengths, the delay increases to 66 seconds. He noted that other movements are

sacrificed and stated that they should revisit them. Commissioner Fitzsimmons noted that all the lights are synchronized already. Mr. van Zanten stated that all cycle lengths are coordinated now. You would need to take time away from one to help the other movements.

Commissioner Kohan asked if Mr. van Zanten's comments today were based on the document received today or on an earlier response. Mr. van Zanten stated that he is looking at the latest revision but would like to look at it in more depth. Commissioner Kohan stated that he hasn't seen this latest memo. He referred to the June 11<sup>th</sup> peer review and questioned the number of inconsistencies. He referred to question 17, stated that Research Parkway deteriorates from D to E which is a concern. The Town needs to be part of the OSTA process. Regarding striping, the Town's Engineering Department also commented that it would be unwieldy. He asked if there is any mitigation or if that is the best solution. The OSTA resolution should be done before the application is approved. He referenced question 25, page 10, about holiday build volumes. There was not a response that indicated whether it would affect traffic flow. Mr. van Zanten replied that those volumes have been corrected and didn't make much of an impact. He noted that generally, things improved with the optimization that the applicant did. Commissioner Kohan referred to question 27 about the speed limit. Mr. van Zanten replied that based on the current memo, it doesn't sound like they are proposing increasing the speed limit. Mr. Dion noted that they are not proposing a change and that the signs north of Carpenter Lane show a 45 mph limit. Commissioner Kohan referenced question 32 which states that the left-turn movement degrades during the weekday PM peak. The response didn't provide a solution. He asked if there is an update. He also noted that for questions 33 and 34 several analyses were conducted but there was no response as to the result. For question 35, the holiday conclusion, it says improvements were attempted but gives no analysis or answer to the question. He asked how many days of the holiday season is Amazon Prime Day. Mr. Dion replied that the responses are in the revised report that was reviewed by Mr. van Zanten. He added that some movements improved while some worsened. Mr. Dion stated that prime day is included in the Peak holiday analysis which used the ultimate capacity for the station. Mr. Van Zanten referenced the June 11<sup>th</sup> review and replied that they did address the level of service degradation mentioned in Question 33 and that it stays the same. For question 32, it is currently operating at the threshold, with timing adjustments it improves to a D. For Question 35, there are additional movements that operate at undesirable levels of service during the holiday peak.

Commissioner Hine commented that the commission needs to receive the information sooner. He stated that Mr. van Zanten was retained to provide a peer review of the applicant's traffic study and report back on the effects of the project. He referred to the July 9 report which has several points and issues for the Commission to consider. The applicant presented tonight that there is no significant impact on the roadway network as a result of the project. Commissioner Hine asked Mr. Van Zanten if he agreed. Mr. van Zanten replied that for the average weekday operation some delays can be expected with a development like this. The Peak hour doesn't seem too bad. Holiday season delays are more of a concern. Practically speaking, there is adequate queuing space. It's a matter of how much delay the town is willing to live with. Generally, a level of service D or E is acceptable. Commissioner Hine asked for Mr. van Zanten's expert opinion on the effect of this project on the traffic flow in this area. Mr. Van Zanten replied that he feels that there will be additional delays. The town would need to decide if they are willing to live

