

**DRAFT**

**DRAFT**

**Wallingford Planning & Zoning Commission  
Monday, May 11, 2020  
Remote Meeting  
MINUTES**

Chairman Seichter called the meeting to order at approximately 7:00 p.m. He called for a moment of silence to remember those who have lost their lives to the Corona Virus, to offer hopes for recovery of health for those infected and to keep in mind the essential employees continuing to provide vital services. He suggested that everyone find a way to observe Memorial Day to recognize those who have died for our country since official town events have been cancelled.

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

**Roll Call:** Present: James Fitzsimmons, Regular Member; Jeff Kohan, Regular Member; Rocco Matarazzo, Secretary; JP Venoit, Vice Chair; Jim Seichter, Chairman; Steven Allinson, Alternate, (voting for JP Venoit); Jaime Hine, Alternate.

Staff: Amy Torre, Land Use Specialist and Zoning Enforcement Officer, Tom Talbot, Acting Town Planner; Atty. Janis Small, Corporation Counsel.

Absent: Armand Menard, Alternate.

Chairman Seichter explained how the virtual meeting would be run, how questions would be submitted and reviewed some rules. He also stated that Commissioner Allinson will be voting for Commissioner Venoit with Commissioner Venoit's permission.

**PUBLIC HEARING**

**#1 Special Permit (traffic generator)/warehouse & distribution center/J. Dewey on behalf of BL Companies/425 & 528 South Cherry Street (continuation of public hearing) #414-19**

Commissioner Matarazzo noted all new correspondence pertaining to this application for the record. Correspondence dated March 5, 2020 from Erik Krueger, Senior Engineer, Water & Sewer Division to Kacie Hand, Town Planner; Memo dated March 10, 2020, from the Department of Engineering to Kacie Hand, Town Planner; Memo dated March 10, 2020 from the Department of Engineering to Kacie Hand, Town Planner; Correspondence dated March 17, 2020 from Michael Dion, BL Companies to Kermit Hua, KWH Enterprises; Correspondence dated March 16, 2020 from Michael Dion, BL Companies to Kermit Hua, KWH Enterprises; Correspondence dated March 23, 2020 from Michael Dion, BL Companies to Kermit Hua, KWH Enterprises; Lot plans marked Exhibit-1 and Exhibit-2; correspondence dated April 14, 2020 from Kermit Hua, KWH Enterprises to Michael Dion, BL Companies; correspondence dated April 30, 2020 from Jeffrey Dewey, BL Companies to Alison Kapushinski, Town Engineer; correspondence dated May 3, 2020 from Kermit Hua, KWH Enterprises to Kacie Hand, Town Planner; Memo dated May 8, 2020 from Department of Engineering to Planning & Zoning Commission.

Chairman Seichter reviewed the questions the applicant is charged with addressing this evening, including addendum #2 to the traffic study; the additional vans during the peak season for the company;

the turning radius at the corner of Ball and Pent Roads as well as the impact of traffic on Ward Street west of South Cherry.

Atty. Thomas Cody from Robinson & Cole introduced himself as representing applicant, as well as Jeffrey Dewey and Michael Dion, engineers of BL Companies. He noted that the focus of the presentation will be on traffic. Michael Dion recapped the traffic impact study and showed how they incorporated comments from Mr. Hua the traffic peer reviewer. Mr. Dion showed the revised trip generation numbers. He explained how during the peak season, vans would be leaving an hour earlier and an hour later, and would not impact the morning or afternoon peak commuting periods. He noted that in the traffic analysis, no intersections in the vicinity failed. There was only one intersection that was rated E for the left turn lane in the afternoon peak hours. He stated that the traffic analysis will go to the state office of traffic administration. It would be up to them to make any changes at that intersection. They would have to approve the application.

