

ENFIELD PLANNING AND ZONING COMMISSION
REGULAR MEETING
MINUTES

Thursday, June 24, 2021 – 7:00 p.m.
ENFIELD TOWN HALL - COUNCIL CHAMBERS
820 ENFIELD STREET - ENFIELD, CT

Call to Order & Pledge of Allegiance

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

Roll Call

Commissioner Szewczak took the roll and present were Commissioners Frank Alaimo, Ken Nelson, Virginia Higley, John Petronella, Linda DeGray and Richard Szewczak. Absent were Commissioners Vinnie Grillo, Nelson Correia and Mary Scutt.

Also present was Laurie Whitten, Director of Development Services and Jennifer Pacacha, Assistant Town Planner.

Approval of Minutes

- a. June 10, 2021 – Regular Meeting

Motion: Commissioner Higley made a motion, seconded by Commissioner DeGray, to approve the minutes of the June 10, 2021 Regular Meeting.

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

Votes: 5-0-1

Discussion with Consultant Regarding Update of the Enfield Zoning Regulations

Mr. Poland provided an overview of the zoning regulations update as well as revisions to the development standards. He provided a summary of the changes, explaining that it is a work in progress.

Commissioner Szewczak stated that he is concerned there will be a loophole in the regulations if they loosen the 100-foot buffer requirements. Mr. Poland stated that existing developments are bound by their original approvals, and will have to come before the Commission for a modification if they want to change their buffers. Commissioner Szewczak suggested that they tweak it so it is more sensitive to the residents in the area. Discussion took place regarding how best to tweak the wording in order to account for potential impacts to adjacent properties.

Mr. Poland went over the changes to the parking and sign regulations. He stated that the changes to the sign regulations are the most dramatic due to the 2015 U.S. Supreme Court decision in the Reed vs. Town of Gilbert case. Mr. Poland described the Supreme Court decision and the impact it has on the sign regulations. He encouraged the Commissioners to go over the changes and get any questions or suggestions back to him.

Commissioner Szewczak asked if they can differentiate between permanent and temporary signs. Mr. Poland stated that there are ways to do this. Discussion took place regarding temporary signs, particularly political signs.

Commissioner Petronella asked if they can limit the quantity of signs on a property, to which Mr. Poland replied that they can.

Ms. Whitten stated that the Reed vs. Town of Gilbert case is national and not just a local Connecticut issue.

Public Participation

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

New Public Hearings

- a. **PH# 3011** – 53 Manning Road – Special Permit & Site Plan Review application for a seasonal indoor winter farmer's market; KBRC Realty c/o Walter (Chip) LaBonte, owner/applicant; Map 34/Lot 15; Industrial-1 Zone.

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

Attorney Thomas Fahey addressed the Commission along with applicant Chip LaBonte. Mr. Fahey stated that there has already been an approval of an outdoor farmer's market at one of the breweries. He stated that they are here tonight for the Special Permit review. Mr. Fahey went over the proposed parking on the site plan, stating that it will satisfy all requirements.

Mr. Fahey stated that the Police and Fire Departments have no objections, and the Health and Building Departments have not responded. He stated that any work they do will have to be inspected and approved by the Building Department.

Mr. Fahey concluded that the plan complies with all zoning requirements.

Commissioner Szewczak stated that there are five Porta-potties on the plan, and the duration of the farmer's market is from September to May. He asked if there will be indoor facilities available for extreme weather events. Mr. Fahey stated that there are indoor facilities but the Porta-potties are for convenience in order to accommodate people. Mr. LaBonte stated that there are additional restrooms indoors and pointed out on the site plan where they are located. Commissioner Szewczak stated that he would like this to be a condition of approval for the interior restrooms to be open during the farmer's market. Mr. LaBonte stated that he is happy with this as a condition. Discussion took place regarding the wording of the condition.

Commissioner DeGray asked if there will be permanent stalls for vendors at the farmer's market to leave their wares all week. Mr. LaBonte stated that it would be up to the vendors whether they want to leave their items out. He pointed out that they are a storage facility and vendors can rent a storage unit to store their items.

Chairman Nelson stated that he does not like to limit businesses to days and times of operations. He suggested that the hours of operation should be 8-5 on Saturday and 10-5 on Sunday, and then the applicant can open later and close earlier if he chooses. Mr. Fahey stated that this would be acceptable to them.

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

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, 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 Alaimo, to approve PH# 3011 as amended.

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

Votes: 6-0-0

Chairman Nelson asked when the farmer's market will be opening, to which Mr. LaBonte replied that it will be in September or October.