with the additional delay. Commissioner Hine asked if E and F levels of service are undesirable. Mr. Van Zanten agreed and explained that a signalized intersection is at capacity when it is at the upper threshold of level E. Commissioner Hine asked if E or F would mean gridlock. Mr. Van Zanten replied that upper-level E would be gridlock. Commissioner Hine if there were any intersections at those levels in the analysis. Mr. van Zanten replied that the Rt 68 eastbound through movement at the off-ramp and the westbound left at that location and the southbound thru left movement at Research Parkway during the PM peak. Commissioner Hine asked if he had concerns with the proposal for the center lane in the I 91 northbound off-ramp to be changed to left and right turn. Mr. van Zanten stated that he was concerned that OSTA not would accept that. Commissioner Hine asked how the analysis is affected if OSTA does not approve that change. Mr. van Zanten replied that it would revert to build without improvements condition. He added that they could do some optimization to the signal timing, but the intersection is currently at a level of service E. Commissioner Hine asked the applicant if they had done any computations as to how many trips this size Amazon facility would have handled 10 years ago. Ms. Schumer explained that these facilities did not exist 10 years ago. They started using last-mile delivery systems about 5 years ago and it's changed dramatically since then. Commissioner Hine asked how many trips they would have handled 5 years ago. Ms. Schumer stated that this is a totally different facility. They have learned from their legacy sites and improvements include moving the deliveries to non-rush hour periods and to keeping the vans on site. The site will be state of the art. She explained that if they need more capacity, they will open another site, not run more through this site. Commissioner Hine asked why they need 17 loading docks when there are only 3 trucks per hour overnight. Ms. Schumer replied that about 80% of the trucks will be arriving overnight with no more than 3 trucks per hour. Drivers leave the trailer and take empty ones away. There can be several trailers waiting to be unloaded. During the day the trailers build up and are unloaded overnight. There will be full and empty trailers sitting there.

Commissioner Allinson noted that the applicant and the peer reviewer used different trip generation models and asked if it makes a difference. Mr. Dion replied that ITE is the trip generation model, but they used client-provided data. Mr. Van Zanten stated that ITE is typically used for trip generation rates. The applicant used tenant-specific data typical for Amazon. In this case, their numbers are much higher than what would expect from ITE. They show more trips and more impact than a typical warehouse. Commissioner Allinson noted that OSTA doesn't consider holiday peak traffic generation. He asked if an intersection goes from a D to F with holiday traffic, would OSTA make any changes? Mr. van Zanten replied that they don't require holiday traffic numbers, so they wouldn't know it was going to be an F. He did say that the data and concerns could be presented. Mr. Dion added that's why the local traffic authority should be involved with the OSTA process. He stated that they are willing to share the holiday numbers with OSTA. Mr. van Zanten stated that OSTA could listen to the holiday numbers or ignore them.

Commissioner Hine referred to the June 23<sup>rd</sup> letter from Montante Construction to Kevin Pagini. He asked about the potential condition of approval suggested by the applicant to limit the number of vans to 400 per day during non-peak periods. They also offered to conduct a traffic count twice a year during non-peak periods. If there is an increase of 20%, it would trigger a reassessment by the Planning and Zoning Commission. He asked if this is being proposed. Atty. Brian Smith replied that that suggested condition is superseded by discussions with Town staff, Montante, and Amazon. Instead, they came up with the

concept of limiting the vans with a physical barrier to block off 350 spaces except for peak periods. Mr. Pagini noted that it would have been difficult to monitor the original proposal and it would have meant zoning violations. Limiting the vans on site is easier to monitor and enforce. Commissioner Hine noted that there has been little discussion of flex drivers and how those vehicles are monitored. Mr. Pagini replied that it is more enforceable to limit the parking. Commissioner Hine stated he has concerns with traffic and monitoring the traffic.

Chairman Seichter asked if a queue that goes beyond 4 cars is not a concern. Mr. van Zanten replied that it is a concern if storage isn't there. He noted that storage doesn't count the taper lanes on off-ramps. It is not ideal, but you don't want to back up into the travel lane. Chairman Seichter asked where the queue length ends. Mr. Van Zanten shared a Google earth photo of the I91 exit 15 northbound ramp and explained that it begins where the lane is fully developed. Chairman Seichter asked if there were other options for the northbound ramp since the change to the turning lanes could cause problems. Mr. van Zanten stated the intersection would drop to a level F in the build condition. He added that widening might be an option. Mr. Dion stated that in their analysis the intersection would be a level E in the holiday peak but that they will work with OSTA and the local traffic authority. He stated that they will share the holiday analysis with OSTA. Chairman Seichter noted that the local traffic authority does not have ultimate control, because it is up to OSTA to agree with and approve the solution for improvements. Mr. Dion replied that he met with OSTA, developers, and the local traffic authority to discuss a similar situation. They are willing to work with Towns to come up with solutions. Chairman Seichter stated a concern that the ultimate authority is OSTA and not the town. He asked Mr. van Zanten to review the applicant's responses to the peer review and to comment later in the meeting.