Chairman Seichter asked if the additional 100 vehicles during peak season would impact traffic. Mr. Dion replied that during the seasonal peak, the 100 cars would be spread out between an hour before (9am) and an hour after (2pm) peak times so they would not affect the peak time periods. He noted that they didn't have traffic counts due to the reduced traffic during the pandemic period, but they did look at historical data for Ward Street, west of South Cherry. They determined that the number of trips added would not significantly affect that intersection. Mr. Dion reported that they worked with Mr. Hua to come up with a plan for Ball Street and Pent Road. They will add stop bars and stop signs to both approaches so the tractor trailers have to wait for right of way.

Kermit Hua, KWH Enterprises summarized his conclusions and recommendations. First regarding the additional trips during the peak season, he is satisfied with the explanation that the operation hours will be extended to stretch out and distribute the trips. Second, regarding Quinipiac and Ward Streets, they used historical data and added peak trips, and incorporated criteria on peak hour traffic, to determine that there is spare capacity on those streets to accommodate the additional trips. Third, regarding the Pent Road and Ball Street intersection, the two exhibits provided by BL Companies look good. The purpose is to avoid stopping too close to the intersection, not allowing enough room for the opposing tractor trailer. The exhibits look good. His only issue is that the proposed change is not reflected in the plans submitted for the application. He recommended a condition that BL revised the site plan to reflect the new stop bars and stop sign locations. Mr. Hua also noted an issue with the landscape plan. He noted that planned trees and shrubs would block sight lines with the new stop bars and stop sign locations. He recommended a condition that the plan be reviewed to ensure that trees and bushes don't block sight lines.

Mr. Hua added that the intersection of John Street and Old Colony Road has heavy left turn from northbound Rte5 onto John Street. He is concerned about the inconvenience this will cause even if the level of service looks good on paper. He recommended that the Commission point this out in their approval letter to the DOT and OSTA and recommend some kind of improvements, possibly signal timing or a north bound left turn lane since widening the railroad bridge would be too expensive.

Commissioner Fitzsimmons asked Mr. Hua about John Street and Rte 5 and if the applicant is required to get a state permit. Mr. Hua replied that they are required to make an application to OSTA and that the approval letter from the town is part of that application. Commissioner Fitzsimmons clarified that the Commission can request that the state review the intersection. Mr. Hua replied that if it's related to this application, the applicant pays for it. Commissioner Fitzsimmons stated that he supports the request for a State review.

Commissioner Fitzsimmons asked for clarification from Mr. Hua about the John Street and Rte 5 intersection. The Commission could ask the DOT for improvements at that intersection. He asked who would be responsible for that. Mr. Hua clarified that the applicant does have to submit an application OSTA because they have over 200 parking spaces and meet the definition of a major traffic generator. The State will have to review the data and the approval letter from the Town is part of that submission to OSTA. So OSTA will see whatever recommendation the Commission includes. Commissioner Fitzsimmons clarified that the request to the state could be to request they review it for potential improvements. Mr. Hua noted that offsite improvements related to this application would be paid for by the applicant.

Commissioner Fitzsimmons asked why there is parking against the building instead of landscaping. Jeff Dewey of BL Companies, replied. He showed on the site plan, where different vehicles and traffic travel and are segregated. This leaves a small area to the Northwest for the ADA parking for the office block and main office entrance. Commissioner Fitzsimmons asked for clarification that there is enough parking and if the delivery vans are left on site. Mr. Dewey explained that the van parking includes the off-site capacity so there is enough room. Basically a van driver parks his personal vehicle then drives a van away, which leaves an open space. He clarified that the vans are stored on the property when not in use. Commissioner Fitzsimmons asked how many contractors provide the vans and the delivery drivers. Mr. Dewey didn't have a number but indicated that it could be more than one. Commissioner Fitzsimmons stated that he was trying to visualize the traffic in and out and the parking, and asked if there is enough parking. Mr. Dewey replied that the Tractor Trailers are only on the property overnight when there is no delivery van traffic and that the vans come and go in shifts. Commissioner Fitzsimmons asked about the private delivery vehicles. Mr. Cody replied that the Flex drivers pick up between 4 and 6pm. Commissioner Fitzsimmons asked how many Flex vehicles in total. Mr. Cody replied approximately 100. Commissioner Fitzsimmons thanked the applicant for addressing all the issues.

