

DRAFT

Wallingford Planning & Zoning Commission
Wednesday, March 11, 2020
Robert F. Parisi Council Chambers
Town Hall – 45 South Main Street
MINUTES

DRAFT

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

Pledge of Allegiance was recited by all.

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

Staff: Amy Torre, Land Use Specialist and Zoning Enforcement Officer, Tom Talbott, Interim Town Planner

Absent: JP Venoit, Vice Chair; Armand Menard, Alternate.

Chairman Seichter welcomed Mr. Talbott and shared his experience with Wallingford and planning.

Approval of Minutes – February 4, 2020 Workshop Meeting

Commissioner Fitzsimmons: Motion to accept the minutes of the February 4, 2020 Workshop meeting as presented.

Commissioner Kohan: Second

Vote: Unanimous to approve

Approval of Minutes – February 10, 2020 Regular Meeting

Commissioner Fitzsimmons: Motion to accept the minutes of the February 10, 2020 regular meeting as presented.

Commissioner Kohan: Second

Vote: Unanimous to approve

Chairman Seichter noted that the following applications will not be heard this evening at the request of the applicants.

#2 Zoning Text Amendment/§4.25 Housing Opportunity District-General/Demartino Colony Realty, LLC #501-20

At the request of the applicant, this item will be continued to the next meeting.

#3 Site Plan (residential & commercial)/Old Colony Associates, LLC/1268 Old Colony Road #201-20

At the request of the applicant this application has been withdrawn

PUBLIC HEARING

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

Commissioner Matarazzo noted all correspondence pertaining to this application for the record. Correspondence dated December 31, 2019 from Kacie Hand, Town Planner to Jeffrey Dewey, BL Companies; Memo dated January 2, 2020 from Department of Engineering to Planning and Zoning Commission; Memo dated January 7, 2020 from Alison Kapushinski, Town Engineer to Inland Wetlands and Watercourses Commission; correspondence dated January 2, 2020 from Jeffrey Dewey, BL Companies to Kacie Hand, Town Planner; correspondence dated January 3, 2020 from Jonathan Detoudom, BL Companies to Kacie Hand, Town Planner; Summary of Drainage System Revisions dated December 4, 2019; correspondence dated January 7, 2020 from Jeffrey Dewey, BL Companies to Alison Kapushinski, Town Engineer; correspondence dated January 7, 2020 from Jeffrey Dewey to Kacie Hand, Town Planner; Site plan booklet dated December 6, 2019, from Kevin Hicks, BL Companies; Inter-Departmental Referral dated November 7, 2019 from Fire Marshal; memorandum dated January 24, 2020 from Erin O'Hare, Environmental Planner to Kacie Hand, Town Planner; Memo dated January 28, 2020 from Department of Engineering to Planning & Zoning Commission; correspondence dated February 7, 2020 from Jeffrey Dewey, BL Companies to James Seichter, Planning and Zoning; Inter-Departmental Referral dated November 7, 2019 from Fire Marshal; Application for Special Permit #414-19 dated February 11, 2020; correspondence dated February 19, 2020 from BL Companies to Kermit Hua, KWH Enterprises; Operational Narrative not dated from Amazon Logistics; Architectural environmental land survey dated February 19, 2020 from BL Companies; Interoffice Memorandum dated December 4, 2019 from Erik Krueger, Water and Sewer Divisions to Kacie Hand, Town Planner; Inter Town Agency Referral dated December 12, 2019 from Wallingford Planning and Zoning to Vera Morrison, Town Clerk, Hamden CT; Inter Town Agency Referral dated December 12, 2019, from Wallingford Planning and Zoning to J. Stacey Yarbrough, Town Clerk, North Haven, CT; Inter-Departmental Referral dated November 13, 2019 from Fire Marshal; Executive Summary date stamped February 20, 2020 from BL Companies; Summary of Drainage System Revisions dated January 23, 2020 from BL Companies; Site Operation and Maintenance Plan, date stamped February 20, 2020 from BL Companies; checklist, revised January 8, 2019; correspondence dated February 19, 2020 from Christopher Gagnon, BL Companies to Kacie Hand, Town Planner; Set of Plans dated February 19, 2020; an additional set of plans dated February 19, 2020; an additional set of plans dated February 20, 2020; an additional set of plans revision dated February 20, 2020; Memo dated February 28, 2020 from Department of Engineering to Jeff Dewey, BL Companies; permeability calculations dated December 2, 2019; Interoffice Memorandum dated January 10, 2020 from Erik Krueger, Water and Sewer Divisions to Kacie Hand, Town Planner; Amazon Logistics Operational Narrative with email dated February 27, 2020 from Kacie Hand, Town Planner to Marc de Bourbon, Amazon Logistics;; correspondence dated February 27, 2020 from Kacie Hand, Town Planner to Jeffrey Dewey, BL Companies February 27, 2020 from Neil Amwake, Department of Public Utilities to Jeffrey Dewey, BL Companies; packet proposed development Site utilities plan from BL Companies; correspondence dated February 28, 2020 from Jeffrey Dewey, BL Companies to Erik Krueger, Senior Engineer, Water and Sewer Division; correspondence dated February 28, 2020 from Jeffrey Dewey to Kacie Hand; Amazon Logistics Operational Narrative with highlighted section and email dated February 27, 2020 from Marc

deBourbon to Kacie Hand; correspondence dated March 5, 2020 from Jeffrey Dewey to Erik Krueger; Plan Revision List Summary dated March 5, 2020 from BL Companies; Traffic Study dated March 5, 2020; Traffic Study addendum 1 dated March 5, 2020; revised set of plans dated March 5, 2020; Correspondence dated March 5, 2020 from Erik Krueger, to Kacie Hand; Inter-Departmental Referral dated November 7, 2019 from Environmental Planner; correspondence dated March 6, 2020 from Kermit Hua, KWH Enterprise, to Robert Baltramaitis, DPW Director; correspondence dated January 10, 2020 from Kermit Hua, KWH Enterprise to Robert Baltramaitis, DPW Director; Inter-Departmental Referral dated November 7, 2019 from Fire Marshal; correspondence dated March 10, 2020 from Michael Dion, BL Companies to Kacie Hand; Correspondence dated March 10, 2020 from Alison Kapushinski to Kacie Hand; correspondence dated March 10, 2020 from Kacie Hand to A. Kapushinski.

Chairman Seichter offered the final six documents that were read into the record to the applicant to be sure they had them.