Commissioner Fitzsimmons asked if police and fire have signed off on the lockbox proposal for the Carpenter Lane emergency access and who would have the keys. Mr. Pagini stated that he has not spoken with the Fire Marshal, but believes they signed off on the emergency access plan. Mr. DeLuke replied that Fire and Police have seen the design detail and signed off. He confirmed that there will be a lockbox.

Commissioner Kohan referred to the June 21<sup>st</sup> memo from Jeffrey Dewey to the Town Engineer. Item 3 mentions bedrock and using mechanical methods and/or blasting. They state that the Commission may consider conditions to abate or minimize noise and/or dust. He asked if they will monitor wells in the area as well. He suggested that that be included as a condition. Mr. Dewey replied that monitoring wells would be part of the pre-blast survey, which is the standard protocol if blasting is required. Chairman Seichter noted that the Town Engineer asked if there is a plan in place to minimize noise and dust caused by blasting. Robert Peters of Montante Construction stated that they are reviewing how much blasting is required. There will be a pre-blast survey and they will try to do as much as possible with mechanical means. If there is blasting, they will cover blasting locations with rubber mats and as well as do seismic monitoring on-site and off-site in the High Hill neighborhood.

Commissioner Hine referred to the first revision of the sound study Appendix. He asked for a similar graph based on the anticipated sound created by the site activity at those locations. Mr. Mueller replied that theoretically he can do that but because of the sporadic activity of the trucks nothing off-site will be



heavily impacted. Commissioner Hine stated that it would have been useful, even if it showed no difference. Mr. Mueller stated that he showed the worst case compared to existing conditions. The modeling shows the maximums. Commissioner Hine stated that he likes the addition of a sound wall. He asked about the material the sound wall is made of. Mr. Mueller replied that the product is AIL Silent Protector, 4" thick wall. It is solid PVC vinyl filled with mineral wool that absorbs sound. Commissioner Hine asked about the useful life of the mineral wool. Mr. Mueller replied that it is comparable to fiberglass and is routinely used for environmental products.

Commissioner Allinson noted that the plan approved by the Inland Wetlands Commission was different from the plan now. He asked if it has to go back for approval. Mr. Pagini replied that he heard from Inland Wetlands and the changes were considered. They reported that their condition #1 has been satisfied. Commissioner Allinson noted that the applicant stated that the site of impervious pavement is going to be about the same as was there previously. He referenced the Water & Sewer memo dated today that says it has approximately 61% more impervious area than the existing condition. Mr. Dewey replied that they never said it was the same impervious area. They shared a comparison earlier this evening. Commissioner Allinson stated that Water and Sewer is correct. Mr. Dewey replied that is correct and explained how it will be balanced by robust water quality controls. Chairman Seichter noted that the chart does show an increase though it is less than what was originally proposed.

Chairman Seichter commented on the 350 van parking spaces being restricted except for 3 months. He noted that the Town Planner proposed November 15 through January 15. He asked how mobilization relates to needing more vehicles on the site. He also noted that it appears that there are associate parking spaces that could also be restricted. Ms. Schumer explained how the holiday season has a slow ramp-up that starts after Halloween and ramps down after Christmas. They lease more vans as they see the orders picking up. She noted that the associate parking is not near the residential area. She stated that it is not feasible to block part of the associate parking. He stated that the main associate lot has 260 spaces and steady-state uses 150 – 200 associates. He pointed out the 120 associate spaces near the van lot. Chairman Seichter stated that the concern of the Water & Sewer Department for the potential for vehicles dripping fluids and use of snow removal products. Michael Keleher, from Amazon, replied that those 120 spaces are for the first wave of van drivers and are mislabeled. Ms. Schumer stated that all associates park near the building in the yellow on the site map. Chairman Seichter noted that the site plans have this parking labeled as associate parking and stated that he understood that van drivers were considered associates. He stated that it would have been helpful if this was clear. He asked if there would be signage to limit that area to personal vehicles and not vans. Ms. Schumer agreed to do so. Christopher Gagnon of BL Companies added that the spaces are smaller for cars so that vans wouldn't fit.

