

ENFIELD PLANNING AND ZONING COMMISSION  
REGULAR MEETING

**MINUTES**

THURSDAY, FEBRUARY 13, 2020 – 7:00 p.m.  
ENFIELD TOWN HALL - COUNCIL CHAMBERS  
820 ENFIELD STREET - ENFIELD, CT

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**Call to Order & Pledge of Allegiance**

Chairman Nelson called the meeting to order at 7:00 PM.

**Roll Call**

Secretary Szewczak took the roll and present were Commissioners Charles Ladd, Richard Szewczak, Virginia Higley, Ken Nelson, Frank Alaimo and Alternate Commissioner Vinnie Grillo. Absent were Commissioners Mary Scutt, Linda DeGray and Alternate Commissioners John Petronella and Dane Thorogood.

Also present were Laurie Whitten, Director of Development Services; Jennifer Pacacha, Assistant Town Planner; Ricardo Rachele, Zoning Enforcement Officer and Elizabeth Bouley, Recording Secretary.

Chairman Nelson seated Alternate Commissioner Grillo for the absent Commissioner.

**Approval of Minutes** – January 16, 2020 Special Meeting

**Motion:** Commissioner Higley made a motion, seconded by Commissioner Szewczak, to approve the minutes from the January 16, 2020 Special Meeting.

The motion passed with a 5-0-1 vote with Commissioner Alaimo abstaining.

**Votes: 5-0-1**

**Approval of Minutes** – January 23, 2020 Regular Meeting

**Motion:** Commissioner Higley made a motion, seconded by Commissioner Ladd, to approve the minutes of January 23, 2020.

The motion passed with a 6-0-0 vote.

**Votes: 6-0-0**

**Report of the Zoning Enforcement Officer**

Mr. Rachele referenced the report provided to the Commission with updates on the status of various violations including 350 North Maple Street and 9 St. Thomas Street.

Mr. Rachele stated that a number of car dealers in town were all issued notices of violation regarding parking vehicles on landscaped areas of their property and most have complied.

Mr. Rachele went on to provide updates on the status of 117 North Street and 79 Enfield Street. He stated that the signage issue that came up at the last meeting has been taken care of.

Commissioner Nelson asked if the people who stand on the side of the road holding signs are within the regulations. Mr. Rachele stated that this cannot be stopped but the person cannot go into the roadway. He stated that there is a problem with enforcing that type of signage and advertising.

Commissioner Higley stated that the town does not allow moving signage so he cannot hold a sign. Commissioner Nelson stated that he can wave and can hold a sign but cannot spin it around or move it.

### **Public Participation**

Chairman Nelson asked if anyone in the audience would like to speak about items not on the agenda; no one came forward.

### **Bond Release(s)**

- a. **PH# 2850** – 20 Palomba Drive (Lia Honda) – Bond Release Request for the Site Restoration Bond in the amount of \$17,750.00 and the Landscaping Bond in the amount of \$7,050.00.

Commissioner Higley asked how a Landscaping Bond can be released in the winter. Mr. Rachele stated that it has been two years, and someone has been out to look at it.

Commissioner Alaimo asked about the process and when the as-builts were received. Mr. Rachele stated that they were received this past summer. He went on to explain how the bond release process typically works, concluding that they are normally expedited quicker than this one.

Chairman Nelson asked for clarification as to when the inspection was done, to which Mr. Rachele replied that the inspection was performed once the as-built had been received. He stated that Landscaping Bonds need to wait through the spring and summer prior to release.

**Motion:** Commissioner Szewczak made a motion, seconded by Commissioner Ladd, to release the Site Restoration Bond in the amount of \$17,750.00 and the Landscaping Bond in the amount of \$7,050.00 for the property located at 20 Palomba Drive.

The motion passed with a 6-0-0 vote.

**Votes: 6-0-0**

### **New Public Hearings**

- a. **PH # 2964-** Zone Text Amendment Application to Table 4.20 Use Table for Residential Districts to allow for Multi-Family Residential Use within the Historic Residential (HR-33) Zone along with footnote 14 requiring adherence to Section 4.30.2 – Conversion of Buildings for Residential Purposes; Town of Enfield, Owner; Our Town Investment, LLC, Applicant; Historic Residential (HR-33) Zone. (DoR: 01/09/20; MOPH 03/12/2020) – Information available in the Enfield Town Clerk’s Office and the Planning Office.

Secretary Szewczak read the legal notice and took the roll and present were Commissioners Charles Ladd, Richard Szewczak, Virginia Higley, Ken Nelson, Frank Alaimo and Alternate Commissioner Vinnie Grillo. Absent were Commissioners Mary Scutt, Linda DeGray and Alternate Commissioners John Petronella and Dane Thorogood.

Chris Marszalek, 15 South Road, stated that he is looking to convert the property from a two-family to a three-family by sub-dividing the first floor. He stated that they are connected to public sewer system and have met the other requirements.

Commissioner Higley asked if the property is in the HR33 district, to which Mr. Marszalek replied that it is. Commissioner Higley asked why the Commission cannot just issue a Special Use permit without changing the zoning regulations, since there are two-family homes next door. Ms. Pacacha stated that duplexes are allowed with Special Permit in other zones but not in the HR33 zone.