Atty. Brian Smith from Robinson & Cole introduced himself as representing Amazon, the user of the facility and stated that they have been working for months to perfect this application. He introduced Jeffrey Dewey of BL Companies who will give the site plan and plans for upgrading the existing facility at 425 South Cherry Street as well as how the applicant will use 528 South Cherry Street. He also introduced Marc deBourbon from Amazon Logistics who will explain how the operations will be conducted. Lastly, Michael Dion of BL Companies, the traffic engineer, to explain how it will all work. Atty Smith noted that this application was submitted to Planning and Zoning and Wetlands Commission at the same time on October 29, 2019. He reported that on January 15, 2020 the Wetlands Commission granted the wetlands permit. Atty. Smith noted that one of the things they will be addressing is the three non-conformities of the existing building. One falls under section 5.1.C with a required front yard of 50 feet from any front yard. The property is on three streets and under the regulations all three are front yards. Another non-conformity is the 6.14.c.2 requiring front landscape area equal to half the front yard requirement or one 25 foot wide landscape strip along all frontages. Finally, Section 6.14.C.2 requiring a front landscape area of a 5 foot wide minimum. He stated that they will present a solution for each.

Jeff Dewey, Engineer at BL Companies, reviewed the site design. He explained the main property is located at 425 South Cherry, the existing warehouse, and they are leasing a parcel from the Alnex Company to the south of the property for additional parking and staging. He noted that the property is bounded by Ball Street, South Cherry Street and Pent Road with the landfill area to the west. The existing building is 83,650 sq ft with paved area around it. He noted how the existing building does not meet the 50 foot front yard setback. He pointed out the existing gravel lot to the rear of the parcel and area the public works department has been using for stockpiling material. He noted that those stockpiles have been removed. He noted that there is currently very limited drainage on the site. There are some dry well catch basins along South Cherry Street. There are some catch basins on Pent Road which discharge along Pent Road toward the landfill that eventually drains to the river. On Ball Street there is no formal drainage. Mr. Dewey explained their proposal, which is to keep the exterior of the building predominantly the same. He explained that they are providing a delivery station that has three

different types of access and egress. They intend to keep the three components separate: employees that work inside the building, the trucking component that is delivering materials and the delivery system. He noted that there are currently loading docks on the west, north and east sides. He stated that they will move the loading docks to the rear or south of the building and there will be eight bays. They also have two banks of parking for employees and some drivers. The delivery van staging will be toward the rear. Along the front of the building, the north, they have added a series of ADA required parking spaces. The 50 foot required frontage doesn't allow the ADA required parking and the required landscaping strip. Mr. Dewey continued, currently 90% of the site drains toward Pent Road and 3 or 4% goes to South Cherry Street. They have redesigned the grading so all the drainage goes toward the formal Pent Road system. All the roof drainage goes into a subsurface storage and infiltration system, designed to 100% store and infiltrate the water quality volume as recommended by DEP. All the parking areas with the exception of small paved areas in the front will go into a separate underground storage infiltration system. He noted how the front parking area will be piped into the town drainage system on Pent Road with a vortecnic device to provide water quality treatment before it's discharged into the town system. In general, with the Stormwater design, there will be between a 10 and 75% decrease in the peak rate of runoff on the site. So an average of a 50% decrease in runoff with this stormwater system as it's designed. He noted that though signage is not part of this application, but they have shown details on signage in the plans for informational reasons. Regarding the permitting process, Mr. Dewey explained that they have been through the staff comments, they accommodated the recommendation by the Electric Division, they have resolved the Fire Marshal comments, they received approval from Water and Sewer, they have resolved all the comments from the town Engineer, except for additional drainage calculations. He noted that he is waiting to see if there were any changes as a result of this evening before providing those. So in general they agree with all the Town Engineer's conditions. Mr. Dewey addressed the non-conformities. The building is in the front yard setback. With the required ADA parking there is no physical way to get the front landscape strip in completely. And the five foot landscape strip along the building is also a problem. He reported they worked with the Town Planner, to propose a way to deal with the landscaping deficit. The total required interior landscaping is 2,240 feet, the total required perimeter landscaping is 1330 sq ft and the total front landscaped area is 68,810 sq ft. The current site plan proposes: total perimeter 14,000, total interior 10,983 (exceeding the requirement) and total front landscaping 83,000 (above the requirement). So the total landscaped area is 95,716 sq ft. vs. the required 72,380. They've added additional landscaping to make up for the site non-conformities. He offered to review the calculations of the deficit.

Chairman Seichter asked for information on the second site that is being leased. Mr. Dewey reported that they are leasing 3.3 acres from the Allnex property. They are proposing striping and a small section of curbing to block an existing entrance for better control and safety of the area. There are three catch basins in the back and the whole site pitches west and discharges to a headwall in the woods. Due to Allnex security fencing they could not access that area. They determined that since there are no changes being made to the drainage system not to explore it further. The assumption is that it drains west into the town system or flows overland to the river.

Commissioner Allinson noted that on the corner of Pent and Ball Street, there don't appear to be plantings proposed. Mr. Dewey replied that because the in current site conditions, that is all paved. To add landscaping and provide a driveway, they are building a landscaped island within the town right of way. . This would still maintain pavement width that's standard for the town road. He clarified that there are trees on the Pent Road side of the strip but not the Ball side as they cannot plant trees on town property.

Chairman Seichter asked about the access points on the Allnex property. The site map shows two but the traffic study mentions only one access point. Mr. Dewey stated that that would be addressed in the traffic portion of the presentation.

Atty Smith asked Marc deBourbon to explain how the operations will be conducted. Mr. deBourbon introduced himself as with Amazon Logistics out of Seattle. He described a sample order from a customer and how it worked through the system to be delivered. The item comes from an Amazon fulfillment center to a sortation center where the most effective and efficient way to deliver the item is determined. If it's determined that Amazon Logistics is the most cost effective and quick method it would be routed on a 53foot line haul semi truck on an overnight deliver to this last mile facility on Cherry Street. The packages are unloaded from 8 to 10 line haul trucks between 10:30pm and 8:30 am. The packages are then sorted based on zip codes and aligned on baker's racks throughout the evening and scanned into the system. They are sectioned off, under the roof at the warehouse to be delivered out in the morning. The 125 overnight sortation associates go home in the morning. A series of third party delivery drivers (DSP) start arriving around 9am and attend safety meetings before heading out. The vans are stationed overnight with 35 in the loading section and another 35 in the queuing section with the first wave of 35 released for deliveries around 10:30am. Overall there are 130 DSPs that go out in waves of 25 until about 1pm. The drivers go out for 8 to 10 hour shifts throughout Wallingford and the surrounding area. They generally come back in similar waves. He explained Amazon Flex, which is personal vehicles that set up an appointment between 4 and 6pm to deliver packages. They also leave in waves of about 20 minutes and they estimate about 100 flex drivers with about 25 every half hour. The vans return between 6:30 and 9pm and are parked overnight. The drivers leave in their personal vehicles. They work 7 days a week.

