

Wallingford Planning & Zoning Commission
Monday, May 9, 2022
7:00pm
Robert F. Parisi Council Chambers – Town Hall
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, Regular Member; Steven Allinson, Regular Member; James Hine, Alternate; David Parent, Alternate; Kevin Pagini, Town Planner.

Absent: Armand Menard, Alternate

Consideration of Minutes – April 7, 2022, Special Meeting

Commissioner Allinson: Motion to approve the minutes of the April 7, 2022, Special Meeting of the Wallingford Planning and Zoning Commission as presented.

Commissioner Fitzsimmons: Second

Vote: Unanimous to approve.

Consideration of Minutes – April 11, 2022 Meeting

Commissioner Venoit: Motion to approve the minutes of the April 1, 2022 Meeting of the Wallingford Planning and Zoning Commission as presented.

Commissioner Fitzsimmons: Second

Vote: Unanimous to approve with one abstention by Commissioner Allinson.

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

4. NEW BUSINESS, Site Plan (site improvements relative to parking)/GKN Aerospace/14 Research Parkway #210-22

PUBLIC HEARING

1. Special Permit (hair salon to conference center)/R. Mitchell/9 South Cherry Street #402-22

Commissioner Allinson read the legal notice for the record. Application #402-22 - Special Permit (conversion of a hair salon to a conference center) for Robert Mitchell at 9 South Cherry Street – TC (Town Center) District. Correspondence included: letter dated April 22, 2022, from Kevin Pagini, Town Planner to Robert Mitchell; Inter-Departmental Referral received April 18, 2022, from the Fire Marshal; Inter-Department Referral received April 11, 2022, from the Town Engineer; Interoffice Memorandum dated May 5, 2022, from Erik Krueger, Senior Engineer, Water & Sewer Divisions to Kevin Pagini, Town

Planner; and correspondence dated April 26, 2022, from Samuel Sargeant, Lazarus & Sargeant to Property Owners.

Samuel Sargeant of Lazarus and Sargeant Architects, 50 North Main Street, represented Robert Mitchell, the owner of 156 Quinnipiac Street. He noted that Mr. Mitchell also owns the building at #9 South Cherry Street which houses his company, ASG Technologies. Mr. Sargeant explained that their request is to change the use of this property to a conference center. He explained the site plan and noted that the front of the building looks like two buildings but they are conjoined. The floor plan shows three conference rooms, a manager's office, and bathrooms. The conference center will serve Mr. Mitchell's business as well as be available for rental. The exterior will be unchanged except to get rid of the space between the buildings and remove the mansard. The new unified façade will have a more traditional look. This is intended to augment Mr. Mitchell's business and will have a low impact on the site.

Commissioner Hine asked for clarification that this property will solely be used as a conference center, not the client's business. Mr. Sargeant replied that yes it will solely be a conference center and is on a separate property. It will not be used for any other business.

Commissioner Fitzsimmons asked if Mr. Sargeant had received the letter regarding the building orientation regulations. After reviewing the letter, Mr. Sargeant stated that the intent is to create a much better front entrance that faces Quinnipiac Street. He stated that he understands the building orientation regulations.

Chairman Seichter stated that this is a good repurposing of the vacant building. They will make it look like a single building instead of looking like two.

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

Commissioner Venoit: Motion to close the Public Hearing #402-22 Special Permit (hair salon to conference center)/ R. Mitchell/9 South Cherry Street.

