

**Wallingford Planning and Zoning Commission**  
**Monday, March 13, 2023**  
**7:00 p.m.**  
**Robert F. Parisi Council Chambers – Town Hall**  
**MINUTES**

Chairman Seichter called the meeting to order at 7:05 p.m.

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

**Roll Call:** Present: James Seichter, Chairman; Stephen Allinson, Secretary; James Fitzsimmons, Regular Member; Jeffrey Kohan, Regular Member; James Hine, Alternate; David Parent, Alternate; Kevin Pagini, Town Planner.

Absent: JP Venoit, Vice Chair.

Consideration of Minutes – February 15, 2023, Meeting

**Commissioner Kohan: Motion to approve the minutes of the February 13, 2023, Meeting of the Wallingford Planning and Zoning Commission as submitted.**

**Commissioner Fitzsimmons: Second**

**Vote: Commissioners Fitzsimmons, Kohan, Hine, and Parent to approve.**

Chairman Seichter and Secretary Allinson abstained.

Chairman Seichter noted that the following agenda item will not be heard tonight. No action has been requested.

**6. NEW BUSINESS Site Plan (self-storage units)/950 No. Main Street Wallingford LLC/86 Barnes Road #204-23**

**PUBLIC HEARINGS**

Chairman Seichter asked Commissioner Parent to sit in on this Application and for the others this evening.

**1. Special Permit (new Admissions Building)/Choate Rosemary Hall/59 North Elm Street #405-23**

Commissioner Allinson acknowledged the correspondence including Inspection Report from the Wallingford Fire Department dated February 20, 2023, #405-23A; Letter from Phillip Youker attaching ZBA Section 6.1 on Height, dated 3/6/23, #405-23B; Correspondence to Patrick Durbin, CEO, from the Town Planner dated 3/2/23, #405-23C; Memo from Erin O’Hare, Environmental Planner, to Kevin Pagini, Town Planner, dated 3/6/23, #405-23D; Interoffice Memo from Scott Shipman, Senior Engineer, Water & Sewer Divisions, to Kevin Pagini, Town Planner, dated 3/8/23, #405-23E; Att. #405-23F, being Public Comments submitted for Application #407-22 which was withdrawn [--being #407-22D from Jonathan Carbutti to Kevin Pagini/Town Planner dated 12/8/22; #407-22E from Phillip Youker to Mr. Kevin Pagini dated 12/27/22; #407-22F Mike Glidden to James Seichter, Chairman, dated 12/28/22; #407-22G from Steven L. Lazarus to Wallingford Planning and Zoning Commission dated 1/8/23; #407-22H from Jon T. Walworth to Planning and Zoning Commission dated 1/16/23; (no #407-22I); #407-22J e-mail from Phillip Youker to Kevin Pagini dated 2023-01-20—also unmarked letter from Phillip Youker to Mr. Kevin Pagini dated March 1, 2023, 4 pages; unmarked letter from Phillip Youker to Mr. Kevin Pagini dated 3/6/23, 3 pages; Choate News article “What’s Going on with the Old Student Activities Center?” of 11/14/19, 2 pages—end re prior Application #407-22]; Correspondence To Whom it may concern from Ray Diffley dated 3/9/23, #405-23G; Correspondence to Mr. Kevin Pagini, Town Planner, from Mr. Brian Kaye, PLA, Senior Landscape Architect from SLR, dated 3/8/23, #405-23H; correspondence “To Members of the Wallingford Planning

& Zoning Commission” from Nancy Dickson dated March 9, 2023, #405-23I; Memorandum from Town Engineer Alison Kapushinski to Planning & Zoning Commission dated March 8, 2023, #405-23J; Memorandum from Janis M. Small, Corporation Counsel, to James Seichter, Chairman, and to the Members of the Planning and Zoning Commission, and to Kevin Pagini, Town Planner, dated March 10, 2023, #405-23K; and letter to Planning & Zoning Commission from Jennifer M.F. Hillgen-Santa, Esq., dated March 10, 2023, #405-23L.

Commissioner Kohan read the legal notice into the record: #405-23 – Special Permit for Choate Rosemary Hall to construct a new admissions building and underground parking facility at 59 North Elm Street – R-18 (Residential) District.

Appearing were Attorney Dennis Ceneviva of Ceneviva Law Firm in Meriden along with Mr. Patrick Durbin, Chief Financial Officer, Choate Rosemary Hall. Also appearing were Mr. Brian Kaye, Senior Landscape Architect with SLR of Cheshire, Mr. David Sullivan, Traffic Engineer with SLR, and Mr. Kevin Smith, Architect.

Attorney Ceneviva said, This is for Map 134, Lot 156 on the southeast corner of Elm Street and Christian Street. It’s proposed under Section 4.1 C of your Planning and Zoning Regulations as a Special Permit for construction of new 14,000-square-foot building to house the Admissions Office for Choate Rosemary Hall and adding parking facilities underneath for 73 vehicles, and to construct extended lawn area. The one-floor underground parking is accessed off Christian Street about 170 feet from the four-way intersection. We’re eliminating about 61 parking spaces along Gunpowder Creek. The new Admissions Building will be LEED Platinum, explained tonight. We received IWWC approval on March 1. Our Application complies with your standards for building height, set-backs. Mr. Brian Kaye will describe the Site Plan under Section 7.4 for the building location and underground parking. Dave Sullivan will discuss the impact of the underground parking facility, and you received the Town Engineer’s report. Then Kevin Smith will present about the LEED Platinum building. Last, we’d take questions from the Commissioners and the public. Under Section 7.5 are the criteria for this.

Mr. Patrick Durbin, C.F.O. for Choate Rosemary Hall, said This new building is two stories, 14,000 square feet, with a footprint of 7,000 square feet. It’s to attract students and families to Choate and Wallingford. We belong to the Association of Boarding Schools. COVID has interfered, and we want this new building to welcome applicants and their families. We want it centrally on campus with its own parking. The current Admissions Office has outgrown its space over the last 20 years. I’ve been asked about the School’s plans. Choate has been an independent boarding school for over 100 years. We have students and parents in Wallingford, and we want to stay competitive as the best boarding school with top-notch facilities and programs. A facility like this is fundamental to our prospective students and parents. We have a beautiful campus and a vibrant town. We’re committed to building this structure to LEED Gold or Platinum standards of sustainability. We observed Town and State codes and regulations for water quality and stormwater management. We’re committed to strengthening our school and future in Wallingford.

