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Sheila M Bailey

ENFIELD PLANNING AND ZONING COMMISSION
LIVE REGULAR MEETING
MINUTES

Thursday, October 27, 2022 – 7:00 p.m.
ENFIELD TOWN HALL - COUNCIL CHAMBERS
820 ENFIELD STREET - ENFIELD, CT

Call to Order & Pledge of Allegiance

Roll Call

Commissioner Petronella took the roll and present were Commissioners Lewis Fiore, Virginia Higley, Linda DeGray, John Petronella, Kenneth Hilinski, Kiran Majmudar (arrived at 7:02) and Alternate Commissioners Christian D'Antonio and Nicles Lefakis. Absent were Alternate Commissioners Francis Alaimo and Vincent Grillo.

Chairman Fiore seated Alternate Commissioner D'Antonio and Commissioner Lefakis.

Also present were Laurie Whitten, Director of Planning and Matt Davis, Assistant Planner.

Motion to move Other Business to immediately after Roll Call made by Commissioner Higley; seconded by Commissioner Hilinski and approved by a unanimous vote.

Motion to move Old Public Hearings to be heard after Bond Releases and before New Public Hearings made by Commissioner Higley; seconded by Commissioner Hilinski and approved by a unanimous vote.

Commissioner Kiran Majmudar joined at 7:02 pm and Alternate Commissioner D'Antonio was unseated.

Other Business

Commissioner Fiore explained that the official record for minutes will be the YouTube videos and the minutes do not need to be a transcript but a brief summary. He read an excerpt from Roberts Rules of Order as what is required to be included in official minutes. All commissioners agreed that a transcript is not needed.

Approval of Minutes

a. September 8, 2022 – Regular Meeting

Motion to accept the September 8, 2022 regular meeting minutes made by Commissioner Higley; seconded by Commissioner DeGray and approved by 6-0-1 vote. Commissioner Lefakis abstained.

b. September 22, 2022 – Regular Meeting

Motion to accept the September 22, 2022 regular meeting minutes made by Commissioner Higley; seconded by Commissioner DeGray and approved by a 6-0-1 vote. Commissioner Lefakis abstained.

c. October 13, 2022 – Regular Meeting

Motion to accept the October 13, 2022 regular meeting minutes made by Commissioner Higley; seconded by Commissioner DeGray and approved by a 5-0-2 vote. Commissioners Majmudar and Lefakis abstained.

Town Attorney Report

Commissioner Petronella requested that court decisions and statuses be shared with the Commission in future reports.

Public Participation

Nikki Price, 1324 Enfield Street. She has been reviewing Roberts Rules of Order for Dummies to familiarize herself with meeting requirements.

Bond Release(s)

None.

Old Public Hearings

- a. **PH# 3040MA – 1297 Enfield Street**–Zone change request from HR-33 to SDD; Felician Sisters of North America Real Estate Trust, Applicant/Owner; Map 49/Lot 2; HR-33 Zone.

Commissioner Petronella recused himself at 7:13pm and Alternate Commissioner D’Antonio was seated. Commissioner DeGray was seated as Secretary in Commissioner Petronella’s absence.

Motion to remove this item from the table made by Commissioner Higley; seconded by Commissioner DeGray and approved by a 7-0-0 vote.

Commissioner Fiore noted that traditionally, a site Plan is required because this is a zone change. The commission must vote if the waiver will be granted as requested by the applicant.

Motion to approve the Site Plan Waiver that a site plan would not be required made by Commissioner Higley; seconded by Commissioner DeGray and failed with a 3-4-0 vote.

Motion to accept the applicant’s interpretation of the vacancy rate made by Commissioner Higley; seconded by Commissioner DeGray and failed with a 2-5-0 vote.

Commissioner Fiore explained that based on legal review, the petition still doesn’t meet the super majority requirement. Based on calculations presented by the applicant, Ms. Whitten provided clarification regarding specifics.

Motion to accept the petition submitted by the public to require a 2/3 vote as a valid petition made by Commissioner Higley; seconded by Commissioner DeGray and failed with a 3-4-0 vote.

Motion to approve PH# 3040MA – 1297 Enfield Street made by Commissioner Higley; seconded by Commissioner DeGray and failed with a 2-5-0 vote.