Commissioner Fitzsimmons: Second

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

Commissioner Venoit: Motion to approve application #402-22/Mitchell/ 9 South Cherry Street, Special Permit request for Mitchell located at 156 Quinnipiac Street to use an existing building formerly used as a hair salon for a conference center and add a 125 sq. ft. addition on plans entitled "Limited Property/Boundary Survey Improvement Location Survey ASG Information Technologies #9 South Cherry Street & Robert Mitchell #156 Quinnipiac Street Wallingford, CT" dated 2/16/2022 subject to:

- 1. Comments from the Fire Marshal's office dated 4/11/2022;**
- 2. Comments from the Town Planner dated 4/22/2022;**

3. **Comments from Alison Kapushinski, Town Engineer, dated 4/27/2022; and**
4. **Six (6) copies of the approved, final plans are to be forwarded to the Planning and Zoning office.**

Commissioner Fitzsimmons: Second

Vote: Fitzsimmons – yes; Kohan – yes; Venoit – yes; Allinson – yes; Chairman Seichter – yes.
The application is approved.

2. Special Permit (fill & excavation)/M. Salzillo/33 Summerwood Drive #403-22

Commissioner Allinson read the legal notice for the record. Application #403-22 – Special Permit (excavation and fill) for Michael Salzillo to correct an existing zoning violation at 33 Summerwood Drive – R-18 Zone. Correspondence included: letter dated April 22, 2022, from Kevin Pagini, Town Planner to Michael Salzillo; Zoning Investigation Record 2021-024 for 33 Summerwood Drive, with complaint date 9/17/2021; Inter-Departmental Referral received April 8, 2022, from the Fire Marshal; Inter-Departmental Referral received April 8, 2022, from the Town Engineer; letter dated April 26, 2022, from Eric Wagner, AI Engineers, to Kevin Pagini, Town Planner; Memorandum dated April 20, 2022, from Kevin Pagini, Town Planner, to Planning & Zoning Commission; Memorandum dated May 6, 2022, from Erin O’Hare, Environmental Planner to Kevin Pagini, Town Planner.

Eric Wagner of AI Engineers presented with property owner Michael Salzillo. Mr. Wagner explained that this is a cut and fill excavation for a situation that got started wrong and that he was hired to fix. They have a plan to stop the erosion. It’s going to be riprap sloped with additional underdrains to help with the excessive water bleeding out of the slope cut now, which will work into the town drainage system. Everything will be restored to where it was with the riprap stabilized slope.

Mr. Salzillo, 33 Summerwood Drive, explained that his backyard has a steep wooded hill sloping to the back of the house and they wanted to make a usable space for the family. The intent was to build a retaining wall and remove some trees. The contractor he hired wasn’t able to do the job, left a mess, and didn’t do any drainage. He fired that contractor and hired a reputable contractor. The proper drainage has been put in and there are no more water issues. All the excavation is done. He noted that the original contractor claimed to have taken out the permits but didn’t. He wasn’t aware that he needed engineered drawings for the permit. He is suing the original contractor.

Mr. Pagini noted that Mr. Salzillo was responsive when notified of the violation. He took the staff’s advice on how to remediate the problem but had to wait until spring to get the plans together. Mr. Pagini suggested reducing the fees.

Commissioner Kohan asked if the site is now stable with no runoff. Mr. Salzillo replied most of the drainage is in as well as most of the riprap. There is no more erosion and it drains as it should. He expects it to be complete by the end of the month.

Commissioner Fitzsimmons asked for the last time someone worked on the site. Mr. Salzillo replied yesterday when the stone was delivered. Commissioner Fitzsimmons stated that on September 17, 2021, the town received the zoning violation referral from the Environmental Planner and four days later the special permit information was requested. He asked when the work started. Mr. Salzillo replied that it started in August of 2021. It took a while to line up the money, hire a new contractor, and get the project restarted properly. Commissioner Fitzsimmons noted that the violation is dated September 20, 2021, and the Cease and Desist on January 25, 2022. He stated that he doesn't see a sense of urgency. Mr. Salzillo replied that he needed an engineer and a new contractor. Money issues delayed the project. Commissioner Fitzsimmons asked why the cease and desist order was so long after the violation. Mr. Pagini replied that the Zoning Enforcement Officer and the Environmental Planner have been working with the landowner over that time. He stated that no fines have been collected as of yet. He noted that the Town Engineer also had the ability to fine and decided not to. Commissioner Fitzsimmons noted that zoning enforcement is always an issue and that this is not how these things should work. On September 30, 2021, the owner was told to correct the problem within 30 days. He asked Mr. Salzillo if he has the funds to finish the job. Mr. Salzillo replied yes. Commissioner Fitzsimmons asked if Mr. Salzillo received the April 22, 2022 letter. Mr. Pagini replied that Mr. Wagner did and sent a response which is item 402-22E in the packet.