Commissioner Fitzsimmons asked for clarification on the traffic studies, specifically the one dated March 5th showing trips by associates, managers, DSP, flex drivers and trucks. Mr. deBourbon explained that the DSP is Delivery Service Provider, which is the sprinter vans with Amazon logos on them. Commissioner Fitzsimmons asked about the 4pm to 6pm vehicles during the afternoon peak rush hour time. These are personal vehicles, not controlled by Amazon. Mr. deBourbon stated that those cars would not return except for the rare occasion they were unable to deliver a package. Commissioner Fitzsimmons verified that the DSP drivers would leave their personal vehicles on site while they drive the Delivery Vans, so the vans stay on the property when they are not in use. Mr. deBourbon concurred. Mr. deBourbon confirmed that the facility is open 24/7 and he reviewed the traffic schedule. Commissioner Fitzsimmons noted that the traffic study specified three shifts of 25 flex drivers arriving in the afternoon each day between 4 and 5 and one shift of 21 between 5 and 5:20pm. Mr. deBourbon

stated that the total projected number is 100 drivers that have been vetted through Amazon (background checks and driving records). He continued that they have close to 200 of these delivery stations and are continuing to grow. They want to be the end to end service for customers. They recently changed their model to move their delivery times away from peak traffic hours. He shared that there is a similar facility operating currently in Bristol.

Commissioner Kohan asked how many of the 53 foot line trucks would be on site at any given time. Mr. deBourbon replied that there are 6 dock doors, so they can take up to six at one time. Commissioner Kohan asked what the normal expectation would be. Mr. deBourbon replied that they are constricted by the size of the facility, but the window of activity for these trucks is between 10:30 pm and 8:30am. The expectation is 8 trucks per evening, he can't pinpoint exactly when they will be there. Mr. Kohan asked for confirmation that they are not expecting any of these 53 ft trucks to stack up at the site. Mr. deBourbon replied that there should be no reason for the trucks to be backed up on the street. Commissioner Kohan asked if there was a single safety meeting for all drivers or if they were conducted for each wave of drivers. Mr. deBourbon stated that they would have two separate groups of meetings. He clarified that the DSP drivers are third party contractors. They contract with more than one company that owns or leases the DSP vans and hires their own drivers. He clarified that the waves are assigned to the subcontracting companies so all the drivers in a wave work for the same company. Amazon rewards the companies by giving them the first waves if their metrics show they are better than others. He estimated that there would be six different DSP companies working with this facility. Commissioner Kohan noted that the later waves would be delivering late into the evening. Mr. deBourbon stated that their latest delivery is usually around 8 or 8:30pm. The vans are expected back by around 9pm. Commissioner Kohan asked if this facility is only for delivery in Wallingford. Mr. deBourbon replied that it's not strictly for Wallingford, but includes the surrounding towns.

Commissioner Hine asked if the 130 DSP vans and 100 flex vehicles are on an average day. Mr. deBourbon replied that would be steady state, which is about 10.5 months a year. Their peak season is Prime Day in July and Thanksgiving through the end of the year. He reported that he discussed this with Mrs. Hand and added it to his operational narrative, the one with the yellow highlighting. He proposed a ceiling for those peak seasons that Mrs. Hand agreed to. The plan is that if they exceed a certain number of trips, they would come back to Planning and Zoning and explain why and what is needed to accommodate that. They don't want to surprise anyone with their operations. Mr. Hine noted that the agreement is that vans won't exceed 275 per day during peak times. Mr. deBourbon clarified that that is 275 delivery vans and does not include the flex drivers. Commissioner Hine asked if there is a calculation for flex drivers as well. Mr. deBourbon replied that they did not as that determination is made as they see their volume go up. His expectation is that they will stay around the 100 vehicles. Commissioner Hine asked if during the peak season the times of the waves are adjusted. Mr. deBourbon confirmed that they would extend the times a little but that they are constrained by the size of the warehouse and space for delivery vehicles. Commissioner Hine asked for clarification of the statement that Mr. deBourbon's business is 5 years old. Mr. deBourbon stated that when he started in 2016 here were eight of these sites and there are now at about 200 delivery centers. He noted that they've learned a lot since 2016 including havening enough real estate to handle peak needs.

Commissioner Hine stated that he would expect that the number of trips and number of vehicles going through this center will increase if Amazon remains successful. Mr. deBourbon stated that they are constrained by the size of the warehouse; they can only inbound so much. He noted that as they get more streamlined and effective, they might be able to handle slightly more packages but for the most part the numbers provided are the expected steady state. Mr. deBourbon stated that he, and Amazon, wants to be a partner with the town. He reported that Mrs. Hand has his contact information in case there is ever an issue that can't be resolved with the station manager. They intend to be a good corporate citizen.

Michael Dion, Senior Project Manager, BL Companies, presented the traffic study. He stated that there is an addendum 2 to the traffic study that is coming to the Commission. It was presented to Mrs. Hand and Mr. Hua. He reported that they found the mid-day peak is when most of the traffic is going to be at the site. The associate managers are leaving while vans are coming and going. They expect about 294 total trips during the peak hour, with 222 leaving and 72 coming in. They took traffic counts at intersections around the site including Cherry Street and John Street out to Rt. 5 and down to 91, where they expect the majority of traffic to go since none of the delivery vans can use Rt. 15. While working with Mr. Hua and Mrs. Hand, they revise the traffic study again to reflect some of the personal vehicles using Rt 15. They looked at delay for each vehicle at the traffic signals and came up with a letter grade with A as the best and F as the worst. He stated that generally a level of service D at an intersection is acceptable for the Department of Transportation. The revised report shows that all the intersections operate at an acceptable level of service. The revised report shows no long delays at any of the signals. He also mentioned that all the traffic signals on Rt. 5 are state owned signals so the state will have a say in anything that happens to them. Due to the size of the site and the number of parking spaces the Office of State Traffic Administration (OSTA) is going to review this traffic study and review the site. They will have a say in any traffic outcomes and the drainage on the site.

Chairman Seichter asked what happens if we request 10 or 12 seconds taken off green time on Rt. 5? Mr. Dion replied that that was in the addendum number one, but is no longer in addendum number 2 where some of the traffic is rerouted toward Rt. 15. That significantly reduces the queue at the light and means no revisions to the traffic signal proposed.

Commissioner Matarazzo asked how they would control who uses Rt. 15, does it have to do with the delivery routes. Mr. Dion noted that there will be no vans going that way unless they are delivering to that neighborhood because the vans aren't allowed on Rt. 15. Any traffic going that way is personal vehicles, employees leaving or flex drivers. Commissioner Matarazzo asked if they could control the direction of the flex drivers. Mr. Dion stated they could not control them. They made assumption based on how many would be coming from each direction. Mr. de Bourbon added that each delivery driver has a device or app that uses route optimization software. So the drivers are steered to the optimal route.