Commissioner Higley stated that if the text changes tonight, it changes for the whole district without any specific guidelines. Ms. Pacacha stated that this was the point of adding footnote 14 at section 4.30.2 of the regulations. Commissioner Higley stated that she is still uncomfortable with this as there are a lot of historic buildings down there and it sounds like people can just tear down the building.

Mr. Marszalek stated that no one can tear the building down or alter the exterior but they could alter the interior.

Commissioner Szewczak pointed out that footnote 14 says only one additional unit can be added, so a one-family house cannot be converted to a three-family. Commissioner Higley reiterated that it does not say they cannot tear the structure down, and she is not comfortable with this.

Chairman Nelson stated that the Historic District in Enfield is tough and they stick to their guns; Mr. Marszalek agreed, stating that he has converted another historic house. Chairman Nelson stated that even if the house burnt to the ground and he had to rebuild it, it has to be built to the Historic District requirements.

Commissioner Higley asked if there any structures in the Historic District that are more than 250 feet back. Ms. Pacacha replied that there are some but it is spelled out in the historic ordinance as to what those properties are.

Ms. Whitten stated that multi-family is typically considered to be four dwelling units or above, and duplexes and multi-family are not allowed in HR33. Commissioner Higley stated there are many two-families and apartments in the Historic Districts and asked how they came about if the regulations do not allow them. Ms. Whitten stated that she cannot speak to this. Mr. Marszalek stated that the two-family he lives in has been there since at least the 1950s.

Chairman Nelson asked if there is a way to do something site specific through a Special Permit so as not to change the entire district. Ms. Pacacha stated that perhaps a use variance could be utilized, but those are difficult because you have to prove a hardship before the ZBA.

Commissioner Higley asked if there is a minimum square footage allowed, to which Mr. Marszalek replied that it is 600 square feet (SF) per unit.

Commissioner Szewczak stated that the only way to address Commissioner Higley's concerns would be if there is a caveat in the regulations which says that once a conversion is made under these regulations it cannot be done again.

Commissioner Alaimo stated that this proposal is to change the zoning from Route 190 to King Street, to which Ms. Whitten replied that it is not changing a zone but rather a permitted use. Commissioner Alaimo pointed out that the Historical Commission is fine with this project and they are on top of things, so he does not have a problem with it based on the Staff Report.

Commissioner Grillo asked if there will still be ample parking, to which Mr. Marszalek replied that he has 7 parking spaces now including the garage and can increase it to 12 if need be.

Ms. Whitten stated that in the table under duplex residences under HR33 Special Permit there can be a caveat that it can only go up to 4 units so that it meets 4.30.2. Commissioner Szewczak suggested that a subsection H be added under section 4.30.2 subsection G to state that this particular caveat may not be used more than once on a lot and subsection G does not apply in an HR33 zone.

Chairman Nelson asked three times if anyone in the public would like to speak; no one came forward.

**Motion:** Commissioner Higley made a motion, seconded by Commissioner Ladd, to close the Public Hearing.

The motion passed with a 6-0-0 vote.

**Votes: 6-0-0**

**Motion:** Commissioner Szewczak made a motion, seconded by Commissioner Higley, to approve PH #2964 with the modification of 4.30.2 to add subsection H to indicate that this can only be used once per building and subsection G does not apply.

The motion passed with a 6-0-0 vote.

**Votes: 6-0-0**

- b. **PH # 2965** - 51 Palomba Drive- Special Use and Site Plan application to allow for a Freestanding Tenant Identification Pylon Sign under Section 10.30.9; Devcon Commons, LLC, Owner; Darin Senna, Applicant; Map 056/ Lot 0007; Business Local (BL) Zone. (DoR: 02/13/20; MOPH: 04/09/20)

Secretary Szewczak read the legal notice and took the roll and present were Commissioners Charles Ladd, Richard Szewczak, Virginia Higley, Ken Nelson, Frank Alaimo and Alternate Commissioner Vinnie Grillo. Absent were Commissioners Mary Scutt, Linda DeGray and Alternate Commissioners John Petronella and Dane Thorogood.

Darin Senna of Hartford Sign and Design addressed the Commission along with J.R. Cody from Devcon Commons, LLC. Mr. Senna stated that they have a conforming multi-tenant pylon sign which meets all requirements. Mr. Cody stated that the intention is to get the tenants in the center more exposure.

Ms. Pacacha went over the Department comments in the Staff Report. She stated that it is her understanding that landscaping will be put back in if it is taken out, and stated that a site-specific condition regarding landscaping and bonding was added but can be removed if the Commission wishes. Mr. Cody explained that the plan is to put the footing where the bush area is and replace the bushes with low lying flowers.

Commissioner Higley stated that as long as there is some kind of shrub or plants the bond is not necessary, to which Commissioner Grillo agreed.

Commissioner Szewczak asked if the existing sign will be dismantled and the posts left in place, to which Mr. Senna replied that they are just adding six tenant slot names which will go underneath the existing pylon sign. Discussion took place regarding the height of the sign on the submitted application. Mr. Senna explained that the posts in place are post covers, so the steel inside will be raised up.