Commissioner Allinson stated that he has seen this happen before where the homeowner is stuck with the problem. He stated that this is not the applicant's fault.

Commissioner Hine asked when the last inspection was. Mr. Pagini replied that the Environmental Planner was there a couple of days ago. Commissioner Hine asked if Mr. Pagini was confident that the problems have been resolved. Mr. Pagini replied that they are not completely solved yet, but he is comfortable that they will be. Commissioner Hine asked who will do the final inspection. Mr. Pagini replied himself, the Town Engineer, and the Environmental Planner.

Commissioner Fitzsimmons stated a concern because this impacted the neighbors. Unfortunately, you were led to believe that the first contractor had applied for the permits. This is why we have the rules.

Chairman Seichter referred to the April 26th memo with the diameters of the pipe. The Environmental Planner asked for clarification of the diameter of the underdrain. Mr. Wagner explained where the 4" pipe ties into the 6" pipe. Mr. Pagini noted that the Commission can disregard those comments by the Environmental Planner.

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

Commissioner Kohan noted that he supports the request to eliminate or reduce the fees due to the situation. Mr. Pagini noted that the fee is currently \$1,100.

Chairman Seichter invited other comments on the fee.

Commissioner Allinson stated that he can support reducing the fee by half.

Commissioner Fitzsimmons agreed with reducing it by half and noted that situations like this are why the application fees are so high.

Chairman Seichter stated that he supports reducing the fee to \$550.

Commissioner Venoit: Motion to close the Public Hearing for application #403-22, Special Permit (fill and excavation)/M. Salzillo/33 Summerwood Drive.

Commissioner Fitzsimmons: Second

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

Commissioner Venoit: Motion to approve application #403-22, Special Permit request for Salzillo located at 33 Summerwood Drive to remediate and stabilize a fill and excavation zoning violation on plans entitled “Boundary Survey” dated 3/3/2022 subject to:

- 1. Comments from the Fire Marshal’s office dated 4/27/2022;**
- 2. Comments in Interoffice Memorandum from Environmental Planner, Erin O’Hare to the Planning and Zoning Department dated 5/6/2022;**
- 3. Comments from Alison Kapushinski, Town Engineer, dated 4/27/2022;**
- 4. Comments from the Town Planner dated 4/22/2022;**
- 5. When work is completed, the site will be subject to a final inspection by Town staff;**
- 6. Due to the site currently being in zoning violation, as well as the unstable nature of the site, all final stabilization and construction activity must commence immediately;**
- 7. Six (6) copies of the approved final plans are to be forwarded to the Planning and Zoning office; and**
- 8. Reduce the \$1,100 fee to \$550.**

Commissioner Fitzsimmons: Second

Vote: Fitzsimmons – yes; Kohan – yes; Venoit – yes; Allinson – yes; Chairman Seichter – yes.
The application is approved.

NEW BUSINESS

3. Site Plan (outside storage)/B. Febbriello-Iron Horse Equip./71 South Turnpike Road #208-22

Commissioner Allinson noted the correspondence. Inter-Departmental Referral was received on April 11, 2022, from the Fire Marshal.

Ben Febbriello, owner of Iron Horse Equipment at 71 South Turnpike Road apologized for the time it has taken to get to this point. He realizes that he didn’t handle it properly and get the right people involved earlier. He stated that he has moved the majority of the outside storage to another property but still

has some service equipment outside. He expects to know within 72 hours if he will be able to lease a warehouse to meet the remainder of his storage needs. If that happens, he won't need a special application.