Commissioner Fitzsimmons clarified that a second addendum to the traffic study was coming. Mr. Dion confirmed and said he submitted it to Mrs. Hand and Mr. Hua yesterday. Commissioner Fitzsimmons

noted that he has a letter dated March 10th from BL Companies signed by Jeff Dewey. Mr. Dion confirmed that that is the response to the comments and then the study was revised based on those comments. Commissioner Fitzsimmons clarified that the Commission does not have addendum 2. Mr. Dion confirmed that he didn't hear it read into record. Mr. Fitzsimmons stated that the reason we are here tonight is that you need a special permit due to the trip generation. It's about the traffic and the trip generation. So if the Commission doesn't have everything, it doesn't sound as if you are looking for us to act on this application this evening. Mr. Dion stated that they submitted it but doesn't know if the peer reviewer has had a chance to review it.

Chairman Seichter stated that the Commission has not had the opportunity to review the information. He stated that if the applicant were anticipating some action by the Commission, the commission needs to have a good understanding of the traffic study.

Commissioner Fitzsimmons commented that he was trying to determine if we have what need to have a very thorough understanding of the types of vehicles. He noted that the issue is the daytime traffic and distribution of the vehicles appears to be the trip generation in the area. Reassigning some of the traffic to Rt. 15 helped slightly. He noted his concern is the intersection of John Street and Rt. 5. That bridge is already challenging today. The whole application relies on the good use of that intersection. There currently is queuing due to the truck traffic going over the John Street bridge and most of your study relies on vehicles going over that bridge. Mr. Dion concurred. Commissioner Fitzsimmons verified that the applicant has removed the idea of stealing 11 seconds of green time on the light. Mr. Dion concurred. Mr. Dion clarified that the grade of that traffic signal is at the Rt. 5, John Street, South Orchard intersection is a B and the left John Street approach would operate at a D. Commissioner Fitzsimmons noted that on page 3 of the letter received March 10, quotes the consultant that the John Street to Rt. 5 will experience level of service F. Is the difference due to the signal change? Mr. Dion replied that that text is from comment number 2. Later in the letter, under comment #3 the consultant asked them to consider changing some of the trip distribution. When they took approximately 25% of the trips and sent them to the Merritt Parkway that reduced traffic at the John Street light. He noted that incorporating comment #3, fixed comment #2. Commissioner Fitzsimmons asked if those trips are private passengers or flex vans. Mr. Dion replied that during the mid-day peak there are 97 vans and 125 associates (passenger cars) outbound. They took the 25% out of the passenger vehicles and directed them to the Merritt Parkway with the rest through the John Street intersection. Commissioner Fitzsimmons clarified that the vans are not allowed on the Merritt because they have commercial license plates, not due to the height. Mr. Dion concurred. Commissioner Fitzsimmons stated that this is a very exciting use of that building. The challenge for the Commission is that this is the first chance they have had to talk to you. The current traffic out there is the landfill customers and the Wallingford Animal Shelter. He's been trying to visualize the 4 – 6pm traffic interacting with the current traffic because that intersection is controlled only by a stop sign. He asked if there was an exhibit on the current traffic in that area. Mr. Dion replied that there are background trips in the traffic studies. The study progresses those out for a year because that's when the site is planning to open. They added the site generated traffic to that. Commissioner Fitzsimmons mentioned trip distribution figure 4 from traffic study South Cherry Street side. Pent Road ends at the landfill. He asked if they explored the

option of opening that up, or if there was any discussion on opening up the rest of Pent Road. It is not signed as a dead end but it is barricaded. Mr. Dion replied, not traffic wise no. Mr. deBourbon commented on the 4-6pm trips, would involve waves of 25 in and out every 30 minutes, which would be said to be 200 trips in that time frame. Commissioner Fitzsimmons stated that it is a unique site because there is only one way in and this site isn't used to this kind of traffic. His point is that you are limited in your access points. His concern is the vehicle movements in that area and the impact to the roadway. He appreciates the efforts to address the non-conformities with the landscaping but they are here because of the traffic.

Commissioner Hine asked for clarification on how they decided to address the peer reviewers concerns about the light on John Street and Rt. 5 by transferring 25% of the flex vehicles to the Merritt Parkway. Mr. Dion clarified that it is the Flex Drivers and the person vehicles of the employees in the building. Commissioner Hine asked what the justification or basis was for that change since the initial traffic study had all the traffic going to John Street. Mr. Dion replied that they went back to look at it when Mr. Hua brought up the concern. He noted that the worst case scenario was sending everyone to Rt. 91. But, in reality, as Mr. Hua pointed out, the associates can use the Merritt Parkway. So they decided to send some of the traffic that way. Commissioner Hine stated you don't know what direction those cars will go. Mr. Dion agreed that they can't know. Commissioner Hine continued that the delivery drivers use an optimization system which tells them the optimal route for deliveries is. So you have no idea on any given day which direction they are going to go. Mr. Dion agreed that it's impossible to predict. Commissioner Hine stated that he has some concern because under the original scenario that light intersection would have graded out as an F. You made changes to improve that, but based on what we are hearing now, there's nothing other than Mr. Hua's comment that caused that number to change. And we have no idea whether that 25% change is a valid change. Mr. Dion agreed that on a daily basis it could change. Commissioner Hine stated that that intersection could still grade out as an F. Mr. Dion stated that the likely scenario is that some will go toward the Merritt. He also noted that OSTA will be reviewing the traffic study as well. If they don't agree with something, there will be another change. Atty. Smith added that the peer reviewer was emphasizing that the original assumption that none of the traffic could go to the Merritt was not correct and was too strict. That was how we got to the change, not just as a way to avoid a bad letter grade.

Commissioner Kohan stated that he welcomed addendum number 2 and hopes it answers these questions. He noted that we haven't talked about item #1 which is the suggested improvements to the intersection of Ball Street and Pent Road. There's a professional difference of opinion between the peer reviewer and you as far as what needs to be done. He asked if that question has been addressed in the addendum.