Mr. Pagini noted that there is an agreement as part of the Inland Wetlands Watercourse Commission approval regarding independent site sediment and erosion control plan implementation monitor whereby the Town, the Mayor's office, the Environmental Planner, Town Planner, Town Engineer, Public Works, and Water & Sewer Division can enforce the agreement. He also noted the memo from the Town Engineer which outlined the potential traffic impacts.

## Public Comment

Mohammed Hanif, 20 Cliffside Drive, commented on the Cherry Street facility and the traffic between Rt.5 and John Street. He also noted that in online businesses there is no real holiday season, it's always a holiday.

Susan Durant asked through the chat how much Amazon will pay the Town in taxes annually. Chairman Seichter stated there was no one available to answer that, but that taxes are not a consideration for Planning and Zoning.

Jennifer Frechette, 29 Valley View Drive, asked to see the list of how the application meets the criteria of 7.5.B. that the applicant presented. Despite the steps they have taken, she still doesn't believe it fits into the character of the neighborhood. She also noted a comparison to a Dunkin Donuts and stated that it is not comparable because this involves vans and trucks. She stated that at the last meeting someone said that employees will use local roads to access the site but the applicant denied that would happen. It did happen with Bristol Myers, so they can't say it won't. If traffic in intersections is starting at a level D or E then it will be a nightmare. She asked the commission to vote this down because of the traffic and it does not meet the character of the neighborhood.

Bill Stuckey, 54 High Hill Road, stated that at the May meeting the applicant said during the holiday season there would be 63 trucks per day with 80% overnight. Now they say only 3 trucks at a time overnight. Ms. Schumer replied that during steady-state there will be 63 trucks over 24 hours which works out to 2.6 trucks an hour. Mr. Dion noted that the number of trucks is in the traffic study. They looked at the estimated number of trucks for all the periods studied. Mr. Stuckey asked how many overflow spaces are available for trucks in addition to the 17 docks. Mr. DeLuke replied that there are 13 overflow spaces. Mr. Stuckey asked if there could be 30 trucks on-site at any time. Ms. Schumer explained that the trucks are not always unloaded when they arrive. When full trailers are dropped off, the truck will pick up an empty trailer. She stated that they have more staff during the holiday times so more trucks are unloaded during the day.

Ed Bradley, 2 Hampton Trail, explained the importance of the watershed. He asked about the stormwater management plans. He noted that 'standard practices' haven't protected residents in the past. They can't rely on the Town and have to go to DEEP to get a resolution. He is concerned with the amount of impervious area. He asked if the applicant had walked the watershed area. Mr. Dewey replied that they have not physically walked the entire watershed all the way to Spring Lake, but have walked and surveyed portions of it. Mr. Bradley encouraged them to walk down to Spring Lake. He stated that Inland Wetlands signed off but the plan was flawed. The modified plans for water management should go back for approval by Inland Wetlands and a public hearing. He stated that the homeowners are tired of fighting for their water. He asked if there could be further development on or around that site. He noted that there has not been adequate flood control on that site. He stated that we keep encroaching on the aquifer. He stated that he hopes the town will look at the Watershed Protection District and purchase it as open space to protect the water.

Chairman Seichter noted that modifications to the plans were communicated to the Environmental Planner who had no issues with the modifications.

Will Brennan, 75 Thorpe Avenue stated that the applicant doesn't plan to upkeep the roads the trucks will be using other than striping. He noted that one truck is equivalent to 1400 or more passenger vehicles. He asked if the Town absorbs the cost to maintain the infrastructure. Chairman Seichter replied yes, the Town maintains the Town roads. Mr. Brennan noted that no one has spoken in favor of the project. He asked if the Commission has an obligation to support it if there is complete opposition to the project. Chairman Seichter explained that the Commission is responsible to review the application based on the regulations and the information presented. If the applicant meets the regulations it is hard to disapprove but there are many factors evaluated.