Mr. Pagini stated that the situation is essentially the same as what the Commission heard two months ago with only 40% of the violations removed. If approved, this plan would allow Mr. Febbriello to build the outside storage area and move everything. He noted that approval of the site plan doesn't resolve the zoning violations.

Chairman Seichter asked if Mr. Febbriello would know about the warehouse space in 72 hours or be able to move into the space in 72 hours. Mr. Febbriello replied that he would know if he can lease the space. It will be vacant starting July 1. Chairman Seichter asked how long it will take to build the storage area. Mr. Febbriello replied that he has been told it can be built in a 4-week time frame. Chairman Seichter asked if it would be built in 4-5 weeks if the site plan was approved? Mr. Febbriello replied that it will depend on when they can start.

Commissioner Fitzsimmons stated that he is a nice guy and noted that neighbors have been asking about this situation. His concern is the fenced areas in front of the business. This is an egregious zoning violation. He asked how soon this can be cleaned up. Mr. Febbriello replied that he needs a space to move it and hopes to rent space in July. The ideal solution is this indoor warehouse space. Commissioner Fitzsimmons asked if the fenced area is for sales or service. Mr. Febbriello replied that it is customer equipment for service. Commissioner Fitzsimmons asked for clarification of what the applicant is asking for tonight. He stated that this has been an active violation for some time. Mr. Febbriello replied that he is asking that the application be tabled. If he can store the equipment inside, he won't need the special permit. He asked for 30 days and offered to come back next month with an update. If he secures the space he can move the equipment on July 1st.

Chairman Seichter asked what will happen if he is not able to secure the indoor storage and in June we have the same situation. He noted that the storage area probably won't be built until August or September. He asked if the business is still taking in equipment to be serviced. Mr. Febbriello replied yes. Chairman Seichter stated that they are perpetuating the problem. The items are where they should not be. He understands that it is the business, but the service pens should be reduced, not filled back up. The issue originated in June of 2021 and though there have been some improvements, there are still ongoing issues.

Commissioner Allinson agreed that this has been ongoing and that he understands that Mr. Febbriello has a business to run. He is concerned that the applicant is perpetuating the issue. He stated that if we could be certain that on July 1st the stuff would be moved and the violations remedied, he would support a delay. If we wait and approve it in June it will delay the start of the building of the storage area. If we had assurances, he would support it.

Commissioner Parent asked what the plan is if the applicant doesn't get the warehouse storage. Can he guarantee that everything will be out of there by July 1st? Mr. Febbriello replied that he cannot guarantee that he can move the service equipment to another location. He stated that it is not cost-effective to move the service equipment back and forth to the out-of-town storage areas.

Chairman Seichter asked if the Commission could stipulate that the applicant has to secure another location and move the equipment elsewhere or that the outside storage needs to be completed. If approved, he could start the building project for the outside storage. He asked if we could stipulate that all the equipment is moved and the violations cleared by July 1 or the outside storage in place. Mr. Pagini replied that we can stipulate within 60 days, giving him the ability to clean up the site.

Commissioner Fitzsimmons asked if the proposed outside storage building plan includes excavation. Mr. Pagini replied yes, the excavation application was taken care of under the site plan application. Commissioner Fitzsimmons clarified that Mr. Febbriello is a tenant in the building and asked who would be responsible if there were fines. Mr. Pagini replied that the building owner would be fined. Mr. Febbriello stated that the building owner is aware of the situation. Commissioner Fitzsimmons stated that the rules apply to everyone but he can support a window of time as long as the fines start afterward. Significant action needs to be taken soon. He stated that no one wants to put the applicant out of business, but he is in the wrong location. He thanked the applicant for coming in.

Chairman Seichter agreed that it would be appropriate to set a date of completion and then fine if not completed.