Commissioner Allinson referenced the traffic study addendum number 1, on page 12 which references a table 5A but the table on the page that follows is 3A. Mr. Dion stated that that is a typo, it should reference 3A. Commissioner Allinson verified that other references to table 5A really mean this table, 3A. Mr. Dion concurred. Commission Allinson asked for an explanation of the three columns in that table. No build, build and build improvement. Mr. Dion explained that No Build is current condition

projected out for one year, Build is after its operational and build improvement is when they tried to retime the traffic signals to improve the flow of traffic and level of service in the intersection. Build improvements is the hopeful improvement that the DOT would be amenable to making. Commissioner Allinson stated that the only guarantee we have would be the Build column. Mr. Dion concurred as it would be up to OSTA to make the decision to make any improvements to traffic signals. Commissioner Allinson reference page 14, and read "one intersection has projected to degrade is Rt. 5 and John Street which degrades from B to C." He asked if this is the overall with all the turns from the B at 12.4 to the C at 32.3. Mr. Dion concurred. Commissioner Allinson read from the next page, page 14, "US Rt. 5 to 91 Wharton Brook Connector". He stated that it looks like the Rt. 5 Northbound the through and right turn also degrades on the B, and the left turn degrades on the C piece, but there's no overall degrading. Mr. Dion concurred. Commissioner Allinson asked for clarification that even though they stay within the C range there is degrading of traffic in that part of the intersection as well. Mr. Dion concurred and stated that anything D or above is acceptable.

Kermit Hua, of KWH Enterprises, LLC in Meriden. He reported that he reviewed the traffic study addendums 1 and 2 and the associated supporting plans and materials. He first prepared a review letter on January 10th and received a response from BL Company February 19th. He prepared a second letter March 6th and received a response on March 10th. After the first round of back and forth with BL Companies there were three issues remaining outstanding. One is the improvements to the intersection of Pent Road and Ball Street, the second is the improvements to the intersection on John Street and Rt. 5, and the third is the trip distribution used in BL's first traffic study and addendum #1. In the March 10 reply and addendum number 2, the response from BL to the two improvement issues was no. The third issue BL did revise their trip distribution to include the Merritt Parkway. He explained the reasoning behind his comment. The report analyzed morning peak hour, afternoon peak hour and the mid-day peak hour. If you look at the volumes of the trip generation, 100% of the morning peak hour trips, 100% of the afternoon peak hour trips and 42.5% of the mid day peak hour trips were passenger cars. So if you assign 2 - 3% of vehicles to exits 64 and 65, which was the position BL took in the traffic study and addendum number 1, it doesn't make sense. Mr. Hua stated that he agrees with BL's revision in addendum number 2 in which they assign some traffic toward the Merritt. The plan is to use the shortest, most convenient road, so he expected many to use Rt. 15. He continued that as a result of that a new issue emerged from that revision. He agreed that the number of trips is a key question, especially for the DSP trucks in the middle of the week. The most recent number we got from Amazon Logistics and the number BL Company used in the traffic addendum number 2 is 175 DSPs per day. According to Amazon this is for 10.8 months of the year. He asked if the remaining 1.2 months of the year were not as important. The number for the 1.2 months is 275 DSPs per day. If you look at the level of service results, especially regarding the intersection of John Street and Rt. 5, with 175 DPS we are looking at a level of service of D for the John Street approach. Mr. Hua recommended looking at the 275 scenario. He doesn't think the people of Wallingford will simply accept delays on John Street. He referenced the level of service table in addendum 2, level of service D for 175. If you have 275 that can easily push into E and F even though you assign some of the trips to exits 64 and 65 of Rt. 15. So Mr. Hua's first disagreement with the trip generation is the need to reflect the more intense trip generation scenario. He noted that as a result of diverting some of the trips to exits 64 and 65 of Rt. 15, now we are talking

about passenger car traffic on South Cherry Street to Wall Street or Quinnipiac to River Road to access those two exits. What are the impacts on those routes, which are residential streets. He pointed out the response from BL company dated February 19th, mentioned "the intersection of Wall Street and Quinnipiac Street has long cycle length due to its configuration. It's a long cycle because it's a long intersection. There is a lot of wasted signal time in that intersection. So it's not unreasonable to ask, at this intersection with inefficient traffic operation, what would be the impact of adding the passenger car traffic. Mr. Hua called attention to the fact that this development is very different from your typical industrial or commercial development. An industrial plant has the most intense traffic when employees come to work or go home. This Amazon site will have a mid day increase but it operates in waves. So the traffic isn't limited to the peak hour that's used in the study. He stated that the Commission needs to understand that it's a fundamentally different traffic pattern.

Mr. Hua continued that with the higher level of traffic, we will see a deterioration of service at the intersection of John Street and Rt. 5. His second point is that there is a narrow railroad bridge in relatively poor condition just west of that intersection with only one lane. It's difficult to imagine improving anything without significant expense and time on the John Street approach. At the same time look at the traffic access to John Street make a left turn from the I 91 exit to the south you will have very heavy left turn traffic. Fortunately with the 175 scenario we are not seeing a lot of delays at this intersection, but that will be a concern under the 275 scenario. This may mean a very long northbound left turn queue waiting to turn onto John Street and essentially taking over the left lane. Thus leaving only one lane on northbound Rt. 5. That is the reason behind his suggestion for some kind of turn pocket or turn lane for the northbound approach traffic waiting to make the left turn onto John street. The applicant argues that OSTA and DOT will review it. Yes, they will make the final determination but that doesn't stop the commission from recommending some kind of improvements to that intersection. WE are not asking the applicant to rebuild the bridge on John street, just do something that can really make a difference to address some of the traffic impacts, especially during those busy December months. He recommends adding a northbound left turn lane. He feels the Commission can recommend it subject ot DOT or OSTA.

Mr. Hua noted that there is wide pavement at the intersection of Pent Road and Ball Street, but mentioned that the planned island and a curb will narrow the intersection. This is an issue because when those 53 foot tractor trailers go through that intersection they will take the whole width of the intersection. The hours for the tractor trailers are 10:30 pm to 8:30am, which overlaps entering traffic of managers and first shift associates. Mr. Hua agrees with the notion that probably very few people will go to landfill or animal control office during the hours the tractor trailers will be arriving and departing, but there will be many associates and managers in passenger cars. He noted that this could be a safety issue. The representative from Amazon Logistics stated that safety is paramount. Mr. Hua noted that that intent should not stop at the property line. Ultimately those using that intersection, facing possible conflict with the tractor trailers, are Amazon employees. Because of this, he recommends widening the intersection to take a corner out of the Amazon property in such a way that two opposing tractor trailers can pass each other safely. Also provide adequate pavement markings so passenger cars can follow.

Commissioner Matarazzo noted that everything bottlenecks on Quinnipiac heading toward Rt. 15. He asked what the impact of the traffic diverted to Rt. 15 will have on that intersection. He acknowledged that it is quite a distance away from the site, but there's no other way to get to Rt. 15. Mr. Hua agreed and noted that that intersection was not covered by the traffic study or addendums. In response to a query from Commissioner Matarazzo, he stated that he thought it should be addressed.