Commissioner Alaimo asked if the current footing will be changed, to which Mr. Senna replied that it will not. Commissioner Alaimo asked if the sign can be added to if a business divides into two and more signage is required, to which Mr. Senna replied that it can.

Commissioner Grillo asked about the other sign on the application, to which Mr. Cody replied that there are actually two signs.

Chairman Nelson asked three times if anyone in the audience would like to speak in favor or against the application; no one came forward.

**Motion:** Commissioner Higley made a motion, seconded by Commissioner Ladd, to close the Public Hearing.

The motion passed with a 6-0-0 vote.

**Votes: 6-0-0**

**Motion:** Commissioner Szewczak made a motion, seconded by Commissioner Higley, to approve PH# 2965 with conditions and the removal of the site-specific condition.

The motion passed with a 6-0-0 vote.

**General Conditions:**

1. This approval is for the specific use, site, and structure identified in the application. Any change in the nature of the use, site, or the structure will require new approvals from the Enfield Planning and Zoning Commission.
2. This project shall be constructed and maintained in accordance with the referenced plans.
3. A building permit for the construction of facilities as approved must be obtained within 24 months of approval or this approval shall be rendered null and void, unless an extension is granted by the Commission.
4. All construction authorized by this approval shall be completed within five (5) years or this approval shall be considered null and void, unless an extension is granted by the Commission.
5. By acceptance of this permit and conditions, the applicant and owner acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

**Site Specific Conditions:**

**Conditions to be met prior to signing of plans:**

6. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
7. The application number shall be displayed on the plans in or near the Title Block area.

8. A copy of the approval letter and conditions shall be incorporated into the final plans submitted for signature, preferably located on the cover sheet or first sheet of the plan set.
9. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
10. A list outlining all changes to the plans shall be submitted along with final plans submitted for signature. The list should cite the sheet number where each change has been made.
11. The conditions of this approval shall be binding on the applicant, land owners, and their successors and assigns.

**Conditions to be met prior to the issuance of permits:**

12. Two sets of paper plans with any required revisions incorporated shall be submitted to the Planning Department for signature of the Commission. The Director of Planning may require Mylars.
13. This approval will become effective upon the filing of a Special Use Zoning Certificate signed by the Commission Secretary on the Land Records by the applicant. Such certificate must be filed within 120 days of approval by Commission. Proof of such filing shall be in the file prior to the issuance of any permits.
14. The applicant shall also submit final plans as approved by the Commission in a digital format compatible with the Enfield Geographic Information Systems Electronic Submittals Ordinance.
15. A pre-construction meeting between the applicant, site contractors, project engineer and Town Staff shall be held.
16. Any required certificates and/or approvals from State or Federal agencies (i.e. CT-DOT, DEEP, Army Corps of Engineers) shall be obtained by the applicant and reported to the Planning and Zoning Commission file. Any changes to the plans required by such entities may require a plan modification from the Enfield Planning and Zoning Commission.

**Conditions which must be met prior to the Issuance of a Certificate of Compliance:**

17. Complete as-built plans certified to Class A-2 accuracy shall be submitted prior to the issuance of any certificates of zoning compliance. The as-built plan shall also contain a certification by a Professional Engineer that they have inspected the site improvements and that they have been installed in accordance with the approved plans. Any deviations or omissions must be noted.
18. The design professional who prepared the approved PZC architectural drawings, shall provide as-built drawings with a certification that they have complied with approved plans. Any changes need to be noted on the plans and a list of changes submitted.
19. No Certificate of Occupancy or other final approval may be issued until the Zoning Enforcement Officer has signed off on the final work. When minor site work cannot be completed because of weather or other pertinent reason, a conditional approval may be issued for a period not to exceed 180 days, providing satisfactory surety shall be posted with the Town of Enfield in an amount sufficient to complete the site work and with surety acceptable to the Town of Enfield.
20. A request for final project review and certificate of zoning compliance must be made to the Planning Department not less than 10 days before a Certificate of Occupancy or other final approval is requested from the Building Official.

**Note:** The Conditions of Approvals do not take the place of other requirements found in the Town Codes, Regulations, and Application Instructions.

**Votes: 6-0-0**

- c. **PH# 2966** – 281 Abbe Road – Special Use and Site Plan application to allow the expansion of a non-conforming structure under Section 3.40.1D to accommodate a garage with above storage space and a mudroom; Daniel Spazzarini, owner/applicant; Map 86/Lot 270; R-44 Zone. (DoR: 02/13/20; MOPH: 04/09/20)

Secretary Szewczak read the legal notice and took the roll and present were Commissioners Charles Ladd, Richard Szewczak, Virginia Higley, Ken Nelson, Frank Alaimo and Alternate Commissioner Vinnie Grillo. Absent were Commissioners Mary Scutt, Linda DeGray and Alternate Commissioners John Petronella and Dane Thorogood.

Dan Spazzarini, 281 Abbe Road, stated that he is trying to build a garage/mudroom addition onto his house. He stated that the house was rezoned after it was built so the setbacks have to be 50 feet and his is 35 feet; therefore, he would like to obtain a Special Permit to build the garage in line with the house.