Commissioner Kohan stated that he would be okay with some extension but doesn't see a Plan B solution. He stated that fines are not going to correct the violation, but he is okay with more time.

Commissioner Hine asked if the only current violation is the outside storage. Mr. Pagini replied yes. He noted that the new regulations ban outside storage in front yards and this property has two front yards. Commissioner Hine asked if the outdoor sales and displays are gone. Mr. Pagini replied that all he is aware of is trailers that are rentals so they are not always there.

Commissioner Allinson stated that he doesn't want to put the applicant out of business but the rules apply to everyone. The Commission wants to help make it work. Mr. Febbriello stated that the plan is to rent 10,000 sq. ft. of warehouse space. Commissioner Allinson asked if it was reasonable to start planning to move or start planning construction and get the storage done by the end of July.

Chairman Seichter stated that he doesn't want to put the applicant out of business but the business is in the wrong location. The issues have been ignored since June 2021.

Commissioner Fitzsimmons asked if they ever applied for a change of use or sign permit. Mr. Pagini replied that the site plan will correct the change of use that should have occurred. The applicant is

waiting on site plan approval to do the striping in the parking lot. He will double-check on the sign permits.

Hearing no public comment, Chairman Seichter asked for action on the application.

Commissioner Venoit: Motion to approve application #208-22 Site Plan (outside storage)/B. Febbriello-Iron Horse Equip./71 South Turnpike Road. Site Plan request to remediate an existing storage violation at a retail business located at 71 South Turnpike Rd, on plans entitled "Limited Property/Boundary Survey Improvement Location Survey Proposed Outdoor Storage Land of 14-16 Broad Street LLC #71 South Turnpike Road Wallingford, Connecticut" dated 2/28/2022 subject to:

- 1. That no items remain outdoors on display for sale; all merchandise/items must be screened and stored in the indicated outside storage area and no sales shall be allowed to take place in that area;**
- 2. That the zoning violations on the property continued to be remediated before the start of construction in the timeliest manner feasible and that all of the zoning violations are remediated once the outside storage area is completed;**
- 3. An erosion and sediment control bond in the amount of \$10,000.00;**
- 4. Six (6) copies of the approved, final plans forwarded to the Planning and Zoning office; and**
- 5. All work needs to be completed by August 1, 2022, or all existing zoning violations remediated.**

Commissioner Fitzsimmons: Second

Vote: Fitzsimmons – yes; Kohan – yes; Allinson – yes; Venoit – yes; Chairman Seichter – yes.
The application is approved.

Chairman Seichter encouraged the applicant to have the work done to avoid fines.

DISCUSSION

5. Affordable Housing Plan

Mr. Pagini explained that he worked with the South Central Regional Council of Governments (SCRCOG) in coordination with RKD Associates and the Wallingford Housing Authority. He provided an overview of the draft plan. Affordable Housing is housing that costs no more than 30% of a household's income. He gave statistics regarding the burden of housing. HUDs calculation shows that many workers will find it hard to find housing in Wallingford. He noted that in Wallingford 40% of renters and 24% of homeowners are considered burdened by housing costs. He reviewed the Affordable Housing land use definition from the statute. Wallingford is now at 4.37% affordable housing. He noted that the population trends align with the strategies in the POCD which called for a greater variety of housing, including for older adults. He gave statistics to support that there is a steady decline in lower rent options in the area. The Affordable Housing Appeals Act (830g) provides an avenue for additional

affordable housing in Connecticut. Mr. Pagini pointed out the recommended locations for affordable housing in the plan and reviewed the goals. The goals intend to chart a course for Wallingford and guide future regulatory policy and programmatic decisions that relate to housing as well as preserve and maintain the Town's existing affordable housing stock.