Mr. Brian Kaye, Landscape Architect with SLR, said, This is the building here with access off Christian Street and the underground parking. The highlighted green is the “green” roof. Here are North Elm Street and Christian Street, the four-way intersection. The site topography has the upper level where the building is, the middle level with the football field, and the lower level where the parking is being removed. Gunpowder Creek daylight here, but it is piped under our site from the impounded pond to where it daylight. We’re decreasing stormwater peak flows for all events up to the 100-year storm, allowing water to remain and go into the ground. The roof runoff is going into a vegetated rain garden about three feet deep in front of the building. It has an infiltration rate of about 10” per hour. Water goes into it, and there is a high-level overflow. Then it goes to the larger basin, which has treatment and is about 5 feet deep, and then it goes to the piped portion of Gunpowder Creek.

The green roof is substantial, with a 12" to 38" profile of soil that acts just like the lawn there. In a small rain event, water gets retained there for the grass and vegetation. In a medium storm event, water runs off here and out to the football field. In larger storms, the water will go to the underdrain at the bottom of that profile, and it will outlet to the larger basin and be treated the same way and come down to the piped portion. The major water quality improvement here is elimination of the 60 parking spaces, eliminating that first flush of pollutants. Landscaping will have 20+ trees, and the rain garden and bioswales are heavily vegetated with native grasses and shrubs. On setbacks, we had a porch here, but we moved it to be outside the 40-foot setback. There was a comment about "light spill", and we gave a photometric plan where the light goes. We have lights at the doors and lighting for the walkways. This will be the welcome center for the start of campus tours for families. Circulation will remain the same. We installed rapid-flashing beacons at the main mid-block crossings.

Mr. David Sullivan, Traffic and Transportation Planning from SLR, said, We looked at existing roadways and conditions. We reviewed the site plan and the existing intersection of Christian and North Elm. This building is across the street from our current Admissions Center, with no change in operation or staff, services. Our pattern will be the same in the future. We looked at safety in the location, sight distances, speed limits in relation to the garage driveway. Traffic speed in there is 31 to 36 mph, with 36 being the 85<sup>th</sup> percentile. So 85% of traffic is passing at 36 mph or below. ConnDOT guidelines for those speeds and at the 85<sup>th</sup> percentile say the sightlines are more than adequate, left and right. So the driveway is placed at a safe location. Building placement is set well back from the intersection of Christian and North Elm. We looked at the intersection, and it is a traditional all-four-way stop controlled intersection, 90 degrees, and with pavement markings. We enhanced that intersection as per our ideas and the Town Engineer Alison Kapushinski, the Police Department, and the Training and Technical Assistance Center. They had minor recommendations for advance warning signage, striping, decals saying "STOP" on the street at the stop bars. We put advance Stop signs about 200 to 300 feet before the actual signs. We don't have a visibility issue—it would aid motorists. And we added LED lights around the signs.

Chairman Seichter asked for Commissioners' questions. There were none.

Mr. Kevin Smith, architect, said, The site plan has routes to keep pedestrians off sidewalks and within existing fences along North Elm and Christian. This building entrance is off Christian Street; a secondary entrance is off the terrace, where tours begin. We want to complement the historic nature of Wallingford. The main house has the ground-floor waiting area and presentation room, Admissions offices upstairs, an arcade wing, and underground parking. From the parking level, the elevator and stairs go up. Along North Elm we made the building as a larger house and a subsidiary house on the other end with the terrace in between. It's below the Sally Hart Lodge across the street. (He showed the other views and described the exterior.) It's to be all-electric, no fossil fuels, and with solar panels in the roof. Underground parking keeps it from being source of runoff.

Attorney Ceneviva said, That is our main presentation.

Chairman Seichter asked for Commissioners' questions.

Commissioner Fitzsimmons said, Could you show the garage entrance?

Mr. Smith showed it and said, This is the entrance to the garage. You go down from Christian Street, 4 ½ feet, to get to the garage. It's 152 feet from the corner to the curb cut.

Commissioner Fitzsimmons said, So the football field goes away?

Mr. Durbin said, It's still there. We plan to maintain that as an athletic field.

Commissioner Fitzsimmons said, It's not relocated. We don't have the Traffic memo from November. How many parking spaces will be provided? Where would people park? Students don't drive there, but visitors do.

Mr. Durbin said, We'll have about 70 spots in the underground lot. We're eliminating 60-61 along Gunpowder Creek. We have about seven events that have overflow: Wallingford Symphony, TWIST, Parents Weekend, Commencement, Reunion. Those typically have about 100 cars that used the "bleacher lot," where this building is to go. In 2019 when we built Colony Hall, we added 100 parking spaces there. We'd relocate those extra parking spots to a field above Colony Hall, which is on the same side as those events. So we have a plan to accommodate parking, further away from that intersection.

Commissioner Fitzsimmons said, So the parking garage would be open access for events?

Mr. Durbin said, It would be open for school and other events, just as Gunpowder Creek Road parking is.

Commissioner Kohan asked, We did not get that traffic memo. It sounds like you're moving the parking to the underground facility. You have up to 3,000 applicants to Choate, and I don't know if all visit. But what is the traffic count for day-to-day traffic during school hours? How many cars will go in there daily? When do the bulk of your visits occur, with families in the summer? Will that impact traffic on Christian Street during school hours?

Mr. Durbin said, The Admission function will remain the same as it is today. Those 3,000 families—I don't know how many come during the year. One tour guide will have 3 or 4 family members. Tours now leave Archbold Building across from there and go around, and that will be the same for them leaving the new building from the terrace.

Commissioner Kohan said, I see seven spaces now for Admissions parking. How many will be daily driving into the parking facility? And who's responsible for the tactile strips and the LED lighting?

Mr. Durbin said, There are 20 spaces now.

Mr. David Sullivan, Traffic Engineer, said, It would be done by the Town, and the Town Engineer would request it. Those items Choate would fund.