Chairman Nelson stated that the regulation should be interpreted for this to be for new structures rather than existing structures, and asked Staff to put that on a future agenda.

Commissioner Alaimo stated that the change that had been made to the zone on Burnham Street makes the entire neighborhood non-conforming. Chairman Nelson stated that the houses built in this zone should be grandfathered.

Chairman Nelson asked three times if anyone in the public would like to speak; no one came forward.

**Motion:** Commissioner Ladd made a motion, seconded by Commissioner Higley, to close the Public Hearing.

Chairman Nelson closed the Public Hearing.

**Motion:** Commissioner Szewczak made a motion, seconded by Commissioner Higley, to approve PH# 2966 with 24 conditions.

Commissioner Higley stated that she thought if there is a non-conforming lot and both parcels are in the same name, they automatically merge to make them more conforming. Ms. Whitten stated that this is often done by the assessor and she does not know why it had not been done in this case. Ms. Pacacha stated that there is a section of the regulations that says this, but it is not filed on the land records this way.

The motion passed with a 6-0-0 vote.

**General Conditions:**

1. This approval is for the specific use, site, and structure identified in the application. Any change in the nature of the use, site, or the structure will require new approvals from the Enfield Planning and Zoning Commission.
2. This approval does not include signage permits.
3. There is to be no exterior sheet metal venting pipes visible from the street.
4. Exterior mechanicals and electricals are to be boxed and screened.
5. This project shall be constructed and maintained in accordance with the referenced plans.
6. A building permit for the construction of facilities as approved must be obtained within 24 months of approval or this approval shall be rendered null and void, unless an extension is granted by the Commission.

7. All construction authorized by this approval shall be completed within five (5) years or this approval shall be considered null and void, unless an extension is granted by the Commission.
8. By acceptance of this permit and conditions, the applicant and owner acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

**Site Specific Conditions:**

9. Documentation for the merger of 279 and 281 Abbe Road must be filed on the Land Records and in the Planning Office file PH# 2966 prior to the issuance of any Building Permits.

**Conditions to be met prior to signing of plans:**

10. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
11. The application number shall be displayed on the plans in or near the Title Block area.
12. A copy of the approval letter and conditions shall be incorporated into the final plans submitted for signature, preferably located on the cover sheet or first sheet of the plan set.
13. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
14. A list outlining all changes to the plans shall be submitted along with final plans submitted for signature. The list should cite the sheet number where each change has been made.
15. The conditions of this approval shall be binding on the applicant, land owners, and their successors and assigns.

**Conditions to be met prior to the issuance of permits:**

16. Two sets of paper plans with any required revisions incorporated shall be submitted to the Planning Department for signature of the Commission. The Director of Planning may require Mylars.
17. This approval will become effective upon the filing of a Special Use Zoning Certificate signed by the Commission Secretary on the Land Records by the applicant. Such certificate must be filed within 120 days of approval by Commission. Proof of such filing shall be in the file prior to the issuance of any permits.
18. The applicant shall also submit final plans as approved by the Commission in a digital format compatible with the Enfield Geographic Information Systems Electronic Submittals Ordinance.
19. The applicant shall post a separate bond for Erosion and Sediment Control submitted in the form of cash or certified check, pledged to the Town, in an amount to be determined by the Town Engineer and the Director of Planning.
20. A pre-construction meeting between the applicant, site contractors, project engineer and Town Staff shall be held.

**Conditions which must be met prior to the Issuance of a Certificate of Compliance:**

21. Complete as-built plans certified to Class A-2 accuracy shall be submitted prior to the issuance of any certificates of zoning compliance. The as-built plan shall also contain a certification by a Professional Engineer that they have inspected the site improvements and that they have been installed in accordance with the approved plans. Any deviations or omissions must be noted.

22. The design professional who prepared the approved PZC architectural drawings, shall provide as-built drawings with a certification that they have complied with approved plans. Any changes need to be noted on the plans and a list of changes submitted.
23. No Certificate of Occupancy or other final approval may be issued until the Zoning Enforcement Officer has signed off on the final work. When minor site work cannot be completed because of weather or other pertinent reason, a conditional approval may be issued for a period not to exceed 180 days, providing satisfactory surety shall be posted with the Town of Enfield in an amount sufficient to complete the site work and with surety acceptable to the Town of Enfield.
24. A request for final project review and certificate of zoning compliance must be made to the Planning Department not less than 10 days before a Certificate of Occupancy or other final approval is requested from the Building Official.

**Note:** The Conditions of Approvals do not take the place of other requirements found in the Town Codes, Regulations, and Application Instructions.

**PH# 2966 – REFERENCED PLANS:**

1/1 “Proposed Attached Garage and Mudroom Addition, 281 Abbe Road, Enfield, Connecticut 06082”, Plot Plan with Map References, General Notes, Enfield Zoning Regulations Reference and Legend; Scale: 1” = 20’; Prepared by J.R. Russo and Associates, LLC., 1 Shoham Road, East Windsor, Connecticut 06088; Prepared for Daniel Spazzarini, 281 Abbe Road, Enfield, Connecticut 06082. Dated December 24, 2019; Revised to January 28, 2020.