Chairman Seichter asked how many more units Wallingford needs to reach 10%. Mr. Pagini replied between 1000 and 1100 units. He reviewed the strategies documented in the plan. Mr. Pagini mentioned the resident education program and the landlord education program as well as an Affordable Housing Committee. He also suggested reviewing existing zoning to remove barriers and allow more development in the Incentive Housing and HOD zone. Chairman Seichter suggested looking at what we currently have in the Town-wide regulation and perhaps modifying it. Mr. Pagini added key strategies for the Commission including adding strategies from the POCD. These include employer-assisted housing, encouraging missing middle housing options, more options for senior housing, reducing parking requirements under act 21-29, preservation of existing affordable housing, senior tax relief, public housing redevelopment, rental registry and inspection process, and a standalone accessibility assistance program.

Commissioner Kohan noted that in the last year or two opted out of in-law houses in the back of houses (granny shed). He asked if those would qualify as affordable housing. Mr. Pagini replied that they could be if they are deed restricted.

Commissioner Fitzsimmons noted that the granny shed rule that came out of the State of CT was to address lower Fairfield County and West Hartford where they don't allow accessory apartments. Since we allow accessory apartments we didn't need to adopt it. Mr. Pagini noted that the new accessory apartment law allows for detached accessory apartments.

Commissioner Hine stated that our jurisdiction is the regulations. He asked for suggestions on what can be done from a regulatory standpoint to encourage affordable housing and how to make it a priority. Mr. Pagini suggested looking at existing regulations to see if we can expand some of the zones where it is allowed and look at the incentive housing zone. He agreed that we don't want to reinvent the wheel, as a lot of our regulations cover much of what affordable housing guidelines require. Maybe open it up in the RF-40 or other zones except for Industrial areas. Commissioner Hine asked if Mr. Pagini has looked at other towns that have seen increased affordable housing to see what they did. He noted the email from Mr. Wiedenmann, where he recommended increasing the inventory of housing in general. Commissioner Hine noted asked if anything in the regulations for single and multifamily housing is too limiting to developers. Mr. Pagini stated that the RF-40 can be a way to expand mixing residential multi-family in commercial zones. Many towns that meet the requirements allow higher density. Floating zones is another possibility. We can discuss just expanding the zones that it is allowed in. Mr. Pagini will ask for data on what towns had the highest increases. He stated that the plan will be available for view and that the Housing Authority has been involved in the development of the plan. Commissioner Hine stated that we should do everything we can to encourage the development of affordable housing and

that it would be helpful if other departments and organizations in the town were on board. Mr. Pagini noted that having an Affordable Housing Plan Subcommittee would help.

Chairman Seichter suggested that a goal would be to look at the regulations for opportunities for affordable housing. If it's not restricted, it doesn't help us meet the plan. He suggested keeping in mind redevelopment or repurposing. Also our OSPRD zones R6-R120 could have single-family and multi-family. We have regulations that are guidelines for developers. He noted that developers have brought their own affordable housing plans. Anyone can come in with a plan for affordable housing and put it anywhere. We need to modify the regulations where it is excluded. The Incentive Housing Zone will be discussed as density is the key. Maybe we can look at density in other overlay zones. He noted that the developers will drive this. Chairman Seichter asked if a public hearing is needed before the Commission takes action on this plan. Mr. Pagini replied that the Law Department said that a public hearing is not needed to act according to the Statute. He noted that there is a line in the document that will need to be removed as it mentions a public hearing.

Commissioner Parent stated a concern that there isn't enough staff to carry out the strategies of the plan. Approving the plan implies a good faith effort to make it work. Mr. Pagini replied that we are required by the State to have a plan and the strategies are guidelines to work toward over a five-year period. We don't have to meet every single goal or strategy. He stated that it would be staffed by the existing departments and stated that he believes we have enough staff to handle most of the goals and strategies. Commissioner Parent referred to the town-wide survey that is reported in the plan. He noted that 37% of respondents said that Wallingford had no obligation to create an opportunity for others that may not be able to afford to live in Wallingford. He noted that that could be enough to defeat the plans. He referred to page 41 and the low-income definition. He noted that the plan implies a need for upper-scale, more expensive housing.