Rachel DiPietro, 2 Tammy Hill Road stated that nearly every school bus serving Wallingford students accesses Rt. 68 at the Research Parkway intersection. The project will significantly impact all the school buses and students. The kids from this area are already on the bus for 20 minutes. For some kindergarteners, it takes an hour to get home. People from Durham shop in Wallingford and will go to Middletown instead the traffic is bad.

John Livingstone, 42 Valley View Drive stated a concern with the parked vehicles dripping fluids, such as transmission, antifreeze, and others that goes into the runoff. Mr. Dewey explained the level of stormwater controls they will use. The water quality volume is treated to remove most pollutants from stormwater. Wallingford uses a very conservative approach. This system will treat it three times. Most discharges go into infiltration systems into the ground. He stated that he has a lot of confidence in this robust and intense system. Mr. Livingstone asked about the maintenance schedule of the trucks. He also asked what happens when the filters can't take it anymore. Ms. Schumer noted that they require vehicles to be maintained regularly. The vans are owned by Amazon and leased back to the delivery service partners.

Bev Morse, 174 High Hill Road, asked how the number of trucks is monitored. She noted that there are already lots of Amazon trucks. The Rt. 91 North ramp is marked no turn on red. If trucks need to get into the left lane it will be a problem. She stated that another warehouse is proposed for Northrop Road so there be more trucks. She stated that she doesn't understand why everyone is comparing this project to Bristol Myers as it is a different facility. She stated that the neighbors don't drive tractor-trailers. Traffic is already bad leaving the neighborhood. She concluded that she hoped the project doesn't get approved.

Karen Zealor, 178 High Hill Road commented that traffic is a major consideration along with truck noise. She asked if the vans have an audible backup signal. Ms. Schumer replied that some vans do have an audible backup signal and some have the shusher sound. She also noted that most of the vans won't be backing up. Ms. Zealor stated that she can hear the backup signals from other businesses that are farther away. Mr. Mueller noted that all vehicles were included in his analysis and he took the worst-case scenario into account. Chairman Seichter referred to the June 18<sup>th</sup> study. He asked about the white 'x' on the plans with the sound barrier. Mr. DeLuke responded with an explanation of the location of the sound

wall and that it would have the greatest impact. The 'x' represents the location of the worst-case sound level.

Susan Laursen, 3 Tammy Hill Road, asked if there would be any sound that can be heard from the backup signals of the vans and trucks. Mr. Mueller replied that there will be times when the sound is audible but the projections show that the alarms will be 46 dB which is considerably low. They documented the minimum sound in the area to be 40dB. Audibility will depend on several factors, but the sound won't be disruptive. Ms. Laursen asked how many times a day they would hear the backup alarms. Mr. Mueller replied that backup alarms are highly directive, and the way the site is configured, the trucks will pull forward to the east and back into the dock. So most backup movements will be facing to the west, away from the residences.

Jennifer Frechette asked via chat why the left-only exit on Carpenter Lane was changed. Chairman Seichter replied that it was so emergency vehicles could also exit right due to input from First Responders.

Mr. van Zanten referred to the applicant's comments that he was reviewing. He noted that no additional solutions were provided on offsite improvements for the Northbound I91 off-ramp and some of the signal timing adjustments. These were deferred to working with OSTA and the local traffic authority. Regarding the northbound off-ramp analysis, he clarified that he still sees it as a level of service F in the build condition for the average weekday condition. He referred to Table A 2.1, the average weekday summary table.

Chairman Seichter noted that a lot of information was presented tonight and the Commission needs time to review the materials just received. He noted that there is little time left for the public hearing to remain open. One option is for the Commission to take final comments from the applicant, close the public hearing and then schedule a meeting for a full discussion of the application by the Commission. Chairman Seichter noted that he feels uncomfortable voting until he has a chance to thoroughly evaluate everything presented and discussed. He clarified that if we decide to close the Public Hearing and vote at a later date, they would not be allowed to take any additional information from the applicant, staff, or the public.

Commissioner Fitzsimmons stated that in light of the amount of content received since the last meeting and the presentations tonight, he is in favor of closing the public hearing and voting at the next meeting.