Commissioner Kohan thanked the applicant for answering all the traffic concerns. He stated a concern about the John Street Bridge. There is a report in which the state has deemed the structure is satisfactory and the remainder, such as the surface and the curbs are in fair condition. He asked if the additional traffic being generated would impact the condition of that bridge, resulting in the town needing to resurface it in the near-term. Mr. Dewey replied that typically pavement is designed for 20 years, but there is no cut and dry method to estimate what amount of traffic will create additional wear. Mr. Dion added that the applicant is not generating a lot of tractor trailer traffic which would cause

more wear. Commissioner Kohan stated that the condition determination of fair sounds iffy and asked who would be responsible for improvements if they were necessary. Chairman Seichter clarified that according to the Corporate Counsel it would be the responsibility of the Town. Commissioner Kohan asked if the possibility of the bridge being closed for repairs should be discussed. Mr. Dion replied that closing the bridge would affect the other businesses as well as the neighborhood, but stated that BL Companies did not look at that.

Commissioner Hine asked Mr. Hua about requesting state review of the light equipment at Rt 5 and John Street. He asked if Mr. Hua had concerns about that intersection. Mr. Hua replied that if there was no bridge, he would prefer the John Street approach be widened. The bridge limits the options. He also has issues with blocking the northbound left turn onto Rte 5. It is not realistic to add a northbound left turn lane due to the railroad bridge and the cost of the change. He stated that the alignment of Rt 5 could be changed but DOT and OSTA make that decision. His concern is the queuing that will result at the Eastbound John Street approach, but doesn't expect it to back up to South Cherry. Commissioner Hine clarified that Mr. Hua has concerns over what is being proposed without some change to increase the flow at that intersection. Commissioner Hine asked if Mr. Hua's concern is in part the width of the bridge on John Street. Mr. Hua concurred and stated that if add a lane, it would shorten the queue on John Street but the bridge is only so wide, so basically need a new bridge. Commissioner Hine noted that there have been problems in the past with trucks not making the turn onto or off of the bridge. He asked if the state would inspect the bridge as part of the approval process. Mr. Hua replied that OSTA usually doesn't look at the detail, but the Town can add it to the recommendation to OSTA.

Commissioner Hine asked how many more flex vehicles would be in use during the peak season. John Lazo, of Amazon, replied that off peak, there would be 40 flex vehicles and at peak that would double to about 80. These numbers are due to the capacity of the facility. He also noted that they would be coming and going in waves of 10 to 15. Commissioner Hine noted that previously, the Commission had been told that there were approximately 100 flex vehicles a day during steady state. Mr. Lazo replied that they went back to the traffic coordinators who developed a spreadsheet that is based on building capacity. Thus they determined there will only be about 40 off peak. Commissioner Hine asked Mr. Hua if that information affected his analysis. Mr. Hua indicated he had no concern and saw no affect on the previous traffic study for mid-day peak hours.

Commissioner Hine asked Mr. Hua if he had a concern after reviewing traffic study addendum #2 and the revised numbers for the intersection of Rt 5 and Wharton Brook southbound going from D to E. Mr. Hua stated that he was comfortable with the data and stated that it is up to the DOT. He agreed that the level of service is not desirable but it's not unusual.

### **Public Comment**

Tom Talbot, Planner, noted some ambiguity in the plans for the driveway opening on Ball Street. The Town Engineer made a condition that the opening be reduced from 71 to 30 feet; she asked if that will be shown on the final plan. Mr. Dewey apologized for the drafting error and confirmed that it will be corrected on the final plan.