Commissioner Fitzsimmons supports the comments by Commissioner Parent. He is also concerned with the perceived workload to accomplish the strategies. He noted that the email from Mr. Wiedenmann was helpful. He asked if we could get plans from other towns. Mr. Pagini agreed to do so. Commissioner Fitzsimmons stated that he supports affordable housing. He is concerned with the data on page 25 that says teachers and firefighters can't afford to live in Wallingford. There is a net job inflow in Wallingford. He would like to hear more from Mr. Wiedenmann. He quoted from Mr. Wiedenmann's email, "the POCD should be adjusted to encourage 2 and 3 family units in some zones and a review of the regulations pertaining to accessory apartments." This is an action plan that we said we'd do in the POCD. Commissioner Fitzsimmons asked for an explanation of the rental permit registry. Mr. Pagini replied that it tracks renters. It allows three strikes before they were not allowed to rent in the area. Landlords can't allow properties to deteriorate. It protects renters. Commissioner Fitzsimmons noted that we have an incentive housing zone but no applications have been received. So something's not working.

Chairman Seichter replied that we will discuss the incentive housing zone. He asked how making more 2-3 family housing available affects affordable housing. He suggested looking at regulations and the

POCD and seeing what we can do in zones to make the housing affordable. Affordable housing vs. 2-3 family units is two different things. The Town could partner with a developer but that is beyond this commission. The affordable housing regulations are on the books as a guide for potential developers and anyone can come in with a plan.

Rosemarie Parmetta, 560 North Main Street, representing the EDC, stated that she agreed that Commissioner Fitzsimmons is a good guy.

Bob Wiedenmann, 1443 Durham Road, with Sunwood Development, stated that he has been on the Wallingford Housing Authority Board for 10 years. There is affordable housing that's deed-restricted that will get you to the 1000 units, but would we be done? He stated that that is not what we are trying to do. We are trying to create housing that is affordable. Deed restricted units should not be the only goal. Accessory apartments are a good way to get affordable housing. You need to decide what you are trying to do. You can do both, look at the regulations plus how they are implemented. For example, it's a pain to get an accessory apartment permit application in Wallingford. Mr. Wiedenmann offered to provide specifics on what can be done at the upcoming workshop. He added that it is nice to have a plan but we need to be sure to do something with it. We need to be sure that we make sure the plan gets looked at and that someone is responsible to report back on progress. It should be tied to the POCD. It is important to discuss if we need it and how we get there. He wants to help.

Commissioner Hine stated that he supports affordable housing and clarified that we are not talking about low-income housing.

Mr. Pagni thanked Mr. Wiedenmann for being active and providing input on implementation.

Commissioner Venoit: Motion to adopt the Wallingford Affordable Housing Plan in accordance with CT General Statute 8-30g requirements with an effective date of 5/9/2022 because it creates a clearer strategy for affordable housing in Wallingford, with one correction. To strike the bullet point on page 5 stating 'the municipality must provide at least 35 days notice for a public hearing on adoption of the plan and must make the draft plan available to the public for review prior to such public hearing' as the Legal Department has indicated that it was not needed.

Commissioner Fitzsimmons: Second

Vote: Fitzsimmons – yes; Kohan – yes; Allinson – yes; Venoit – yes; Chairman Seichter – yes.
The Affordable Housing Plan is approved.

BOND RELEASES AND REDUCTIONS

6. Site Plan/Richello/200 Main Street, Yalesville (a.k.a. 103 North Turnpike Road) #208-17

Mr. Pagini stated that he inspected the property and recommends reducing the bond from \$9750 to \$2650. The site is mostly stabilized in the basin which is what the bond was for, though there is still permanent seating and dust control to continue as he finishes construction.