**Votes: 6-0-0**

**Old Business**

- a. Discussion Regarding Changes to Section 3.30.7 Accessory Buildings – Modification to Residential Height Maximums – Lake Overlay District

Ms. Pacacha referenced the Memo dated February 7, 2020 from Planning Staff to the Commission regarding accessory building heights in the Lake Overlay District, explaining that there are some discrepancies.

Commissioner Higley stated that the ten feet was because in the overlay district the property that touches the road is the backyard and the property that touches the lake is the front yard, so this was done for the neighbors since the properties are so close together. Ms. Pacacha stated that this ended up being detailed in section 4.80.

Chairman Nelson stated that the concern right now is the height of the building, which he stated should be going from 12 feet to 15 feet throughout the entire town. The Commission agreed that this was their intent, the entire town including the lake.

Ms. Pacacha stated that this should be ready to go onto the next agenda.

**New Business**

**Site Plan Review(s)**

- a. **SPR # 1803-** 53 Manning Road- Site Plan Review Modification to remove the additional roof exit path including roof walkway, emergency lighting, stair to grade, and to allow for an appliance company to service and distribute residential type of appliances under Table

6.2; KBRC Realty, LLC Owner/Applicant; Map 034/ Lot 0015; Industrial 1 (I-1) zone.  
(DoR: 02/13/20; MOPH: 04/09/20)

Property owner Walter Labonte addressed the Commission along with Mr. Kevin Rothschild-Shea of Architecture EL, Inc. Mr. Rothschild-Shea utilized a site plan to illustrate the building and went over the requirements of the previous Special Permit, which he stated required them to provide an additional means of egress. Mr. Rothschild-Shea stated that the construction relative to the Special Permit started in late spring/early summer and they hope to be completed in the next couple of months.

Mr. Rothschild-Shea stated that there is support from local and State Fire and Building Departments that the fire escape is not required, so they would like it removed from the requirements. Chairman Nelson asked who required it, to which Mr. Rothschild-Shea replied that the Commission did.

Commissioner Szewczak stated that he thought the fire escape was part of the application because otherwise the distances between exits were too far. He went on to state that if it is not required they do not need to enforce it, but he does not believe the Commission initiated it. Mr. Rothschild-Shea stated that safety was under the purview of the Commission and there was some concern about egress, so to satisfy the Commission they included it. He stated that they would like it removed now that they have evidence that it is not required.

Chairman Nelson asked if the Building Department or Fire Marshal would sign off on something that did not have proper egress, to which Ms. Whitten replied they would not. Chairman Nelson stated that the Commission overstepped in this case.

Mr. Rothschild-Shea stated that they are also formally requesting approval for a small portion of the building in the east wing to operate as a business that does a small amount of service, repair and distribution of appliances.

Chairman Nelson asked what the hours of operation would be, to which Mr. Labonte replied that they would be regular business hours. Chairman Nelson stated that truck traffic has been a problem on Manning Road. Mr. Labonte stated that it is only the owner's truck which is a small 18-foot box truck.

Commissioner Higley asked if appliances could be purchased onsite, to which Mr. Labonte replied that they could not.

Commissioner Alaimo asked how many people would be employed, to which Mr. Labonte replied that there would be four.

Mr. Rachele explained that the appliances were previously being left outside including refrigerators with doors, so the property was cited. He stated that Staff had requested that this be made part of this change, and the applicant is not to leave any more appliances outside. Mr. Labonte stated that the tenant was given the space with no increase in rent under the condition that he no longer keep any appliances outside. Mr. Rachele stated that the property looks much better and they are presently in compliance.

**Motion:** Commissioner Szewczak made a motion, seconded by Commissioner Higley, to approve the resolution for SPR#1803 with conditions.

The motion passed with a 6-0-0 vote.

**General Conditions:**

1. This approval is for the specific use, site, and structure identified in the application. Any change in the nature of the use, site, or the structure will require new approvals from the Enfield Planning and Zoning Commission.
2. This approval does not include signage permits.
3. There is to be no exterior sheet metal venting pipes visible from the street.
4. Exterior mechanicals and electricals are to be boxed and screened.
5. This project shall be constructed and maintained in accordance with the referenced plans.
6. A building permit for the construction of facilities as approved must be obtained within 24 months of approval or this approval shall be rendered null and void, unless an extension is granted by the Commission.
7. All construction authorized by this approval shall be completed within five (5) years or this approval shall be considered null and void, unless an extension is granted by the Commission.
8. By acceptance of this permit and conditions, the applicant and owner acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

**Site Specific Conditions:**

9. All conditions of approval under PH# 2874 will remain in effect.

**Conditions to be met prior to signing of plans:**

10. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
11. The application number shall be displayed on the plans in or near the Title Block area.
12. A copy of the approval letter and conditions shall be incorporated into the final plans submitted for signature, preferably located on the cover sheet or first sheet of the plan set.
13. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
14. A list outlining all changes to the plans shall be submitted along with final plans submitted for signature. The list should cite the sheet number where each change has been made.
15. The conditions of this approval shall be binding on the applicant, land owners, and their successors and assigns.