Commissioner Fiore voted no because it does not comply with Section 5-60-1-c and 5.60-3-a of the Zoning Regulations. Commissioner Higley voted no because it does not comply with the current POCD, nor does it meet the vacancy rate definition according to Websters 9th edition for “Vacancy Rate” and does not satisfy 5.60 of the Zoning Regulations. Commissioner DeGray voted no for the same reasons as Commissioners Fiore and Higley. Commissioner Majmudar voted yes because it does comply with Section 5-60-e. Commissioner Hilinski voted no because the vacancy rate is not compliant, and the proposal does not exhibit compatibility with the character and density of the land use abutting the site. Commissioner D’Antonio votes yes because it meets the requirements for the SDD zone. Commissioner Lefakis votes not because of previously cited reasons.

Commissioner Lefakis noted that he felt qualified to vote because he viewed the meetings he missed on YouTube. Commissioner Fiore thanked the applicant, residents and staff for professionalism throughout the process.

Motion to take a 5-minute recess made by Commissioner Higley; seconded by Commissioner DeGray and was approved unanimously.

New Public Hearings

- a. **PH# 3049 – 92 Main Street** -Application to construct a 10-space paved parking lot with concrete walk and dumpster enclosure; Salas Brothers, Applicant/Owner; Map 24/Lot 47; TD-4 Zone.

Secretary Petronella read the legal notice into the record. Applicant representative explained that this is a mixed use development. The applicant purchased 3000 sq ft from the Town of Enfield to accommodate more parking. Potential snow storage options were shared. There will be no impact to the community garden. Windows and doors will be replaced, and the brick will be washed. Light fixtures will be added.

Commissioner DeGray asked about lighting in the parking lot and expressed concern that the parking lot will not be adequately lit. Commissioner Lefakis asked about heating and cooling. The applicant is intending to use mini split heat pumps for the upstairs and anticipating natural gas forced hot air on first floor.

Motion to add a site-specific condition to add additional lighting in the parking lot area near the dumpster made by Commissioner DeGray; seconded by Commissioner Hilinski and approved by a unanimous vote of 7-0-0.

The public hearing was opened for comment. No one spoke for or against this application.
No one for or against

Motion to close the public hearing made by Commissioner Higley; seconded by Commissioner Hilinski and approved by a unanimous vote of 7-0-0.

Motion to approve item PH #3049 with 28 conditions made by Commissioner Petronella; seconded by Commissioner Lefakis and approved by a roll call vote of 7-0-0.

- b. **XZA# 22-02** – Application of the Town of Enfield to add public Art Murals into Section 10.30 Sign Regulation section of Enfield Zoning Regulations.

Secretary Petronella read the legal notice into the record. Ms. Whitten explained that this stems from the desire of the ECAC to promote public art. The Planning and Zoning Commission will have no jurisdiction.

The public hearing was opened for comment. No one spoke for or against this application.

Motion to close the public hearing made by Commissioner Hilinski; seconded by Commissioner DeGray and approved by a unanimous vote of 7-0-0.

Motion to approve item XZA# 22-02 as it is consistent with the POCD, will protect free speech from the Zoning Regulations and CRCOG has found no municipal impact with the effective date of November 14, 2022 made by Commissioner Petronella; seconded by Commissioner Hilinski and approved by a roll call vote of 7-0-0.

- c. **XZA# 3048** – Application of the Town of Enfield to modify Section 8.20 of the Marijuana Regulation section for separating distances within the BR-Zone and to eliminate variances.

Secretary Petronella read the legal notice into the record. Mr. Davis gave a brief review of the template used.

The public hearing was opened for comment.

Donna Dubanoski, 21 Betty Road, discussed drug issues in town. She is concerned this will worsen drug problems especially with the zone modifications.

Motion to close the public hearing made by Commissioner Higley; seconded by Commissioner DeGray and approved by a unanimous vote of 7-0-0.

Motion to approve item XZA# 3048 as it is consistent with the POCD, will promote economic development in appropriate locations and CRCOG has found no municipal impact with the effective date of November 14, 2022 made by Commissioner Petronella; seconded by Commissioner Hilinski and approved by a roll call vote of 7-0-0.

New Business

None.

Enforcement Reports

None.

Correspondence

None.

Commissioner's Correspondence

Commissioner Fiore requested a POCD update. The mall traffic study will be heard at the December 15, 2022 meeting.

Director of Planning Report

The department is working on policy changes. The requirement of a Notary signature will be eliminated as it is not statutorily required. All personal information will be redacted as a matter of safety. Website will be revised for easier accessibility. Tablet accessibility was discussed.

Opportunities/Unresolved Issues

None.

Receipt of applications

None.

Adjournment

Motion to adjourn made by Commissioner Higley; seconded by Commissioner DeGray and approved by a vote of 7-0-0.

The meeting was adjourned at 8:16]5 PM.

Prepared by: Rebecca Jones

Respectfully Submitted,

John Petronella, Secretary