Thomas Cody summarized the issues discussed tonight. First, make sure that the new stop bar locations on Ball and Pent Street reflected on the plan set. He confirmed that they are on the plan. Second, that trees and shrubs may need to be removed at that intersection to avoid blocking sight lines. He agreed that they would review the site plan and make the necessary revisions and share those revisions with staff. Third is the driveway on Ball Street. He offered a condition that it necks down from 71 to 30 feet. Fourth, regarding the bridge at John Street, he agrees that that is an offsite improvement, but they have no objection to the Town flagging their concerns to the DOT.

Tim Ryan, Economic Development Specialist, asked that the Commission consider that the applicant is a world renowned logistics expert, so any issues with queuing or turning lanes, they will address them to keep their packages moving. He noted that the roadway infrastructure did accommodate over 1000 employees at American Cyanamid and when Wallingford Steel was there, 100's more vehicles used that intersection. He recommended that the Commission take into account the expertise of the applicant. Lastly, from an economic development standpoint, this is a great opportunity to make this corner look great. He asked the Commission to approve the application.

Jim Wolfe, Economic Development Commission, stated that the EDC supports the application and supports the Planning & Zoning Commission's suggested conditions.

Thomas Cody thanked the Commission for their patience and diligence as the applicant worked out the online public hearing. The client is eager to get started. He asked for favorable consideration.

Commissioner Fitzsimmons asked Mr. Talbot for clarification of the S&E bond requested by the Planning Office and the Engineering Department. Is it two separate or the same one. Tom Talbot clarified that it is the same one for improvements and S&E. Commissioner Fitzsimmons also asked for clarification of the comment about removing trees and shrubs to improve sight lines. Atty. Cody clarified that the trees and shrubs would be moved elsewhere not removed from the site.

Chairman Seichter entertained a motion to close the Public Hearing.

**Commissioner Fitzsimmons: Motion to close the Public Hearing on the Special Permit (traffic generator)/warehouse & distribution center/J. Dewey on behalf of BL Companies/425 & 528 South Cherry Street (continuation of Public Hearing) #414-19**

**Commissioner Kohan: Second**

**Vote: Fitzsimmons: yes; Kohan: yes; Matarazzo: yes; Allinson(for Venoit): yes; Chairman Seichter: yes  
The Public Hearing is closed.**

**Commissioner Fitzsimmons: Motion to approve the Special Permit traffic generation for Jeffrey Dewey dba BL Companies to allow a warehouse distribution facility including van parking and storage at 425 South Cherry Street and associated offsite van parking/ storage at 528 South Cherry Street as shown on plans entitled Planned Development Plans issued for Planning & Zoning approval 425 and a portion of 528 South Cherry Street, Wallingford, CT dated November 3, 2019, revised to March 3, 2020 subject to the following conditions:**

- 1. Operations to comply with all representations in submitted document entitled DOB2 425 South Cherry Street, Wallingford, CT Amazon Logistics Operational Narrative attachment 414-19 BB marked revised and received as email attachment 2/27/20 as well as document titled Traffic Study Addendum #1 Proposed Delivery Station Building 425 South Cherry Street, Wallingford, CT dated and received March 5, 2020 by the Wallingford Planning and Zoning Office and Traffic Study Addendum #2 Proposed Delivery Station Building 425 and 528 South Cherry Street, Wallingford CT received March 13, 2020 by the Wallingford Planning and Zoning Department including but not limited to number of vans, hours of operations of each component of the operation, etc. These restrictions and representations to apply to the full operation including both sites such that the number of vans associated with the entirety of the operation, both sites shall not exceed the representations made in regards to the number or hours. Any modification to the represented operation shall require an application to modify the special permit with the Wallingford Planning and Zoning Commission. Final traffic study clearly explaining that the maximum represented are in relation to the entire combined number of vehicles for both sites to be submitted with final plan.**
- 2. This approval includes the use of both sites 425 South Cherry Street and the represented van parking and storage area at 528 South Cherry Street as a single operation. The representations made are dependent on the proximity of the two sites and coordination between them. The van parking and storage at 528 South Cherry Street shall only be allowed as accessory to the operation at 425 South Cherry Street. Any modification of this shall require application approval of a new special permit.**
- 3. All signage on the site to comply with Section 6.9 of the Wallingford Zoning Regulations and all non-compliant signage is to be removed from the final plan.**
- 4. Compliance with Interoffice Memorandum received from Erik Krueger, Senior Engineer, Wallingford Water & Sewer Division Dated December 4, 2019 and revised January 10, 2020.**
- 5. Final plans to include previously submitted calculations regarding front landscaping requirements as discussed.**
- 6. Sedimentation and erosion control bond and offsite improvement bond in the amount of \$35,000. Also final plans to include name and contact information for sedimentation and erosion control contact person.**
- 7. Compliance with Interoffice Memorandum from Alison Kapushinski, Town Engineer dated May 8, 2020**
- 8. Compliance with conditions in memorandum from Kermit Hua, principle at KWH Enterprises, LLC dated May 3, 2020 and March 5, 2020.**