**Conditions to be met prior to the issuance of permits:**

16. Two sets of paper plans with any required revisions incorporated shall be submitted to the Planning Department for signature of the Commission. The Director of Planning may require Mylars.
17. The applicant shall also submit final plans as approved by the Commission in a digital format compatible with the Enfield Geographic Information Systems Electronic Submittals Ordinance.
18. A pre-construction meeting between the applicant, site contractors, project engineer and Town Staff shall be held.

**Conditions which must be met prior to the Issuance of a Certificate of Compliance:**

19. Complete as-built plans certified to Class A-2 accuracy shall be submitted prior to the issuance of any certificates of zoning compliance. The as-built plan shall also contain a certification by a Professional Engineer that they have inspected the site improvements and that they have been installed in accordance with the approved plans. Any deviations or omissions must be noted.
20. The design professional who prepared the approved PZC architectural drawings, shall provide as-built drawings with a certification that they have complied with approved plans. Any changes need to be noted on the plans and a list of changes submitted.

21. No Certificate of Occupancy or other final approval may be issued until the Zoning Enforcement Officer has signed off on the final work. When minor site work cannot be completed because of weather or other pertinent reason, a conditional approval may be issued for a period not to exceed 180 days, providing satisfactory surety shall be posted with the Town of Enfield in an amount sufficient to complete the site work and with surety acceptable to the Town of Enfield.
22. A request for final project review and certificate of zoning compliance must be made to the Planning Department not less than 10 days before a Certificate of Occupancy or other final approval is requested from the Building Official.

**Note:** The Conditions of Approvals do not take the place of other requirements found in the Town Codes, Regulations, and Application Instructions.

**SPR# 1803 – REFERENCED PLANS:**

1/6 “Modification of Previously Approved Plans for Self-Storage Facility, Interstate 91 Self Storage, 53 Manning Road, Enfield, CT 06082”. Special Permit and Erosion Control Plan with References, Notes, Zoning Table, Legend, Parking Lot Requirements and Maintenance Plan; Sheet C-SP1; Scale: 1” = 50’; Prepared by Design Professionals, Inc., 21 Jeffrey Drive, P.O. Box 1167, South Windsor, CT 06074. Prepared for KBRC Realty, LLC, 100 South Main Street, Sherborn, MA 01770. Dated September 29, 2017. Revised to May 21, 2018.

2/6 “First Floor Enlarged Plan A, B and B1” – Sheet A1.1 – Scale: 1/8” = 1’; Revised to January 7, 2020

3/6 “Second Floor Egress Plan” – Sheet A1.3 – Scale: As Noted; Revised to January 7, 2020

4/6 “Building Elevations” – Sheet A2.1 – Scale: 1/16” = 1’; Revised to January 7, 2020

5/6 “South Elevations and Sections” – Sheet A2.2 – Scale: As Noted; Revised to January 7, 2020

6/6 “Enlarged Plans, Sections and Details” – Sheet A3.3 – Scale: As Noted; Revised to January 7, 2020

**Votes: 6-0-0**

**8-24 Referrals**

- b. 2 Broad Brook Road - Conveyance of property owned by the Town of Enfield

Ms. Pacacha stated that this is a referral from the Town Council to convey the former school, which is a project being done through the Community Development Department.

Chairman Nelson asked if there is any information regarding what will be done with the property once it is purchased and if there will be any Historical restrictions. Ms. Whitten stated that she does not have any information on that and it is not in the Historic District but they are currently working on the historic inventory.

Commissioner Szewczak stated that he has discussed this with some Town Council members and was told there would be Historic restrictions associated with the property so it would not be able to be torn down and redeveloped. Chairman Nelson stated that the church on High Street was supposed to have the stained-glass windows preserved and asked if that is under the Commission’s purview.

Commissioner Higley stated that she would like to see some suggestions on keeping or restoring the bell and the front of the building in order to avoid it becoming a strip mall. Chairman Nelson stated that he would like to get a little more information from the town regarding how they are planning to put this out there.

Commissioner Szewczak stated that the Commission should strongly recommend that the historical features of the building be preserved.

Commissioner Higley stated that she would like more information regarding the intended purpose that the town has for this building.

Commissioner Alaimo asked how the town will market the property with restrictions as it is not historically registered. Ms. Whitten stated that there can be restrictions put on the property and the Commission can provide feedback and recommendations. Further discussion took place regarding the potential restrictions that can be placed upon the property in order to preserve it historically.

Ms. Pacacha stated that the Commission would like protection against demolition and also to find out where the bell is located prior to issuing a recommendation.

**Motion:** Commissioner Alaimo made a motion, seconded by Commissioner Higley, to table this in order to obtain additional information.

The motion passed with a 6-0-0 vote.

**Votes: 6-0-0**

**Other Business**

- a. Review of Bylaws – *(Awaiting Review)*

Ms. Whitten stated that the Town Attorney has been very busy with turnover and work, so they are trying to catch up.