Commissioner Hine mentioned a change to the traffic pattern off Rt 91 exit 13, onto the connector to Rt 5. The right lane is now both a left turn and a right turn lane. They are finding that there are a lot of trucks approaching that light at that intersection in the right hand lane and have to make a wide turn. That has changed the traffic flow considerably. He asked if they looked at increased traffic from this center affecting that intersection. Mr. Hua replied that fortunately the 53 foot tractor trailers operate overnight, though they overlap with the early morning rush hour, but there are so few that it shouldn't impact that location. The DSPs are not very large, but they are most of the traffic. Mr. Hine clarified he was more concerned with the DSPs at that intersection. He noted that at 6-7pm at night the cars in the right hand lane are 10 deep. Now you are adding returning DSPs. Mr. Hua stated that if the existing pavement markings don't work, it should be discussed with the DOT.

Chairman Seichter asked the applicant to address Mr. Hua's concerns including the 275, the John Street intersection, perhaps a northbound left turn lane, looking at the impacts with the redirection of traffic on Cherry or Ward Street down to Quinnipiac Street as well as the turning from Ball Street onto Pent. Mr. deBourbon commented on the 175/275 numbers. He noted that the operational narrative that was crafted with Mrs. Hand, states that the steady state for DSP vans is 130, not to exceed 175. During the peak season they will not exceed 275. If they were to exceed that or expected to they would come back to Planning and Zoning. Chairman Seichter acknowledged but noted that doesn't resolve the issue of the traffic impact of 275 vans. Mr. Dion noted that the 275 is not an extra 100 vehicles in the peak hour, but they'd be spread out with an earlier start and later stop time. Mr. deBourbon reported that he discussed this with Mrs. Hand when they reviewed the size of the Allnex parking lot. Chairman Seichter asked if the DSP drivers were all on the Allnex site or are some on the main site, and how is the parking different for employees. Mr. deBourbon replied that there are about 95 parking spaces for the vans. If there are 35 vans, he needs at least 25 spaces for the personal vehicles of the drivers. So each contracting company can park their personal vehicles near their vans. Chairman Seichter noted that for the delivery vehicles on site parking, half the spaces would always be vacant. Mr. Dion commented on analyzing more intersections towards the Merritt Parkway, can be done. They didn't because according to OSTA standards, it's usually only if you are adding 100 trips or 50 left turns to an intersection. He stated that they wouldn't be doing that at any intersection going that way. He stated they would do so if the Commission asked. Atty. Smith noted regarding the John Street and Rt. 5 Intersection, from the legal perspective, OSTA preempts the town. The Town can only make a recommendation. Chairman Seichter concurred. Mr. Dewey noted that Mr. Hua made a good point on the issue of employees and tractor trailers. They had looked at local traffic on Ball and Pent that would not be at the same time as the Tractor Trailers. He agreed to look into, though with the turning radius, it will make an existing non-conformity worse. They will look in to at what level they can provide additional travel lane without

infringing too much onto the property. He noted that it would probably involve moving parking spaces. The infringement on the property itself is a bigger concern.

Atty. Smith stated that they were hopeful that the hearing would close tonight with a decision but they are willing to come back with more information.

Mary Mushinski, 188 South Cherry, in the same area as the site. She stated that she welcomes Amazon to Wallingford as we can use additional jobs here. She noted that it is a densely populated residential neighborhood with children. She stated that she gets about 50 kids on Halloween. She stated that it would be helpful for the neighborhood to route the delivery vehicles to avoid South Cherry Street, Clifton Street, East Street and Quinnipiac unless there is a local delivery to someone on those streets. She asked the commission to make that a requirement of the permit. Secondly, she ask that it be required that vehicles used for delivery service be clearly marked on both sides of the exterior of the vehicle to allow monitoring compliance with any restrictions the Town puts on delivery vehicles. Next she asked to improve the signals at the intersection of John Street and Rt. 5. She relayed a recommendation to extend the green for eastbound John Street, which could be done with a sensor, allowing it to be extended certain times of day, so traffic doesn't build up on the bridge. She also asked the Commission to consider widening westbound John Street to provide a turning lane towards Allnex. You might need a part of the Church parking lot which is generally vacant. She also requested, if possible, do a green roof or add solar because of the surface area of that roof. She asked Amazon, as a good corporate citizen, recognize the residential neighborhood, and do whatever they can to protect the safety of the neighbors.

Tim Ryan, Economic Development Commission, addressed the traffic. He recalled when American Cyanamid and Cytec were at that site. They had upwards of 1000 employees and they ran 24/7. The traffic use we are talking about is less than we've experienced before. The infrastructure has been challenged and has been functional until those sites were downsized. Cytec and Rome are the two occupants of the old American Cyanamid site. Combined, they have 160 employees. If the roadway system handled 1000 employees before, why can't it handle the traffic proposed. He welcomed Amazon to the site. He explained that in Economic Development they look at sites and are always after highest and best use of the site. This new owner will improve the site. Across the street we have BYK USA, a major player. This is their North American Headquarters. Their site is beautiful. Most people know that our town landfill will soon be a huge solar array. He stated that when Cytec and Cyanamid had the 1000 employees traversing back and forth on shift work we had little league fields down there as well. He noted that the traffic consultant peer reviewer mentioned the corner of Ball Street and Pent Road. There are significantly fewer trucks in this use than there were before. It was a trucking terminal before. Most recently it was a white good distribution facility. They parked with the trailers sticking out in the road. This, by far, is an improvement on this site. He agrees traffic is always something to be looked at but he does not share the concerns about the traffic generated by this use. The infrastructure has handled much more traffic than these folks will be bringing to the site. He understand that OSTA has the ultimate say on the Rt. 5 intersection piece, but he would appreciate you reconsidering voting on accepting this application tonight.

Commissioner Fitzsimmons asked for clarification whether the applicant is Amazon Logistics or Amazon. Mr. deBourbon stated that as far as the lease entity, he believes its Amazon Services, Inc., and it is an Amazon entity. Commissioner Fitzsimmons asked how many employees would be employed in Wallingford. If the DSPs are contractor companies that hire the drivers. Mr. deBourbon replied that there would be 125 overnight sortation associates, a management staff of 8 – 10 overnight and a management staff during the day of 10 to 15. Commissioner Fitzsimmons verified that the Flex drivers are not Amazon employees. Mr. deBourbon concurred, they are independent contractors.

Chairman Seichter asked how the Commission wants to proceed. He noted that he would like the opportunity to look at the addendum number 2 and the missing page from the response. His opinion is that it would be beneficial to spend a bit more time on that. He asked how the Commission felt about asking the applicant to take a look at the 275.