**9. Request that Connecticut DOT/OSTA review the feasibility of potential improvements to the intersection of John Street and Old Colony Road/Rt 5 as recommended by the Town Peer Review, Kermit Hua.**

Chairman Seichter recommended adding the following to condition #1: **and Traffic Study Addendum #2 Proposed Delivery Station Building 425 and 528 South Cherry Street, Wallingford CT received March 13, 2020 by the Wallingford Planning and Zoning Department.** Commissioner Fitzsimmons accepted that amendment as part of the Motion.

Tom Talbot added the Mr. Hua's memorandum he makes the recommendation that Chairman Seichter just added, so it's really not necessary.

**Commissioner Kohan: Second**

**Vote: Fitzsimmons: yes; Kohan: yes; Matarazzo: yes; Allinson(for Venoit): yes; Chairman Seichter: yes  
Special Permit #414-19 approved.**

**NEW BUSINESS**

**2. Six-year Capital & Non-Recurring Budget (2020-2026)**

Commissioner Matarazzo noted all new correspondence pertaining to this application for the record. Correspondence from The Office of the Mayor dated April 15, 2020 with attached Proposed Six-year Capital budget.

Chairman Seichter asked Commission members for questions. Hearing none he entertained a Motion to approve.

**Commissioner Fitzsimmons: Motion to review and approve the Six-year Capital & Non-Recurring Budget (2020-2026) as submitted by the Office of the Mayor.**

**Commissioner Kohan: Second**

**Vote: Fitzsimmons: yes; Kohan: yes; Matarazzo: yes; Allinson(for Venoit) yes; Chairman Seichter: yes  
Six-Year Capital & Non-Recurring Budget approved.**

**3. CGS 8-24 Site Plan (site improvements)/TLB Architecture, LLC/739 North Main Street Ext.  
(Community Pool Park) #237-19**

Chairman Seichter announced that there would be no action on this site plan because there has been no formal request from the Mayor. He stated that Corporate Counsel indicated that the Town Council will be taking up the Mayor's veto tomorrow. If the veto is overridden the Commission can take the issue up at another meeting.

**REPORTS OF OFFICERS AND STAFF**

**4. ZBA Agenda**

Chairman Seichter asked Commission members for any questions on the proposed agenda. None were submitted. He noted that the Zoning Log will not be reviewed at this meeting, as the current log is not available.

Commissioner Hine asked for clarification on the variance request for 100 Center Street, #20-004. Due to a technical problem, Ms. Torre was unable to respond. Commissioner Hine will follow up directly with Ms. Torre.

Commissioner Kohan suggested approving the minutes from the March meeting. Chairman Seichter suggested we take that up at the next meeting.

**Commissioner Fitzsimmons called for a motion to adjourn the May 11, 2020 meeting at 8:40 pm.**

**Commissioner Kohan: second**

**Vote: Fitzsimmons: yes; Kohan: yes; Matarazzo: yes; Allinson(for Venoit) yes; Chairman Seichter: yes  
Meeting Adjourned.**

Respectfully submitted,  
Cheryl-Ann Tubby  
Recording Secretary