

**Minutes
Wallingford Development Review Board
Zoom Meeting
16 March 2021
6:30 PM**

Members present: David. Ballou, Bill. Brooks (Chair), Jill. Burkett, Jason. Stone Lucy Thayer.

Alternate member(s) Jeff. Biasuzzi

Recording Secretary: Erika Berner

Members of the Public: Michelle Kinney, Chloe Gellenthien, Betsy Valine

I. Meeting Call to Order:

Meeting called to order at 7:00 by B. Brooks.(Chair)

II. Review of Minutes (tabled from February 2020)

III. Election of DRB Officers

- Lucy Thayer moved to nominate B. Brooks as Chair. J. Burkett seconded motion. Motion APPROVED.

- J. Burkett moved to nominate L Thayer as Vice-Chair. B. Brooks seconded motion. Motion APPROVED.

IV. Do Alternate members need to attend all DRB.

Discussion if the DRB stated all alternated need to attend or not? J. Biasuzzi clarified choices: only bring in an alternate if no quorum is possible or all alternates attend regardless of quorum or not. B. Brooks suggested it was a good idea to have an alternate at all meetings until it can be determined that there is quorum of standing-members.

The question of J. Stone recusing himself due to property abutting proposed location of bakery. J. Biasuzzi clarified that Town of Wallingford has a Conflict of Interest.

V. Public Input:

Application: to open bakery in southwest corner of 15 S. Main St. with sign.

Michelle Kenny (building owner) Chloe Gellenthien and Betsy Valine (bakery owners) were sworn in by B. Brooks.

Michelle Kinney presented her application explaining that the bakery will have a basement kitchen with seating in the bakery and on the patio. She further state that the Fire Marshall has approved occupancy of 33 people.

B. Brooks reviewed the food, drinks and number of occupancy, and proposed hours of operations in the application are 6:30 – 4:00 with Tuesday closed (asking for 6:00AM –

11:00PM hours to allow more flexibility should a change become necessary for the hours of operation.

A discussion of where the sign would be located discussion: whether it will be on a pole outside the building, on the building or on corner of building. The Application shows proposed sign to be where the former Thrift Shop sign was located.

L. Thayer stated the current Zoning stating the according to the current Zoning policy “One free-standing sign is allowed per lot for each 300 feet of road frontage, multiple signs to be spaced out evenly.” [Page 25] She reiterated that there had been a prior sign but that this is a new shop. L. Thayer also questioned if the proposed sign was projecting or free-standing.

Discussion followed, concerning that Sal’s has a current free-standing sign, which would preclude another free-standing for the proposed bakery. A lengthy discussion followed, clarification of different signs, several other buildings in Town of Wallingford having several signs, free-standing flush, projecting, etc. (Included in discussion was proposing to the Planning Commission that the current signage policy be further reviewed.)

B. Brooks proposed that proposed bakery could have either flush or free-standing sign not both. M. Kenny clarified that the Sweet Birch sign would be lower and out of the way of pedestrians. (The signs measure 34 inches by 18 inches.) M. Kinney, also mentioned that the sign was already built, she was cautioned by J. Biasuzzi that it is not a good idea to build sign before approval. J. Biasuzzi also reiterated the height the sign must be above street level, and asked what type of sign-illumination if any was planned. (If non-illuminated the Zoning Administrator can approve. If illuminated, then M. Kinney should ask for approval.) M. Kinney formally asked for illumination to the sign. B. Brooks said down-lighting and positioned so as not to impede traffic. M. Kinney agreed to downlighting.

L. Thayer suggested that the Bakery sign maybe co-located as the current Sal’s sign. Further discussion followed concerning signs for possible future business in the building.

J Burkett asked about employee parking. M. Kinney replied they would be parking in current street parking.

L. Thayer asked how many employees could be expected to be working at a time. B. Valine replied herself, C. Gellenthien and one other employee for a total of 3.