Commissioner Kohan agreed. He noted that we had opened and continued the public hearing before the applicant began their presentation. He noted that at the time that he commented on how it could be a disservice to the Commission and the public.

Commissioner Hine stated that he is in favor of this and pointed out that once the public hearing is closed, only voting members can participate in the discussion. Chairman Seichter confirmed. Commissioner Hine noted that he may have additional questions after reviewing the materials and will be unable to participate in the discussion. Chairman Seichter replied that the option would be to discuss the application and vote tonight.

Commissioner Venoit stated that he agreed with the plan but asked if a special meeting would be required. Mr. Talbot explained that under the statutes, the timelines run similarly to the public hearing. Once you close the public hearing you have 35 days to vote but you also have the option of granting a total of 65 days of extension.

Commissioner Allinson agreed with closing the public hearing and having the time to review all the information and having the vote at the August meeting.

Atty. Smith, on behalf of Montante Construction, thanked the Commission and the public for a very thorough application process. He noted that all the parties have been working in good faith to provide the requested information so the public hearing would be closed and the Commission can make the best decision they can before the statutory time runs out.

Mr. Dion commented on the level of service discussion and noted that we are looking at a matter of seconds. The holiday analysis showed the worst intersection was a 40-second increase in delay. He noted that looking at the historic traffic data along Rt. 68 shows that traffic has been decreasing since the economic downturn in 2008. With the possibility that many people will continue at least part-time remote work, it's conceivable that the traffic will not get back up to its previous levels. This was not factored into the analysis.

Atty. Smith commented on the concerns that OSTA has control of what will happen. They are aware of that and are bound to work through them. OSTA waits for Planning and Zoning to decide before they will consider and make their own decision. They have jurisdiction over the state roads. We will give them all the information for peak as well as steady-state times. He encouraged the Local Traffic Authority to be involved. He noted that the comparisons to the Bristol Myers facility weren't to say we were better than them, but to explain the stormwater management which is a significant issue.

Mr. DeLuke stated that he appreciated all the hard work and time put in by the Commission members and the community. He stated that this has been a robust process and they have endeavored as a team to listen and respond to concerns. He stated that this project has become a better project due to that feedback. He respectfully asked for approval of the application.

Chairman Seichter asked Commissioner Allinson to vote for Mr. Matarazzo.

Chairman Seichter called for a Motion to close the public hearing.

**Commissioner Venoit: Motion to close the Public Hearing for application #401-21 Special Permit/Warehousing for Montante Construction 5 Research Parkway.**

**Commissioner Fitzsimmons: Second**

**Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Allinson – yes; ChairmanSeichter – yes.**

The Public Hearing is closed.

The application will be discussed and voted on at the next meeting

**3. Special Permit Revision (vehicle storage & wheel repair)/18 Duncan Street, LLC/18 Duncan St. #406-21**

Commissioner Allinson read the legal notice and noted all correspondence for the record. Letter dated June 24, 2021, from Kevin Pagini, Town Planner to Mr. Orsini, 18 Duncan St. LLC; Interoffice Memorandum dated June 30, 2021, from Scott Shipman, Junior Engineer, Water & Sewer, to Kevin Pagini, Town Planner; Inter-Departmental Referral dated June 11, 2021, from Alison Kapushinski, Town Engineer; Inter-Departmental Referral dated June 11, 2021, from the Fire Marshal.

Dennis Ceneviva of Ceneviva Law Firm presented on behalf of the owner. The property at 18 Duncan Street came before the Commission in September 2019. The applicant proposes to use the existing building for wheel repair services exclusively for the Executive Auto Group operations. The building had a historic use as a repair facility and is still assessed as such. In 2019 they sought permission to use this building for car storage. This service is currently provided by Executive Auto Group using a mobile facility similar to a dent wizard or rim doctor operation. The goal is to reduce the cost to customers while increasing productivity and speed of response. Three-quarters of the building would be used. No other work of any sort or nature is to be done at this site. No motor vehicles would go to this site other than the van delivering the wheels to the facility. So there is no increase in traffic. The hours of operation would be 8am to 5pm Monday through Friday, 8am to 1pm on Saturday, and closed on Sunday. He noted that this parcel has been put under a separate name and the planner was concerned that the other parcel (475 North Colony) was undersized. They have agreed to a Lot Line Revision so both parcels will be compliant with the lot area requirements. Juliano Associates is working on that. He noted that in response to the Water & Sewer Division concerns, the drains in the floor have all been capped.