Commissioner Kohan said, The four-way intersection at Choate has traffic backup in the mornings and students crossing. What other safety items, such as a permanent crossing guard, would be there?

Mr. Durbin said, There's not a crossing guard because it's a controlled intersection. We do have crossing guards at the mid-block crossings at class peak periods.

Commissioner Kohan said, I'm looking at one of the public's comments about traffic and school buses in the morning and the afternoon. With this building and the Traffic memo and the T-2 Center, could you have a crossing guard to get school buses through faster?

Mr. Sullivan said, In dealing with traffic safety and pedestrian safety, traffic flow is not a priority. With congestion, vehicles have to stop and evaluate and go. So you'd want this traffic control. Peak-period delay is good for the pedestrian environment. Pedestrian safety is now pretty good out there in terms of the geometry.

Commissioner Hine said, The current Admissions office is in Archbold. Where do staff and visitors park for there? Mr. Sullivan said, In a parking lot to the south of the pond, not near Archbold, there are 20 spots for Admissions and a few more for resident faculty and others.

Chairman Seichter asked him to point to those. So those are 300-400 feet from the corner?

Mr. Durbin said, Yes.

Commissioner Hines asked, Do you have any sense as to how many people access that parking lot coming east to west each day?

Mr. Durbin said, I don't.

Commissioner Hine said, I haven't looked at the Traffic report, but I want to know how the change of entrance would affect what's going on at the intersection at North Elm?

Mr. Durbin said, A number of people come for day trips. Some stay at Sally Hart Lodge, so they would park and walk. If they come from an airport or over by 91, they would come by North Elm Street.

Commissioner Hine said, We all know that intersection is busy, especially in the day with kids crossing the street. My major concern is moving the entrance closer to the intersection, which is already busy. I like what is being proposed, but I'm concerned for safety of students and motorists. So placement of that entrance is my concern and how it's designed to dip down. But a car coming up out of that garage, are you going to have sidewalk in front of that?

Mr. Durbin said, Yes.

Commissioner Hine said, So cars coming up from the underground garage—and people who are not familiar with campus to begin with—and students crossing over, and drivers looking to make sure no students or cars or coming. That's my major concern. You put blinking lights on North Elm. I think it would be most helpful to put better lighting on each side of those walkways at this intersection—because at night, you can't see. I approach those intersections when students are there. With those blinking lights, I don't see them until they're out in the road. Sometimes they go on, sometimes they don't. With adequate lighting there, you could see the student approaching. There's stop signs, and people have to look both ways. I'm concerned with that entrance closer.

Mr. Durbin said, We worked with Wallingford Electric to increase the brightness. And we worked with the Town Engineer to make the three crosswalks into one, and we added more lighting for pedestrian and motorist safety.

Mr. Sullivan said, It's not in the traffic report, but I hear you describing an urban wall, coming out of a garage, and pedestrians are right there. That's not the case. When you exit the garage, you're a significant distance away and there's all this open space. So you're approaching this not in a blind condition. You see pedestrians; pedestrians see you. You're traveling slowly, coming uphill a little bit. So I think that should not be a concern. It's like most of these driveways where, as you approach it, you have the visibility to the crosswalk and pedestrians have the visibility of the car exiting. So we're not creating a new wrinkle in safety on campus with this driveway. The distance of 150 feet or so—you want to avoid too close, where turning maneuvers into or out of here are affecting this intersection. At 150 feet, this intersection will function independent to what's happening here. For the safety of the driveway, it's the proper visibility of what's happening here and proper visibility for

the speed of the driver approaching you. So this is 80 to 100 feet, it will not be like coming out blind from a parking garage.

Commissioner Hine said, I'm thinking of the urban garages with a wall.

Mr. Sullivan said, The urban garages with a speed ramp, with cars are coming up on 10% to 12% to get out into the streets. This is not that condition—here, you're looking at 4% to 5%.

Commissioner Hine asked, Did you do any on-site testing with how many students passing on a regular school day or what times?

Mr. Sullivan said, No, we don't have any studies done for that on this project.

Mr. Brian Kaye added, The circulation paths for students or walkers by there are primarily diagonal. They try to focus the sidewalks to either that 4-way stop or the mid-block crossings. They focus the paths diagonally, so currently it wouldn't be a desired path.

Commissioner Hine said, Now with the Admissions building there, are students going to be coming straight up Christian or around parallel to North Elm?

Mr. Durbin said, We don't expect pedestrian flows to change. Typically, they use the diagonal path toward the gym, or they would use the mid-block.

Commissioner Hine said, I would like to see the Traffic memo.

Chairman Seichter said, Unfortunately, we didn't get the Traffic memo in our packet. I'm not sure we'll be acting on this this evening. How many people work in the Admissions building? And how many will move to the new building?

Mr. Durbin said, Fifteen or so now; 10 or 12 then.

Chairman Seichter said, That's not large. I assume, when students walk by your garage, they would be going to something at Mellon Center, the hockey rink, Winter-X building, they generally take that walkway that's to be modified. The floor of the garage is about 4 feet below the road?

Mr. Sullivan said, At the point of entry.

Chairman Seichter said, In cities, the car leaving trips a light or buzzer to show a car is coming out. That's something to consider. I'd ask you to improve the lighting, especially at the relatively new dormitory in front of the baseball field. At the crosswalk there, there's not much light. At the intersection of Christian and North Elm, the lighting is a bit of a challenge. Also, to have more orientation with your students: to teach them the lights don't go on unless they push a button. Maybe 17 people will use the Admissions building, and others may use that, and people on tours. On a typical or heavy day, how many people come in?

Mr. Durbin said, We have School Meeting every week. And Mr. Wright comes in and talks about pushing the button and activate the lights. This year, students made a video reminder of that.

Chairman Seichter said, There's very few times that I've seen a student crossing not on a crosswalk.

Mr. Durbin said, Typically we have five tour slots, and at most we'd have eight tour guides, 8 a.m. to 3 p.m.

Commissioner Allinson asked, With 73 spots with 3 handicapped spots in the garage, will any staff park inside?  
Mr. Durbin said, We don't assign to staff—some live on campus and walk there.