B. Brooks proposed closing the hearing of testimony. D. Ballou moved to close the hearing to testimony. J. Stone seconded. Motion APPROVED.

B. Brooks questioned if DRB needed to go into Deliberative Session to approve or disapprove the bakery as described in the application. J. Burkett, D. Ballou, J. Stone, and L. Thayer agreed but proposed that conditions on the placement of the sign needed to be a one-off approval. Future tenants cannot have signs placed on the building.

B. Brooks reminded the Board that any future occupant must come through the DRB for approval. L. Thayer again pointed out that current Zoning does not allow two signs on the building. J. Burkett motioned the DRB go into Deliberative Session, J. Stone seconded. J. Burkett reminded the Board that Zoning will have to change but having two-signs in The Block has never been an issue and the building has always had two-signs. B. Brooks again said that the Board knows where the proposed sign will go, and that it is an issue for the Planning Commission to decide on signage. (The sign will either go on a post or at the end of the Patio.)

L. Thayer asked what would happen if another future occupant wanted a sign. B. Brooks reiterated that L. Thayer's scenario is for the future. L. Thayer asked if the bakery sign will set a precedent or just be Grandfathered in. J. Stone reminded the Board there was a motion on the floor. J. Burkett withdrew her motion (to go into Deliberative Session). E. Berner reminded the Board that they cannot set limits for future occupants, and they can only vote on the current application. L. Thayer asked again about future tenants and signs. E. Berner also reminded the Board that the Planning Commission is in the process of updating the Zoning Policies and the issue of signs can be placed on the Commission's agenda.

Michelle Kinney (as building owner) stated that as the building owner, she does have future plans, however, her current application is for a sign for the proposed bakery only and that it is believed that having the second sign for the bakery falls under Grandfathering as The Block has always had two signs for at least 100 years.

J. Stone motioned for Deliberative session – no second. D. Ballou moved the motion to approve the permit. B. Brooks reiterated that concerning signs, a future occupant would have to ask for a variance. E. Berner clarified that a new owner/renter of the bakery location would have to be asked for a new variance, should the current proposed bakery move in the future. J. Stone motioned for Deliberative session; J. Burkett seconded. D. Ballou called Robert's Rule of Order to move the question to approve or disapprove the permit and by moving the question, it takes precedent over J. Stone's motion.

B. Brooks stated he would call on each member to approve or disapprove the Permit with all the stipulations to include sign locations as stated in the application packet.

M. Kinney reassured the Board if the bakery application is approved, she would consent to a statement, "That applications for future commercial tenants, may include a re-evaluate all signage at The Block".

B. Brooks called for vote:

- D. Ballou – approve
- J. Stone – approved with caveat future signage may be alternate the current building signage
- L. Thayer – approve with signage
- J. Burkett – approve
- B. Brooks – approve.

E. Berner asked for any further statements on signage. J. Burkett asked for M. Kinney's signage statement to be read. Discussion continued concerning signage.

Discussion followed what should go into the approval:

- Location of signs
- Type of Lightning
- Conformity to existing sign Zoning Policy

J. Burkett, asked about necessary permits. M. Kinney stated she did have or has applied for all necessary permits (Fire Marshal, Health, etc.)

L. Thayer asked about procedures concerning voting in front of the applicant or not. J. Stone supported L. Thayer suggestion. J. Burkett agreed. B. Brooks explained that after closing the Testimony, he felt comfortable voting. E. Berner reminded the Board that during in-person meetings, the public leaves the building, which may not be possible during a Zoom meeting.

J. Stone motioned that in future meetings should a DRB member motion that the Board go into Deliberative Session, the Board will vote on the motion. J. Burkett seconded. Vote taken: 2-approved motion, 2-voted no, 1- abstained. Motion DID NOT carry.

VI. Adjournment:

L. Thayer made a motion to adjourn. D. Ballou seconded. Motion passed. Meeting was adjourned at 8:53PM.