Commissioner Kohan agreed that there are a couple unanswered questions regarding traffic and peak hours. He stated that times have changed since Cyanamid was in business, population has increased, and traffic through Wallingford has increased. He stated that he is in favor of Amazon coming in and believes that they are a great corporate citizen. He stated that he was certain we can work out these small traffic details.

Commissioner Matarazzo stated that welcomes Amazon, but feels it might be premature tonight to vote without getting some more feedback and reviewing the amended traffic study as well as taking into account the comments made tonight.

Chairman Seichter asked if the Commission had provided adequate direction to the applicant. Atty. Smith replied that they understand the questions posed by the Commission. He stated that they are very hopeful to achieve their target of opening this year and intend to resolve the issues as quickly as possible. Chairman Seichter stated that he hopes that after they see the information that the applicant is going to update and Mr. Hua has an opportunity to review it, that the Commission would be able to act on the application at our next meeting. He encouraged the applicant to get that information to Mr. Hua as soon as possible, ensuring the Commission also has time to review. Atty. Smith acknowledged that they can't make a decision when they don't have the data. Atty. Smith was happy to hear that the Commission appreciated what they are doing with the landscaping issues, and acknowledged the importance of the traffic issues. Chairman Seichter agreed that what is proposed for the building structure standpoint is encouraging. He stated that the Commission needs a better understanding of and a comfort level with the traffic issues. Atty. Smith asked for the next meeting date. Chairman Seichter replied that it's the second Monday of the month, which will be April 13th. Atty. Smith clarified one of the issues to be addressed is the 275 number. Mr. Dion noted that they will make that explanation a little clearer. Mr deBourbon restated that the 275 is a ceiling.

Commissioner Fitzsimmons: Motion to continue the special permit application for the warehouse & distribution center for 425 & 528 South Cherry Street to the April 13th meeting.

Commissioner Kohan: Second

Vote: Unanimous in favor

4 Site Plan (Parking area improvements)/The Benhaven School/125 North Plains Industrial Road and 50 and 66-68 North Plains Highway #202-20

Commissioner Matarazzo noted all correspondence pertaining to this application for the record. Application for site plan approval dated March 4, 2020 with set of plans dated March 4, 2020; Inter-Departmental Referral dated February 7, 2020 from Fire Marshal; correspondence dated February 25, 2020 from Kacie Hand, Town Planner to Benhaven, Inc.; Inter-Departmental Referral dated February 7, 2020 from Senior Engineer; Application for Site Plan Approval dated February 7, 2020 with a set of plans; correspondence dated March 4, 2020 from Michael Ott to Kacie Hand; correspondence dated February 14, 2020 from Nigel Payne, Payne Environmental, LLC to Amanda Killeen, CT DEEP; Inter-Departmental Referral dated February 7, 2020 from Fire Marshal.

[not read into record but in my packet: Stormwater Management System Narrative dated March 1, 2020; correspondence dated March 6, 2020 from Town of Wallingford Department of Engineering to Planning and Zoning.]

Michael Ott, Licensed Professional Engineer and Land Surveyor with Summer Hill Civil Engineers in Madison, introduced Roslyn Paige Licensed Land Surveyor with Winterbourn Land Services in Wallingford and Neil Payne a Licensed Environmental Professional with Payne Environmental in New Haven and Mr. John Moldino from Benhaven School. Mr. Ott explained that the application is for parking improvements on a parcel of land adjacent to the Benhaven School site as well as the Benhaven Academy site. The school site is at 125 North Plains Industrial Road and the Benhaven Academy is to the West at 50 North Plains Highway. Ms. Paige provided an overview of the site. She noted that the two properties function independently at the moment with a walkway between. The additional piece of property involved in this application is known as 66 North Plains Highway and is owned by a separate entity, Vasant, LLC. There are two buildings on the property and it function as a condominium. They propose purchasing about 49,800 square feet from 66 North Plains Highway, which is 102,349 square feet. Part of the application is to make sure if they purchase the back half of the property that the remaining piece still functions as a site. The building on the land will come down and the area will become parking. At the end of the day, we would do a lot line revision. The existing line would go away and a new line would go in separating 66 North Plains Highway from 125 North Plains Industrial Road. 66 North Plains will then be 52,500 so still conforms to the I40 regulations. She confirmed that all the zoning regulations for 66 North Plains will be met and they have not created a non-conformity. Mr. Ott described the parking lot design. He stated that the plan is to remove the eastern most building on the adjoining parcel and construct a 41 stall parking lot for Benhaven's use as well as a driveway connection between 125 North Plains Industrial Road and 50 North Plains Highway. He identified the landscape improvements per the requirements and lighting improvements. He noted that there is currently a bituminous concrete sidewalk connection between the two schools. A new sidewalk will be constructed parallel to the site driveway. He stated that there is a subsurface storm water storage and infiltration system proposed adjacent to the new driveway. That will take stormwater runoff from the new parking

area as well as a bituminous concrete surface recreation play area that will be constructed. That system is designed to exceed the computed water quality volume for CT DEEP's Stormwater Quality Manual. The soils are sands and gravels on this site. He pointed out the rectangular parking area and the rectangular play area, the driveway connection and a new sidewalk. He noted the lighting fixtures are all full cut off fixtures, only 12 feet high. He mentioned that there are some compliance issues with the existing sites, 125 North Plains Industrial Road, 50 North Plains Highway and 66 North Plains Highway. He has a list of things that have to be brought back into compliance so that all the sites are compliant with their previous site plan approvals. On all three sites, the accessible parking spaces have to be redone to meet the state code requirements and proper signage needs to be installed. They will be planting additional trees at all three sites to meet landscaping requirements. At 125 North Plains Industrial Road, there's a small section of pavement will be removed to provide the required 5 foot landscape strip. At 66 North Plains Highway additional parking spaces need to be constructed. Lastly, he noted he will need to work with the town engineer on the intersection with North Plains Industrial Road because the curb lines need to be revised. The applicant has agreed to make all those changes to bring the sites into compliance. Mr. Ott noted that the site is subject to an environmental remediation plan. They provided a bulleted summary to Mrs. Hand, which Mr. Payne will review. Mr. Payne explained that he is involved because the site redevelopment entails the demolition of an existing structure. There is currently an environmental land use restriction on that structure. The site operated as a machine shop from 1964 to recently. There is some pollution exterior to the building that was remediated with the normal methods (excavation and offsite disposal). There currently exists petroleum contaminated soil underneath the concrete slab which is what the environmental land use restriction describes. We cannot demolish the building or remove the slab floor until we get a temporary release from the State. It has been approved by the State and they expect to receive it this week. Next it will need to go on the land records before we can begin demolition. The goal is to completely remove that soil and return the site to where it meets the regulatory standards for the petroleum contamination that's there. He stated that there is very little there, only 60 to 80 cubic yards of contaminated soil. Mr. Ott mentioned that they have addressed all Mrs. Hand's review comments, and gave her a written response and revised plans. He noted that the Town Engineer provided review comments and he worked with her to make the necessary revisions.