Commissioner Allinson asked, So will the garage be open after day hours? If spots are labeled, people won't want to park there. The drawing looks like there's clearance to get a wrecker in there?

Mr. Sullivan said, There is.

Commissioner Allinson asked, Will the garage be open 24/7? And security? There's one ingress/egress.

Mr. Durbin, Ideally it will be open all the time, 24/7. We haven't discussed that yet. Cameras could be there.

Commissioner Parent asked, The fastest way is to go north is to take a right from Center and go down North Colony Road. If it weren't for frequent class changes, North Elm would be great. The present condition of that crosswalk seriously impedes traffic in the town. Could you create tunnels so the kids could pass safely? There's cars and children, which should be addressed.

Mr. Durbin said, We changed our class schedules, which means fewer changes. Some of that traffic is between the Town schools.

Chairman Seichter asked, Mr. Pagini, do you have questions?

Mr. Pagini said, Not at this time.

Chairman Seichter said, I'd ask members of the public to speak.

Mr. Dan Krober, 391 South Main, said, I'm in favor. I'm a professional civil engineer. Choate puts the safety of their students and community at a high level. I worked on a project where Choate reviewed how to direct students on campus. The building is LEED Platinum design for environmental. Stormwater management, I've reviewed the plans, are well designed.

Mr. Joe Mirra, 21 Pequot Road, said, I think the traffic also stems from Town growth. Choate has been a real good neighbor. They attract a lot of visitors. When Oakdale was remodeled, I supported them. It's the community that's growing. I don't see this being a problem.

Mr. Steve Knight, 289 Ivy Street, said, I've had contact with Choate as a Town Councilor, as a parent, and via Wallingford Center's and Hubcap's boards. Choate is a large employer, brings economic benefit to Town, and enrollment is somewhat down. I can't think of a higher priority for schools than a child's safety. It's their responsibility, and they've made pedestrian traffic improvements. Their Operations chief used to be our police chief. They've taken environmental care as to water runoff in their plans. They're maintaining the New England character of their buildings. I urge you to support this.

Mr. Robert Avery, North Elm Street, said, I go through that intersection daily. I can't believe that people from

out of Town trying to find that parking garage entrance are not going to back up traffic at that intersection. And with class changing, it's going to be by my house.

Mr. Richard Krombel, 528 North Main Street, On North Elm Street and Christian Street, construction will take several months. I was surprised to hear there isn't a crossing guard then at the intersection to assist pedestrians, students and drivers. Contractor vehicles and heavy equipment will make congestion worse. There need to be some restriction: Cars leaving Gunpowder Creek Road, to go east and use East Main. From North Elm Street, to have heavy vehicles use Choate's maintenance drive. The garage is supposed to have 73 cars. Can Choate mark spaces for visitors, where 20 spaces are now at Archbold? That would leave 53 for the public coming to events. And that intersection is a main East/West, North/South one. The garage entrance is 150 feet from the intersection. Traffic backs up. You might have to pull out of the garage into traffic. The "overflow" lot has been used for larger events. It's easiest for people to pull onto Curtis Avenue and park, but that area gets congested and I feel for the residents there. Maybe one side of the street would be "neighbors only" there.

Mr. Phil Youker, Curtis Avenue, said, I am not opposed to the building but opposed to this project location. It's 25 spaces for Admissions in the garage and removing about 60 space by Gunpowder Creek. I think those 60 were used by day students and employees. So who would be using the garage? I'd be concerned if it were young drivers. Mr. Durbin said they would keep the athletic field—would football still be there? Also, I submitted four documents to the Commission for tonight. The thing I didn't hear about was discussion of the height requirement. Mr. Pagini gave me a copy of the height information from Mr. Kaye, and I'd give it to you now (given to the Commissioners). In this diagram on the left, I'm concerned about building height. It shows 30 feet tall, but only a portion is shown. I added to the peak of the roof at the right, and it looks over 30 feet tall. Would that be out of compliance? Finally, I'd mention my 247 supporters on my Facebook poll opposing this location, with 37 in favor.

Chairman Seichter asked the Choate representatives to explain who would park in the garage; also, at the 60 ground spaces, who is parking there now and what will happen? Could you talk about ZBA permission to move the football field? And, Mr. Pagini, could you address the concerns he expressed about building height?

Mr. Durbin said, I call it the athletic field, which will remain, because we play other sports there. We're considering moving the football field. The 20 spaces for Admissions on that lot would not be reserved for Admissions. Now, it's a mix of day students who commute and staff who park and go to the pool.

Mr. Rob Blanchard, Curtis Avenue, said, My procedural question: I think the landscape architect said they moved the building 4½ feet because it was in the setback from the road. If it's approved that way, is it binding?

Chairman Seichter said, If it were approved that way, that would be an issue.

Mr. Blanchard said, That intersection is dysfunctional. And with teenage drivers trying to pull into that--. I'm on Curtis Avenue. Every day, vans, dump trucks, pickup trucks use Curtis Avenue as a through way. If they do it on their own, they don't want to go through this intersection. The other day I saw at the intersection of North Main and North, a Choate blue van came up, take a left onto North Main and onto Curtis where I live, and down and took a right, presumably to the service building. So we're a de facto service road for Choate. Their delivery vehicles come up Curtis Avenue to deliver on Beaumont Avenue. The whole intersection is dysfunctional. I've seen the traffic report today and a number of years ago. There's 6,000 vehicles a day using Elm and Christian. That's a lot. It impacts on North Main, Curtis Avenue, High Street, North Street—people are avoiding that



intersection because of congestion. Look at the traffic study for the neighbor streets. Mr. Parent said it's always congested. Something needs to address this. And I was concerned with overflow parking. They say some is going to the lot above Colony Hall. I think the Town Planner and Mr. Ceneviva made comments to dissuade the Commission from putting a restriction on the approval for parking not to be on the field to the east where the creek runs under there and there's surface drains. I raised it at Wetlands. I'm concerned for pollution to the creek. It should be easy for the school to commit that they won't park there.

Chairman Seichter said, We can discuss it with the Applicant as to plans. Seasonally, those fields get wet.

Mr. Durbin said, That's accurate, yes.