Mr. Pagini noted that all his comments have been addressed.

Atty. Ceneviva noted that this is part of the overall operation of Executive Auto Group and is a positive for the operation and the customers.

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

**Commissioner Venoit: Motion to close the public hearing for Special Permit Revision (vehicle storage & wheel repair)/18 Duncan Street, LLC/18 Duncan St. #406-21.**

**Commissioner Fitzsimmons: Second**

**Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Allinson– yes; Chairman Seichter – yes**

**Commissioner Venoit: Motion to approve #406-21, 18 Duncan Street, LLC; Special Permit Revision Request to change the use from vehicle storage to vehicle repair and vehicle storage as shown on plans entitled 18 Duncan Street, dated June 11, 2021, subject to:**

1. **Comments from Town Planner dated June 24, 2021,**
2. **Comments from Water & Sewer Division dated June 30, 2021, and**
3. **Hours of operation will be from Monday to Friday, 8am to 5pm, and Saturday, 8am to 1pm. No Sundays.**

**Commissioner Fitzsimmons: Second**

**Vote: Venoit – yes; Fitzsimmons – yes; Kohan – yes; Allinson– yes; Chairman Seichter – yes**

The application is approved.

Commissioner Fitzsimmons announced that he had to leave the meeting. Chairman Seichter acknowledged him and stated that Commissioner Hine would vote in his place for the remainder of the meeting.

#### **New BUSINESS**

##### **6. Flood Plain Permit/Cavallaro/475 Williams Road #810-21**

Commissioner Allinson noted all correspondence for the record. Letter dated July 6, 2021, from David Carson, OCC Group, Incorporated to Kevin Pagini, Town Planner; Inter-Departmental Referral dated June 11, 2021, from Erin O'Hare, Environmental Planner; letter dated June 25, 2021, from Kevin Pagini to Scott and Sandy Cavallaro; Inter-Departmental Referral dated June 11, 2021, from Fire Marshal; Inter-Departmental Referral, dated June 11, 2021, from Eric Krueger, Senior Engineer, Water & Sewer.

David Carson, OCC Group presented for Sandy & Scott Cavallaro. The site is an 11.67-acre parcel that has 9.64 acres of flood plain with a two-acre development area in the center that supports the existing residence. They are applying for an in-ground pool and have received approval from Inland Wetlands because it is partially within the wetlands buffer. It also will result in 34.33 cubic feet of filling in the flood plain. To compensate for that they are proposing a rain garden in the upland area outside the limits of the existing flood plain and the wetlands. They are proposing 36.35 cubic feet of compensatory storage in that area so there is no impact on the flood plain.

Hearing no questions from Commission members or the Public, Chairman Seichter called for a motion.

**Commissioner Venoit: Motion to approve #810-21, Flood Plain Permit, Cavallaro, 475 Williams Road, Flood Plain Development Permit request to construct the in-ground pool with a FEMA designated A100 year flood zone on plans entitled Overall Site Plan for Proposed In-Ground Swimming Pool at 475 Williams Road, dated February 17, 2021, and revised to June 1, 2021, subject to:**

1. **Compliance with requirements from Inland Wetlands and Watercourse Commission memorandum dated June 11, 2021.**

**Commissioner Kohan: Second**

**Vote: Venoit – yes; Kohan – yes; Allinson– yes; Hine – yes; Chairman Seichter – yes**

The application is approved.