Mr. Talbott confirmed that they have or will address all of the staff's comments.

Commissioner Fitzsimmons asked if the applicant had seen the suggested conditions of approval from the Town Engineer dated March 6th. Mr. Ott indicated that he had not seen them. Chairman Seichter handed the conditions from the Town Engineer to Mr. Ott. Mr. Ott corrected his statement and confirmed that he did receive the suggested conditions. He stated that the Town Engineer had given him a Memo dated March 6th with 9 comments. It looks like the same memo as the one provided by Chairman Seichter, but the Planning and Zoning version has two less comments. Commissioner Fitzsimmons asked if they were addressing all the parking needs because the comments say that insufficient number of parking spaces exist at 66 North Plains. Mr. Ott replied that he believes they are addressing the parking needs through compliance with existing conditions and the new parking area. He noted that he had neglected to clarify the reason for the new parking is because they are currently

parking on another adjoining property that wants to end that agreement. Commissioner Fitzsimmons asked for confirmation that this application will address all the parking needs on the property. Mr. Ott concurred.

Commissioner Fitzsimmons: Motion to approve the Site Plan for The Benhaven School, to demolish a building and construct a parking lot on a portion of property at 66-68 North Plains Highway which is to be transferred to the property at 125 North Plains Industrial Road, and make an interconnecting driveway between 125 North Plains Industrial Road and 50 North Plains Highway, as shown on plans entitled "The Benhaven School, Parking Area Improvements, 125 North Plains Industrial Road, Wallingford, Connecticut", dated February, 2020 revised to 3-1-20, subject to:

1. Final plans to reflect the previously approved plans, and all sites to be brought into compliance with these previously approved plans, except in the area where the building is proposed to be demolished and the new parking lot constructed and in the area of the proposed improvements to the interconnecting driveway, and any other area where changes were specifically represented to the Commission and that are compliant with the Zoning Regulations. This includes the proper maintenance and any necessary components of the bioretention areas, all previously approved landscaping, all previously approved parking and layout, compliant parking spaces, etc.
2. Final plans to fully address items #2 (also see condition #1 above), #3 (label square footage and use of each building), #11 (label areas used for interior landscaping calculations and reference landscaping variances on Sheet 7 on final plans), and #14.
3. Reserved/accessible parking spaces in the new parking area to be moved to the spaces closest to the building at 125 North Plains Industrial Road, if allowed by the Building Official per State Building Code.
4. All construction vehicles to use the construction entrance and not to exit utilizing any other exit on the property.
5. Sedimentation and Erosion control bond to be calculated and provided and posted by the applicant once calculated by the Planning and Zoning Department.
6. Conformance and agreement with compliance of the conditions of the Town of Wallingford Department of Engineering memo dated March 6, 2020 including the conditions of approval.
7. Applicant to include in the final plans, a proposed haz-build of the parking lot parking plan to address the discussion here this evening.

Commissioner Kohan: Second

Vote: Allinson (for Venoit): yes; Fitzsimmons: yes; Kohan: yes; Matarazzo: yes; Chairman Seichter: yes
Site Plan #202-20 approved

REPORTS

5. Administrative Approvals

Amy Torre reported that one survey waiver was granted to Amarone Family for a small three-season porch on the home.

6. Hartford Line TOD Action Plan Parts 1 & 2

Mr. Torre reported that they have a report from the CT DOT to the Mayor regarding the first two phases of the plan. Chairman Seichter asked if the plan will be discussed with the Town Council. Ms. Torre replied that she has a January 28th memo to the Mayor. She promised to get back to the Commission on the next steps.

ZBA Decisions

Ms. Torre reported on the decisions from February. One application was continued to the March 16th meeting. She noted that the legal notice for that meeting doesn't include that application. She noted that one of the applications noted on the legal notice is for a storage building to be located within the rear setback at 809 North Main Street. The funeral home is looking for vehicle storage. The continued application from the February meeting is generally the same as was submitted in February for office use times two on two streets within the 50 foot required setback in a Town Center Zone. So it's two variances being requested. At the meeting, the applicant showed a small area, reducing the ground level street facing on one of the streets. There wasn't ample time for review, so they will be reheard in March. Chairman Seichter stated that while there has been a modification, it is still doesn't comply with the zoning regulations. Ms. Torre reported that one variance is still zero set back ground level street facing. The other has a smaller area, but it does not change the application. Chairman Seichter stated the Commission's opinion hasn't changed.

Zoning Enforcement Log

Ms. Torre reported on clean up done to the log to make it more user friendly. She noted that a lot were closed. As part of making it more reader friendly, it now shows dates in descending order within each category.

Commissioner Kohan asked about the cemetery, 60 Prince Street, on page 4. He noted that a couple meetings ago Mrs. Hand reported that there was progress on fixing the violation. She was going to report to the Commission on what was being done. He asked staff for a copy of that memo. He noted a procedural question. They didn't conform to their site plan. It's a fairly big fence. Typically the P&Z doesn't get into reviewing remediation of zoning violations, but this might be an exception because it was a fairly significant violation. Is it appropriate for the Commission to look at issues like this? Chairman Seichter agreed that this is a situation that has been a violation for a long time and should have had more attention and perhaps more direction from the Commission. Commissioner Kohan stated that he wanted assurance that it is being addressed. Chairman Seichter added that he talked with Mr. Baltramaitis who indicated that it was on his radar. He asked Ms. Torre to follow up with Mr. Baltramaitis to get a timeline on the full resolution of the violation.

Commissioner Fitzsimmons asked what other active violations of zoning are there that the Town is cited for. Ms. Torre noted that the purview of this particular violation is somewhat blurred. There have been conversations about how much is zoning violation and how much is of another purview. She noted that the Prince Street violation is more building site plan not the Center Street cemetery. As far as the Town being the violator, she is not aware of any others. Commissioner Kohan noted that part of the problem is the entrance and drainage. Ms. Torre agreed we can refer to the site plan and state what they are

allowed to do. She stated that Mr. Baltramaitis and Mrs. Hand have had conversations, and she will look for documentation. Ms. Torre promised to put together what she can find for the Commission.

Commissioner Fitzsimmons called for a motion to adjourn the March 11, 2020 meeting at 10:10 pm.

Commissioner Kohan: second

Vote: Unanimous in favor

Respectfully submitted,

Cheryl-Ann Tubby

Recording Secretary