Chairman Seichter said, So I think the school wouldn't want people to park there.

Mr. Blanchard said, They put the football field off once they got the variances. I think they're using the football field not being there to get this building closer to the road. They're continually building in a residential neighborhood. I'd propose a Commission moratorium on development in a residential zone so the Plan of Development could be reviewed and we could be protected with a five-year plan, as opposed to piecemeal development.

Ms. Jennifer Coyne, Curtis Avenue, said, As to the impact of Choate, the more buildings they build and houses they buy, the more maintenance they need. Those maintenance trucks use Curtis Avenue pretty exclusively. I think a traffic memo or study needs to include the impact of this on neighboring streets. One side of Curtis Avenue is owned by Choate, and those residents are not going to see it as a problem. This side of Curtis Avenue definitely notices, and parking on Curtis Avenue is only on one side of the street. So everybody makes an effort. College kids come home. There's definitely impact on the street on this one side. Choate is not using that intersection. They're using Curtis, North, Academy, and High--consider that. I think the Traffic memo was sparse. Anybody driving there uses that intersection--school buses, trucks. It's a lot.

Mr. Vought, 529 North Main Street, Choate has been a good neighbor, but there's no reason to allow an exception for this building in a residential location. It's the busiest intersection on campus, with accidents and backups. There are more suitable locations on campus. I'm opposed.

Chairman Seichter said, Mr. Pagini, do you have comments?

Mr. Pagini said, The Commission could continue this and bring it back in April. We could work on what was brought up tonight.

Chairman Seichter said, I think the Commissioners would like to see a copy of the Traffic report and to see what's coming out of the garage. As to the construction and sequence, the Town Planner had talked about the one entrance coming in and out. I'd like to have a presentation on construction sequence and entrances, and safety during construction. Commissioners' suggestions?

Commissioner Kohan said, One potential condition of approval is "To protect pedestrian traffic within the sidewalk throughout construction activities." There were comments in the SLR memo on how construction was proposed. I think the building location is where it needs to be as the Admissions center. Some residents talked about traffic on Curtis and side streets—I think that is out of scope for this application. Choate could talk to the vendors.

Commissioner Fitzsimmons said, Commission members don't have a copy of the SLR traffic memo of November 5, 2022. I do have the memo of March 8<sup>th</sup> from the Department of Engineering, where the Town Engineer makes reference to the meeting held with T-II Center about the intersection of North Elm and Christian. Her sentence says: "Preliminary discussion suggests signage and striping improvements can help improve this intersection." Then she says, "Again, this is being conducted separate from this application. However, I do feel this information would be helpful to the Commission." I'd like to see the Town Planner request a memo from the Town Engineer to the Commission regarding any suggested condition of approval she has. We have zero. This is a Special Permit--it's not a right. So we should be able to put in conditions.

Chairman Seichter said, Any other Commission members? Seeing none, I'd entertain a Motion to continue it to our next Meeting.

**Commissioner Hine: Motion to continue Application #405-23 to our April 10<sup>th</sup> Meeting.**

**Commissioner Fitzsimmons: Second.**

**Vote: Unanimous to approve by Commissioners Hine, Fitzsimmons, Seichter, Allinson, and Parent.**

This application was continued.

**2. Special Permit (fill & excavation)/Hutton Street 21 LLC/1299 South Broad Street - #401-23**

Commissioner Allinson read the legal notice into the record: #401-23 – Special Permit (Excavation and Fill) for approximately 300 cubic yards of earthen material at 1299 South Broad Street – RF-40 Zone. Commissioner Allinson acknowledged the correspondence: Memorandum from Erin O'Hare to Kevin Pagini, Town Planner, dated March 8, 2023 (401-23A); Stormwater System Operations and Maintenance Plan received March 10, 2023 (revised); and a Revised set of Site Plans.

Chairman Seichter said, Mr. Allinson, You were not at the February meeting. Did you have an opportunity to review the information?

Commissioner Allinson said, I did not have an opportunity to watch the last meeting.

Chairman Seichter said, Mr. Hine, would you sit in for Mr. Allinson? I did not attend the February meeting, but I did review the meeting and I read the Minutes to the meeting as well as all of the items.

Attorney Carl Landolina of Fahey and Landolina, Windsor Locks, said, I am representing the Applicant. We were here last month. This is an adaptive reuse of an existing property that straddles the Meriden-Wallingford town line. The existing building was a banquet facility in Meriden, but it existed in Wallingford also. In Wallingford is associated parking. We'd demolish the existing building and build a carwash. Parking, impervious surfaces, structures—all are going to be on the Meriden side. With me is Sarah Costagliola, who will take you through the site. The town line crosses the property. Everything in Wallingford is going to be removed, and grass and landscaping are to be put on there—no buildings, no drainage structures.

Ms. Costagliola, P.E., of BL Companies, Meriden, showed the site plan. She said, This orange is the existing building. This line is the town line. Both the building and parking fall on both sides of the town line. But the Wallingford side will have the impervious removed and it will be seeded with lawn and planted with conservation mix and plantings in the rear.

Attorney Landolina said, We're requesting a Special Permit under your Excavation section to remove about 300 cubic yards of material. All the operations—the carwash building, impervious surfaces, and structures—will be on the Meriden side. Everything on the Wallingford side is to be removed, and grass and landscaping materials will go on Wallingford. We received Wetlands approval on March 1<sup>st</sup>. Their approval came with 10 additional plantings requested by the Environmental Planner for Wallingford. The E&S bond that they required was robust as well for landscaping and grasses.

Chairman Seichter asked Mr. Pagini for comments or questions.

Mr. Pagini asked, Is it possible to have more landscaping, such as shade trees, along Route 5?

Ms. Costagliola said, Some trees are proposed, here and here, and in this rain garden. Existing are trees and shrubs along the southern and northern property lines, which will stay.

Chairman Seichter said, Where would you like to see additional trees, Mr. Pagini?

Mr. Pagini said, Along Route 5 in Wallingford.

Attorney Landolina said, Mr. Chairman, we think what is designed is satisfactory. There's going to be signage along Route 5 on the Meriden side, and we wouldn't want trees to block it. The E&S bond is robust.

Chairman Seichter asked the Commissioners.