Commissioner Venoit: Motion to reduce the bond to \$2650 on application #208-17 Site Plan/Richello/200 Main Street, Yalesville (a.k.a 103 North Turnpike Road).

Commissioner Fitzsimmons: Second

Vote: Unanimous to approve

The bond is reduced.

REPORTS OF OFFICERS AND STAFF

7. Review of Six-year Capital and Non-recurring Budget

Chairman Seichter asked Mr. Pagini to ask the Town Engineer or Public Works about the plan for sidewalk repairs. He noted that several sidewalks in the town center have been patched or replaced with asphalt. Is that temporary? Regarding streets to be repaired, he suggested asking if South Cherry Street between Hall Avenue and Quinnipiac Street can be added. He also asked how we can get the State to repair Quinnipiac Street from Cherry Street to Rt. 5. Mr. Pagini promised to pass on these concerns.

Commissioner Venoit: Motion to remand to the Town Council, approval of the Six-year Capital and Non-recurring budget.

Commissioner Fitzsimmons: Second

Vote: Unanimous to approve

8. Election of Officers

Chairman Seichter asked for nominations for Chairperson.

Commissioner Venoit: Motion to elect James Seichter as Chairman of Wallingford Planning and Zoning Commission.

Commissioner Allinson: Second

No other nominations were offered.

Vote: Fitzsimmons – yes; Kohan – yes; Allinson – yes; Venoit – yes; Chairman Seichter – abstain.

Chairman Seichter asked for nominations for Vice-Chair.

Commissioner Allinson: Motion to elect JP Venoit as Vice-Chair of Wallingford Planning and Zoning Commission.

Commissioner Fitzsimmons: Second

No other nominations were offered

Vote: Fitzsimmons – yes; Kohan – yes; Allinson – yes; Venoit – abstain; Chairman Seichter – yes.

Chairman Seichter asked for nominations for Secretary.

Commissioner Venoit: Motion to elect Steven Allinson as Secretary of Wallingford Planning and Zoning Commission.

Commissioner Fitzsimmons: Second

No other nominations were offered.

Vote: Fitzsimmons – yes; Kohan – yes; Allinson – abstain; Venoit – yes; Chairman Seichter – yes.

9. Administrative Approvals – noted as approved

- a. Change of Use/B. Mezick-Liberty Community Church/94-96 South Turnpike Road #303-22**
- b. Change of Use/M. Houde-Soulstice Brewing Co. LLC/29 No. Plains Highway, Unit #4 #304-22**
- c. Site Plan Revision/Yellow King Brews/920 South Colony Road #209-22**

10. ZBA Decisions of April 18, 2022 – no comment

11. ZBA Notice for May 16, 2022 – no comment

12. Zoning Enforcement Report

Commissioner Fitzsimmons asked for an update on the Vape Shop on Quinnipiac Street. Mr. Pagini reported that they are being referred to the Law Department for potential prosecution. He expects swift action. The owner did everything he was told not to do and received a cease and desist order before he was open. Commissioner Fitzsimmons noted a concern that some get a Cease and Desist and some don't. He asked if there are a lot of violations currently in the Law Department. Mr. Pagini replied that there are some smaller ones and most are being addressed. They actively work with people to bring them into compliance. Commissioner Fitzsimmons asked that we make sure that violations get the appropriate response and action. He suggested discussing violations and fines and consistency as well as being proactive.

Chairman Seichter stated that the Vape Shop violation is easy to address because they are operating the business illegally. He agreed that we need to be consistent.

Mr. Pagini announced that the workshop on density issues is scheduled for May 19th at 6pm in room 315. He will provide samples of what other towns are doing.

ADJOURNMENT

Commissioner Venoit: Motion to adjourn the May 9, 2022 meeting of the Wallingford Planning and Zoning Commission at 9:30 pm.

Commissioner Fitzsimmons: Second

Vote: Unanimous to approve

Respectfully submitted,

Cheryl-Ann Tubby

Recording Secretary