- b. General Discussion of Regulations and Procedures – Review of Request for Proposals for Plan of Conservation & Development and Zoning Regulation Updates

Ms. Whitten went over the RFPs in the Commissioners' packets, stating that she wants to make sure the Commission is good with the overall scope and intent of the requests.

Ms. Whitten submitted a sheet containing a calendar and acknowledgements including the Plan of Conservation & Development (POCD) steering committee. She stated that the Commission will have to create a POCD steering committee as well and asked how the Commission would like to proceed with that.

Ms. Whitten read through the RFP for the POCD Comprehensive Review and Update.

Commissioner Alaimo asked if there is a budget, to which Ms. Whitten replied that there is. She stated that she does not want to disclose it on the record at this time.

Commissioner Alaimo asked if state statute requires that it gets revised every ten years, to which Ms. Whitten replied that it is an unfunded mandate but is fantastic for the town to do as it is their map for the future.

Commissioner Alaimo stated that the document seems to be used only as a bargaining chip. Commissioner Ladd stated that every department has a responsibility project per the document, and nobody did them. Chairman Nelson stated that the Commission needs to be more involved in the POCD. Commissioner Alaimo stated that he is all for the document but he would just like to see it function better.

Ms. Whitten explained the POCD revision process and duties of the implementation committee.

Commissioner Szewczak stated that the Commission can plan and change the zoning, but they need a developer or someone to physically make the changes they are advocating for. He stated that he likes the idea of the implementation committee with regular meetings and conversations between everybody involved.

Ms. Whitten stated that often the POCD is required for the town to get grants.

Ms. Whitten went over the overview section of the RFP for Comprehensive Update of the Enfield Zoning Regulations. She stated that the two RFPs submitted to the Commission are separate, but the goal is to hire one firm to do both.

Ms. Whitten went over the desired timeline for the RFPs and the process moving forward.

Chairman Nelson asked who should be on the subcommittee, to which Ms. Whitten replied that it should be members of the Planning & Zoning Commission, IWWA or one of the other land use commissions. She stated that usually the Planning and Zoning Commission selects the consultant, and after that they would like as many people as possible without making it too large.

Chairman Ladd asked about chair selection for the subcommittee; Chairman Nelson stated that Scott Kaupin would make a good Chair.

Commissioner Alaimo asked if the two RFPs will go out together, to which Ms. Whitten replied that they will go out together as separate items.

Ms. Whitten read through the goal of the RFP for Comprehensive Update of the Enfield Zoning Regulations. She stated that they want it to be business friendly and easy to read/follow.

Chairman Nelson asked if it is easier to just write a new one rather than go through the old one and change it; discussion took place as to what is easier for Staff in this regard.

Commissioner Alaimo stated that the wetlands maps currently being used are ancient, to which Ms. Whitten replied that the wetlands maps are based on an aerial photo from the 1960s. She stated that this is not the purview of the Commission but rather is that of the Wetlands Commission.

Commissioner Higley stated that wetlands are state mandated and based upon soil types.

Commissioner Nelson stated that an agenda coming up will discuss merging the Planning and Zoning Commission and the Wetlands Commission so that they can work together.

Commissioner Szewczak explained how creative zoning and design can allow wetlands to exist while still allowing buildings to be constructed.

Commissioner Nelson stated that the boards could do wonders if they work together.

**Motion:** Commissioner Szewczak made a motion, seconded by Commissioner Higley, to move SPR# 1804 Authorization for Administrative Approvals up on the agenda.

The motion passed with a 6-0-0 vote.

**Votes: 6-0-0**

**Authorization for Administrative Approvals**

- a. **SPR# 1804** – 0 Taylor Road – Site Plan Modification to previously approved plans under Section 9.10.7 to allow the 9,000 square foot building to be shifted 25-feet to the north to accommodate better site circulation and add three additional parking spaces; Illinois Real Estate Company, owner; PDS Engineering and Construction, applicant; Map 100/Lot 11-2; Industrial-1 Zone. (DoR: 2/13/2020; MAD: 4/18/2020)

Tim Mulcahy of PDS Engineering & Construction in Bloomfield, Connecticut addressed the Commission. He stated that they are trying to move the lot to the north and eventually put up solar canopies.

Chairman Nelson asked if there are any impacts to the town, to which Ms. Pacacha replied that it will not create any changes to the site or nonconformities. She stated that sidewalks and parking lots will all stay same.

**Motion:** Commissioner Higley made a motion, seconded by Commissioner Ladd, to allow for Administrative Approval for SPR# 1804.

The motion passed with a 6-0-0 vote.

**Votes: 6-0-0**

Ms. Whitten asked if she should move forward with the RFPs, to which Commissioner Szewczak replied that she should aim to have it out on a Tuesday or Wednesday rather than a Monday. Ms. Whitten stated that they will have the RFP due on the 17<sup>th</sup>.

The Commission discussed the formation of the committee to review the RFPs. It was ultimately decided that Commissioners Szewczak and Ladd would be on the committee.

**Correspondence**

Ms. Whitten went over various correspondence contained within the Commissioners' packets including the Connecticut Federation of Planning & Zoning Agencies 72<sup>nd</sup> Annual Conference and the Updated Commissioner Contact List. Ms. Whitten stated that the 72<sup>nd</sup> Annual Conference falls on a meeting night, but that can be moved if the Commission would like. Ms. Pacacha pointed out that there are awards associated with this event.