Commissioner Fitzsimmons suggested having street trees added, similar to the lower sections of Route 5.

Chairman Seichter said, That's what we'd like to see. You can work with Mr. Pagini on it.

Commissioner Kohan said, I'd ask the Town Planner: The Applicant mentioned a fairly substantial S&E bond with Inland Wetlands, and we're asking for one as well. Do you still want to request that?

Mr. Pagini said, I generally do, only because we require a final landscaping bond, whereas Wetlands doesn't. I try to keep it appropriate as to what they might do for Erosion and Sediment Controls.

Attorney Landolina said, Could I hear what that number is?

Commissioner Kohan said, It's \$12,500.

Attorney Landolina said, Wetlands had the project that was earlier tonight. That was a massive project, and the E&S bond was \$15,000. Now this seems to result in a bond that's twice for an amount of property that's 20% the size of the previous application.

Commissioner Kohan said, I'd go with Mr. Pagini's recommendation. I can understand it.

Attorney Landolina said, That's fine.

Commissioner Fitzsimmons asked, What is going to happen on the Wallingford side? Signs?

Attorney Landolina said, Grass and landscaping.

Ms. Costagliola said, There's a sign that your Environmental Planner requested as to no mowing of meadow and no dumping of snow.

Commissioner Fitzsimmons said, So we won't expect to see an illuminated sign in the grass?

Ms. Costagliola said, Correct. Only landscaping in Wallingford.

Chairman Seichter asked for public comments. There were none. He asked Attorney Landolina for comments.

Attorney Landolina said, None.

Mr. Pagini asked to be informed when construction starts.

Attorney Landolina said, Of course.

Chairman Seichter asked for comments from the public. There were none. He called for a Motion to close the public hearing.

**Commissioner Kohan: Motion to close the public hearing for Application #401-23.**

**Commissioner Fitzsimmons: Second.**

**Vote: Unanimous to approve by Commissioners Hine, Kohan, Fitzsimmons, Parent, and Seichter.**

Chairman Seichter called for a Motion on the Application.

**Commissioner Kohan: Motion to approve Application #401-23, Hutton Street 21 LLC, 1299 South Broad Street, Special Permit and site plan approval request for Hutton Street 21 LLC, located at 1299 South Broad Street, for an excavation and fill permit to move approximately 300 cubic yards of earthen material on plans entitled "Site Development Plans Modwash-Meriden 1299 South Broad Street Town of Wallingford" dated 11/18/2022 and revised to 2/23/2023 subject to the following conditions of approval:**

- 1. Comments from Erin O'Hare, Environmental Planner dated 3/8/2023;**
- 2. An erosion and sediment control bond in the amount of \$12,500.00;**
- 3. Six (6) copies of the approved, final plans forwarded to the Planning and Zoning office;**
- 4. Additional plantings along Route 5, with conditions to be agreed upon between the Town Planner and the Applicant;**
- 5. And that the Applicant notify the Town Planner when construction begins.**

**Mr. Fitzsimmons: Second.**

**Vote: Hine - Yes; Kohan- Yes; Fitzsimmons – Yes; Parent – Yes; Chairman Seichter – Yes.**

The application is approved.

**3. Special Permit (change of use)/B. Kaplan/28 South Whittlesey Avenue (CONTINUED) - #403-23**

This Application and Public Hearing were continued from the February 15<sup>th</sup> Meeting. Chairman Seichter asked Commissioner Parent to acknowledge the correspondence, and he asked him to participate on this

Application. Commissioner Parent listed the correspondence: Fire Marshal's inspection report dated 3/6/23, Att. 403-23A, and Att. 403-23B, Department of Engineering memo from Town Engineer Alison Kapushinski, P.E., dated March 8, 2023, and Exhibit 403-23, the Revised Site Plan for 28 South Whittlesey Avenue.

Chairman Seichter said Mr. Parent will be participating on this Application. Also, even though Mr. Seichter had not been present at the last meeting, he said he had looked at the meeting video and reviewed the materials, so he will participate on this Application.

Appearing were Rabbi Baruch Kaplan, 22 South Whittlesey Avenue, Owner, and Mr. Ilya Moherman, Contractor.

Rabbi Kaplan said, Our request is to change the use of a house at 28 South Whittlesey Avenue from residential to meeting house. I live next door to this. As rabbi, I operated Chabad of Wallingford on Center Street for 18 years. I purchased the property at 28 South Whittlesey, and we want to turn it into a religious meeting house. Last time, we were requested to show that we have 8 parking spaces. We did that. And we sat down to discuss this with the neighbors, to make things work for everyone. The previous storefront we had on Center Street probably had less designated spots than we have now.

Chairman Seichter said, A map was presented with parking spots. Questions for the Applicant?

There were none.

Chairman Seichter asked Mr. Pagini for comments or questions.

Mr. Pagini said, The Town Engineer said that if you get permission for the second curb cut, you have to replace the sidewalk at 8" thick.

Chairman Seichter asked for public comments. Hearing none, Chairman Seichter called for a Motion to close the public hearing.

**Commissioner Kohan: Motion to close the public hearing for Application #403-23.**

**Commissioner Fitzsimmons: Second.**

**Vote: Hine – yes; Kohan – yes; Fitzsimmons – yes; Parent – yes; Chairman Seichter – yes.**

Commissioner Kohan asked Mr. Pagini if there was communication from the Department of Engineering in the two memos had been cited above. Mr. Pagini explained again about the sidewalk improvement.

Chairman Seichter proceeded with the actual Application #403-23, for which the correspondence was noted above.

No one spoke from the public.

The following Motion was made:

**Commissioner Kohan: Motion to approve Application #403-23 by B. Kaplan for 28 South Whittlesey Avenue, the Special Permit and site plan approval request for Kaplan to convert a multi-family residential building to a religious assembly center located at 28 South Whittlesey Avenue on plans entitled**

**“Property Survey” dated 9/28/2022 and revised to 3/3/2023 subject to the following conditions of approval:**

- 1. Comments from the Fire Marshal’s office dated 1/25/2023;**
- 2. Comments in Interoffice Memorandum from Senior Engineer, Scott Shipman to the Planning and Zoning Department dated 2/1/2023;**
- 3. Comments from Alison Kapushinski, Town Engineer dated 3/9/2023;**
- 4. That the applicant obtains a street excavation permit from the Town Engineering Department which will require replacing the sidewalk at the proposed driveway location to be 8” inches thick;**
- 5. Six (6) copies of the approved, final plans forwarded to the Planning and Zoning office.**

**Mr. Fitzsimmons: Second**

**Vote: Hine – yes; Kohan – yes; Fitzsimmons – yes; Parent – yes; Chairman Seichter – yes.**

The application is approved.