**7. Site Plan (service area expansion)/400 So. Orchard Street, LLC/400 South Orchard Street #211-21**

Commissioner Allinson noted all correspondence for the record. Inter-Departmental Referral dated June 4, 2021, from Fire Marshal; Memo dated June 18, 2021, from Department of Engineering to Planning & Zoning Commission; Inter-Departmental Referral dated June 4, 2021, from Alison Kapushinski, Town Engineer; letter dated June 24, 2021, from Kevin Pagini, Town Planner to 400 South Orchard St, LLC; Memo dated June 29, 2021, from Michael Gudelski, Fire Marshal to Kevin Pagini, Town Planner; Interoffice Memorandum dated June 30, 2021, from Scott Shipman, Junior Engineer, Water & Sewer to Kevin Pagini, Town Planner; letter dated July 6, 2021, from Christopher Juliano, Juliano Associates to Kevin Pagini, Town Planner and a set of plans dated May 21, 2021.

Christopher Juliano, a licensed land surveyor with Juliano Associates, 405 Main Street, Yalesville, presented for Executive Auto Group regarding a proposed expansion at their Kia dealership. They propose an addition on the east side of the building to add an additional 6 bays to the service area. This will include some minor changes to the parking lot area. This will help them better serve their customers. They submitted revised plans based on the comments received from the Town.

Mr. Pagini noted that the submission received on July 7<sup>th</sup> has not yet been reviewed by the office or the Town Engineer. He stated that if all the comments are addressed on the site plan to the satisfaction of the office and the Town Engineer, he is fine with it. Chairman Seichter noted that that can be made a condition of approval. Mr. Juliano agreed to have the condition of approval that he has addressed all the comments.

Hearing no questions from the Commission or the public, Chairman Seichter called for a motion.

**Commissioner Venoit: Motion to approve #211-21, Site Plan Service Area Expansion for 400 So. Orchard Street, LLC, 400 So. Orchard Street, site plan approval request for the expansion of the existing service area at Executive Kia for six new service bays as shown on plans entitled Limited Property Boundary Improvement Location Survey Proposed Addition, dated May 21, 2021, subject to:**

- 1. The applicant submitting a response to the Town Planner comments dated June 24, 2021, and the Town Engineer's Comments dated June 18, 2021, that would satisfy all outstanding issues on the site plan,**
- 2. Comments from the Fire Marshal's office dated June 29, 2021, and**
- 3. Comments in the memorandum from Scott Shipman, Water & Sewer Divisions dated June 30, 2021.**

**Commissioner Kohan: Second**

**Vote: Venoit – yes; Kohan – yes; Hine – yes; Allinson– yes; Chairman Seichter – yes**



The application is approved.

**BOND RELEASES AND REDUCTIONS**

8. Special Permit/Bilchfeldt-Quality Subaru/711 North Colony Road #416-16 – Not released per the recommendation of Town Planner.

**REPORTS OF OFFICERS AND STAFF**

9. Correspondence noted for the record:  
a. Data Centers/Danielle Conway & Ian Fuller  
b. Data Centers/Tony Hayes
10. Administrative Approvals – Noted as approved  
a. Survey Waiver/Pattison/40 Henry Street #808-21  
b. Survey Waiver/Hinman/16 Haller Place #809-21  
c. Change of Use/Lincoln Everest/220 North Colony Street #308-21  
d. Change of Use/Freshbev, LLC/3 Sterling Drive #309-21  
e. Change of Use/Tom Rice/172-212 North Plains Industrial Road, Unit 204 #310-21  
f. Site Plan/Favian Pillacela (Serafino’s Restaurant)/72 South Turnpike Road #212-21  
g. Survey Waiver/Karima El Hamradui/50 Mariot Circle #811-21
11. ZBA Decisions – June 21, 2021 – any questions were to be directed to Ms. Torre offline.  
ZBA Notice – July 19, 2021 – any questions were to be directed to Ms. Torre offline
12. Zoning Enforcement Log – no questions

**ADJOURNMENT**

**Commissioner Venoit: Motion to adjourn the July 12,2021 Planning and Zoning meeting at 12:15 am**

**Commissioner Kohan: Second  
Vote: Unanimous to approve**

Respectfully Submitted,  
Cheryl-Ann Tubby  
Recording Secretary