The Commission discussed cancelling the meeting, ultimately deciding not to cancel the scheduled meeting for March 26, 2020.

**Commissioner's Correspondence**

Commissioner Alaimo asked for more information about opportunity zones and whether Thompsonville can be considered an opportunity zone.

Ms. Whitten stated that opportunity zones are areas that need assistance due to low income and distressed communities. She stated that the state decides which areas become opportunity zones and Enfield was not selected but there may be more opportunity zones in the future.

Commissioner Alaimo stated that opportunity zones are starting to work and if there is a competitive application process, they could apply using only the Thompsonville area which may put them higher up on the totem pole to be accepted.

Ms. Whitten stated that the town had been removed from the distressed communities list, so they are not eligible for funding at this time.

Ms. Pacacha stated that she had attended a workshop on this subject; she stated that it is competitive and incentivizes private developers to come to the community. Commissioner Alaimo stated that they should stay on top of the application process for this.

Commissioner Szewczak referenced the flyer for the Northern Connecticut Agricultural Summit and went over some of the scheduled topics.

Ms. Whitten stated that the event is free and the signup sheet is available on the webpage for the Agricultural Commission and will also be available on various social media platforms.

### **Town Planner Report**

Ms. Whitten reiterated the upcoming Northern Connecticut Agricultural Summit. She stated that they are working on expanding the community gardens via a crowd funding grant, and described the locations of some beds they are hoping to have up and running for June.

Ms. Whitten stated that they are working on changing the farmers market from Wednesdays to Sundays. Chairman Nelson asked when it currently is, to which Whitten replied that it is Wednesdays from 4:30-6:00 PM.

Ms. Whitten stated that they may be working on a census count committee to make sure that censuses are being taken and the areas in need of focus are being properly canvassed.

Ms. Whitten stated that they have been approached by someone working in the Enfield Arts Council in order to bring art into Thompsonville.

### **Applications to be Received**

Ms. Pacacha stated there is an upcoming application for King's Liquors on King Street. She explained that the liquor store already exists and they want to expand their business into the second unit, to make it a larger unit. Ms. Pacacha stated that the use is already approved in the building.

Mr. Rachele stated that it is 1541 King Street and they are demolishing a wall to expand the business, but the business is previously approved as a liquor store on one side. He stated that Staff was thinking of issuing a Zoning Permit rather than a Building Permit so there is a record in Planning rather than just the Building Department. Mr. Rachele stated that they want to demolish the wall in between the two units and expand.

Commissioner Higley asked if they have fixed the parking lot with the potholes. Mr. Rachele stated that part of it was fixed and he is going to see what happens in the springtime. Commissioner Higley suggested that they mention that when approving it.

Chairman Nelson stated that this is the entrance to Enfield and it was all overgrown. Mr. Rachele stated that he would make sure there are no zoning issues prior to any approval.

The Commission decided to allow Staff to handle it as a zoning permit.

Ms. Whitten provided update on the 34 Burnham Street Johnson case with the Commission on Human Rights and Opportunities. She stated that the complaint was against the town of Enfield and not the

Commission specifically. Ms. Whitten stated that it was resolved by confidential settlement with no admission of liability. She stated that part of the settlement was that they had to agree to have a 2-hour minimum fair housing training for Staff and Commissions with emphasis on reasonable accommodations.

- a. **XZA# 20-01** – Text Amendment application to amend Section 3.30.7Ai and ii – to change the maximum allowable accessory building height in Residential, Commercial and Industrial Districts from 12-feet to 15-feet; Town of Enfield, applicant.

Ms. Pacacha stated that this text amendment Public Hearing will be coming up. Chairman Nelson asked when it is expected back, to which Ms. Pacacha replied that at the next meeting they can hold a Public Hearing.

Chairman Nelson asked if the Administrative Approval is already at CRCOG, to which Ms. Pacacha replied that they all are and the 35 days will be up in time to have them at the first meeting in March.

Chairman Nelson stated that it will save money to have them all on the same newspaper advertisement.

#### **Opportunities/Unresolved Issues**

Commissioner Alaimo asked if anything had been heard from the mall owners. Ms. Whitten stated that the subdivision was filed and there was not a and it is still being held in escrow. She stated that a someone had called to get a Determination of Permit Need from the Wetlands Commission for an outbuilding on the mall site.

#### **Adjournment**

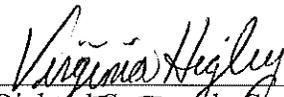
**Motion:** Commissioner Higley made a motion, seconded by Commissioner Szewczak, to adjourn.

The motion passed with a 6-0-0 vote.

#### **Votes:**

Prepared by: Elizabeth Bouley

Respectfully Submitted,

  
\_\_\_\_\_  
Richard Szewczak, Secretary  
*Virginia Higley, Acting Secretary*

**Note:** The next Regular Meeting is February 27, 2020. All materials are available for review in the Planning Office.

*Ken Nelson, Jr., Chairman; Richard Szewczak, Secretary*