**4. Special Permit (outside sales/inside retail)/Iron Horse Equipment/71 South Turnpike Road - #404-23**

Chairman Seichter asked Commissioner Allinson read this public hearing legal notice and to participate on this public hearing and application.

Commissioner Allinson read the public hearing notice: #404-23 – Special Permit request for Iron Horse Equipment for outside sales of farm/related equipment at 71 South Turnpike Rd. – CB-40 Zone. He acknowledged the correspondence received from Brian Schock of the Wallingford Fire Department dated 2/21/23, Att. 404-23A; and from Brian Schock, Wallingford Fire Department, dated 2/28/23, Att. 404-23B, and a revised set of plans dated 2/4/23 which were received.

Appearing were Attorney Dennis Ceneviva of Meriden, Applicant/Owner Mr. Ben Febbriello, and Project Engineer Mr. Christopher Juliano.

Attorney Ceneviva said, This property is 2.44 acres in the CB-40 Zone on the northeasterly corner of South Turnpike Road and Cook Hill Road. It is developed with a 26,285-square-foot commercial building, where Iron Horse occupies almost 8,000 square feet on South Turnpike on the easterly portion of the building. The applicant wants to expand to outside sales along the north side of the building for about 3,300 square feet. The Applicant talked to you in February about this, and I think there a discussion under Section 4.6D, subsection 10 of the Regulations for a Special Permit for outside sales and storage. So the application is a Special Permit.

Mr. Christopher Juliano, L.S. & P.E., Juliano Associates, said, Last time, we had detailed discussion. Since then, the site has been cleaned up, and extra equipment has been removed off site. We’d like to do some outdoor sales area here in green off the north side of the building. The first set of plans showed an outdoor area on the east in blue, which the Town Planner considered “overflow”, where equipment can be received. I calculated the total area for outdoor sales is about 3,300 square feet. The daily use/display area, in green, is about 2,200 square feet, with the overflow area about 1,100 square feet. He sells lawn mowers and snowblowers.

Attorney Ceneviva said, Chris has responded to the Fire Marshal’s comments and adjusted the outside sales area so Fire Department equipment can get onto the site.

Chairman Seichter asked for questions for the Applicant.

Commissioner Kohan asked, Is the outdoor sales area to be screened/fenced in, visible from the road? And will these remain outside?

Mr. Febbriello said, We plan to leave it open with farm tractors parked out there—the size of a car. The Fire Department asked us not to screen it in because it would impede their access to the building in an emergency. Yes, outside.

Chairman Seichter said, I appreciate the comments from the Fire Marshal. We've seen on the site before that some equipment is stored beyond the approved area. That would be difficult for our Zoning Enforcement Officer or our Town Planner if they went there. You cut back some of the storage area for emergency vehicles. I would like to see delineation to go with the plan.

Attorney Ceneviva said, I understood there would be markings on the ground, as discussed with the landlord, so it would be identified with markings on the pavement.

Chairman Seichter asked for Commissioners' comments, but there were none. Mr. Pagini?

Mr. Pagini read from his Conditions of Approval to have the dumpsters moved to the back and screened.

Chairman Seichter asked any members of the public to speak at this time. Seeing none, I'd bring it back to the Applicant.

Attorney Ceneviva said, I want to present three letters here for the record. Also, Mr. Febbriello gave some photos of the tractors from his website (received), which may help in determining compliance.

Chairman Seichter said, If there are no further comments from the Applicant or Commissioners, I'd ask for a Motion to close the public hearing.

**Commissioner Kohan: Motion to close the public hearing for Application #404-23.**

**Mr. Fitzsimmons, Second.**

**Vote: Kohan – yes; Fitzsimmons – yes; Allinson – yes; Parent – yes; Chairman Seichter – yes.**

Chairman Seichter asked for a Motion on the Application.

**Commissioner Kohan: Motion to approve Application #404-23, Iron Horse Equipment, 71 South Turnpike Road, to approve the Special Permit and site plan approval request to allow outdoor sales of farm and related equipment at 71 South Turnpike Road on plans entitled "Improvement location survey Iron Horse Equipment Proposed Outdoor Sales Area" dated 1/30/2023 and revised to 2/24/2023 subject to the following conditions of approval:**

- 1. Comments from the Fire Marshal's office dated 2/21/2023;**
- 2. That the outdoor sales area as depicted on the site plan is limited to the side of the building and that the front area remains for inventory overflow only;**
- 3. That all other aspects of the business operation remain indoors and that the dumpsters visible off**

- of Cook Hill Rd. are moved to the back of the property and are properly screened;
4. Six (6) copies of the approved final plans forwarded to the Planning and Zoning office; and
  5. That the outdoor sales area pavement be marked as such.

**Mr. Fitzsimmons, Second.**

**Vote: Kohan – yes; Fitzsimmons – yes; Allinson – yes; Parent – yes; Chairman Seichter – yes.**

#### **5. Zoning Map Amendment (R-18 to DD-40)/S. Elm kies/10 Mansion Road #501-23**

Commissioner Allinson read this public hearing legal notice: #501-23 – Zoning Map Amendment for 10 Mansion Road to change the zoning from R-18 (Residential) to DD-40 (Design District). He acknowledged the correspondence received from: Wallingford Fire Department dated 2/17/23, Att. 501-23A; and Planning & Zoning Inter-departmental Referral response from Ms. Erin O’Hare, Environmental Planner, received 2/15/23, Att. 501-23B.

Appearing were Attorney Dennis Ceneviva of Ceneviva Law Firm, Meriden, and Owner/Applicant Mr. Shalom Elm kies of Wallingford. Also present was Mr. Christopher Juliano, L.L.S. & P.E., Juliano Associates of Wallingford.

Attorney Ceneviva said, This property is 25,564-square-foot parcel located west of a 1.57-acre piece--which doesn’t have an address—so that’s “0” South Turnpike Road, according to the Assessor’s card—and it’s also owned by the same owner. So that abutting parcel on the northwesterly corner of South Turnpike Road and Mansion Road is vacant, without an address, and zoned DD-40, and is owned by this same Owner. This parcel is zoned R-18 currently. Across the street is a commercial garage. If granted, the Owner intends to merge this lot at 10 Mansion Road with the vacant parcel on the corner on South Turnpike. We would be here again to ask to develop the parcel soon, with a restaurant-based operation. So the request is to change this to DD-40 and merge it with the abutting parcel. The properties I mentioned at 0 South Turnpike and the garage are both zoned DD-40, leaving this as somewhat of an outlier. If it is rezoned and joined to the 0 South Turnpike, it will create site that has potential. Environmental Planner O’Hare’s memo points out that “The site limitations on the existing vacant parcel, which is already zoned DD-40, are substantial.” There’s watercourses, some significant grade issues, and leaving very little development area. Without merging this contiguous parcel with that piece, it makes the corner very small.

Mr. Christopher Juliano, L.L.S., P.E., with Juliano Associates of Wallingford, said, This is South Turnpike Road, and to the bottom of the map is Mansion Road. We have the existing parcel which is 0 or 8 Mansion Road, depending on what record you check—and then there’s residential property, 10 Mansion Road, this odd triangular shape. The zone line where DD-40 runs down South Turnpike Road; the other zone line for DD-40 is at 250 feet, running through the residential property. I believe when this property was subdivided—possibly back in the ‘80s—

Mr. Pagini said, It was 2003.

Mr. Juliano continued: Later than I thought. When it was subdivided, I believe it was all DD-40 and the triangle went to R-18. So we want to flip it back and make a more useable piece. The undeveloped property has issues: a drainageway that runs through the property, a ravine, a knob of traprock, and it drops back down to South Turnpike. To develop this, it make sense to combine these two together so the future Applicant can use the existing garage and residence and to have some filling here for parking. We assembled the zone change map for the area, which includes a number of zones. The southwest corner of Mansion and South Turnpike is the Credit Union. This R-18 parcel is the commercial electrician. HOD development is to the north



(condominiums), some single-family residential to the west; and across South Turnpike is the CB-40 Zone with the dentist, the ENT facility, and Redwood Flea Market farther. I think this would be a good location for an eatery.

Chairman Seichter asked for comments. I usually question it, but here I think it's a logical choice to go with DD-40 as a continuation of that zone. Mr. Juliano mentioned the various zoning there now. Commissioner Fitzsimmons said, I would agree it makes sense.

Chairman Seichter asked Mr. Pagini to comment.

Mr. Pagini said, I think, if it is extended to the parcel, there are geographic limitations to parts of it. If you extend it to that residential line, I don't think there would be too many conflicts.

Chairman Seichter asked for public comments in this public hearing. Seeing none, he brought it back to the Commission.

**Commissioner Kohan made a motion to close the Public Hearing for Application #501-23.**

**Commissioner Fitzsimmons: Second.**

**Vote: Mr. Kohan – yes; Mr. Fitzsimmons – yes; Mr. Allinson – yes; Mr. Parent – yes; Chairman Seichter – Yes.**

Chair Seichter asked for a Motion on the Application.

**Commissioner Kohan moved to approve a Zoning Map Amendment for Elmkie, 10 Mansion Road, Application #501-23, Zoning Map Amendment request to change the remainder of the property at 10 Mansion Road from R-18 to DD-40 because of the best use of the future combined properties.**

**Commissioner Fitzsimmons: Second.**

**Vote: Mr. Kohan – yes; Mr. Fitzsimmons – yes; Mr. Allinson – Yes; Mr. Parent – Yes; Chairman Seichter – yes.**

#### **NEW BUSINESS:**

**6. Site Plan (self-storage units)/950 No. Main Street Wallingford LLC/86 Barnes Road - #204-23**

No action was requested on this Item tonight.

#### **REPORTS OF OFFICERS AND STAFF**

##### **7. Annual Report – for Action**

Mr. Pagini said the Commissioners previously reviewed the Annual Report, and tonight the Commissioners should vote on it.

Chairman Seichter asked to make an addition. In the third paragraph, he asked to include the new car wash facility approved in the listing of commercial uses.

Mr. Pagini accepted this addition.

Commissioner Kohan moved to approve the Planning and Zoning Annual Report for 2022, amended with the addition of the car wash approval.

Commissioner Fitzsimmons: Second.

Vote: Mr. Kohan – yes; Mr. Fitzsimmons – yes; Mr. Allinson – yes; Mr. Parent – yes; Chair Seichter – yes.

#### **8. Administrative Approvals**

- a. Change of Use/B. Anderson/Retail to Personal Service/28 North Colony Street - #303-23
- b. Change of Use/S. & J. Weinberg/Therapy to Personal Service/65 South Colony Street - #304-23
- c. Survey Waiver/K. Mathe/524 Williams Road - #801-23

The Commissioners had no comment on these Administrative Approvals.

#### **9. ZBA February 22, 2023 Decisions**

The Commissioners made no comment on the ZBA Decisions.

#### **10. ZBA Notice of March 20, 2023**

The Commissioners had no comment on this ZBA Notice.

Town Planner Pagini advised that the Planning and Zoning Meeting for April 10 may have to be moved to another room due to Town Council Budget Meetings. He will notify the Commissioners.

Also, Mr. Pagini asked the Commissioners' availability for a Workshop Meeting on March 29. The Commissioners agreed, and Mr. Pagini will issue an agenda for March 29.

#### **ADJOURNMENT**

**Commissioner Kohan moved to adjourn the March 13<sup>th</sup> Planning and Zoning meeting, seconded by Commissioner Fitzsimmons, and approved unanimously in a voice vote.**

The Meeting was adjourned at 10:11 p.m.

Respectfully submitted,

Kathleen L. Burns  
Interim Recording Secretary