New Business

- a. **SPR# 1863** – 562 Enfield Street – Site Plan Review application for façade updates and minor site improvements associated with the Dunkin restaurant and drive-thru; James Balis, owner; Carlos Caetano, applicant; Map 33/ Lot 3; BL Zone, King Street/Enfield Street Design Overlay District.

Jason and CJ Caetano addressed the Commission, stating that they are there to obtain approval for the colors they plan to use on the façade. Jason described the colors and design to the Commission.

Commissioner Alaimo asked if this is the new corporate design of Dunkin Donuts, to which Jason Caetano replied that it is the new Omni Next Gen concept. Commissioners Alaimo stated that he does not like the new design, to which Jason Caetano replied that they do not have a say in the design.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to approve SPR# 1863.

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

Votes: 6-0-0

Other Business

Discussion(s)

- b. Discussion regarding Town-owned property at 52 Prospect Street (aka Buildings & Grounds facility)

Ms. Whitten stated that that town is bringing Buildings & Grounds (B&G) over to the Public Works campus, so they are trying to sell the B&G facility. She stated that the town has owned the property since the 1920s and it was always permitted as a municipal use. Ms. Whitten stated that if the municipal use goes away, the facilities that are left behind include the storage of landscaping equipment, plows, fencing, signs, sand/loam/gravel and vehicles. She stated that those uses are not allowed in the TD2 zone. Ms. Whitten stated that the uses in the TD2 zone are extremely limited as it was always meant to be residential, but this use has been in place since the 1930s. She asked if the Commission would be amenable to creating a text amendment that would allow this use there.

Chairman Nelson asked why this could not be in the SDD zone, to which Ms. Pacacha replied that there is a requirement that the building be vacant for 24 months and also a building size requirement.

Chairman Nelson stated that there is a house directly behind the facility which is not listed. He stated that the house is vacant and the roof has collapsed, and asked who owns the structure and why nothing has been done about it. Ms. Whitten stated that it is not town owned and her guess is that nobody has complained about it. She stated that Staff will look into it.

Chairman Nelson stated that Thompson Court is a difficult street for two lanes to pass and suggested that the town consider running Thompson Court straight through this property out onto Spring Street. He stated that this will be safer and allow easier access for fire trucks. Chairman Nelson stated that the town could sell off the remaining parcel as residential. Commissioner Szewczak stated that this would cost the town more money, and he does not have a problem leaving it as a residential area as the density is quite large.

Discussion took place regarding the various costs associated with demolishing the building as well as extending Thompson Court through the property.

Commissioner Higley stated that she likes the idea of improving Thompson Court by running it through this property. She stated that outside of this, she would like to see something that has less impact such as a little machine shop or else a nice multi-family.

Commissioner Higley stated that they have too many zones, as they keep creating new zones every time there is a challenge.

Commissioner Alaimo asked what the current zoning is for this property, to which Ms. Whitten replied that it is TD2, which is residential. She described the allowable uses in this zone.

Chairman Nelson stated that the consensus of the Commission is that the Town Council can put it up for sale and they are open to ideas from potential buyers, but it is not going to be a landscaping

company. Chairman Nelson stated that they will entertain a zone change but would want to see the potential use first.

Commissioner Alaimo stated that his vision for this area is dense residential development.

Commissioner's Correspondence

Commissioner DeGray asked what is going on with the balloon man on the sidewalk in front of the used tire store up at the state line. Ms. Pacacha stated that they run into this a lot on the weekends, but that is off hours for the Zoning Enforcement Officer (ZEO).

Commissioner DeGray asked what is going on at the Pride station, as they tore half of the building down and left the other half up. Ms. Whitten stated that that are starting construction. Chairman Nelson stated that they were in recently for an extension. Ms. Pacacha went over the history of the project. Chairman Nelson stated that they may not have received their permits in Massachusetts yet, which could explain why the half of the building in Massachusetts has not been torn down yet.

Chairman Nelson asked the difference between Correspondence and Commissioner's Correspondence on the agenda. Ms. Pacacha stated that it is in the bylaws to have them both in there. Commissioner Szewczak stated that Correspondence is being shared by Staff to the Commission while Commissioner's Correspondence is being shared by the Commission to Staff.

Director of Development Services Report

Ms. Whitten asked what the Commission would like to hear in the Director of Development Services Report. Discussion took place regarding the type of information the Commissioners would like to hear during this part of the agenda.

Ms. Whitten stated that there are still community gardens available and the farmer's market is running every Sunday through October.

Ms. Whitten stated that she just interviewed a third blight inspector whom they expect will do quite well.

Ms. Pacacha stated that Staff is currently working on aquifer registrations.

Commissioner Alaimo asked if Staff had the information and traffic study regarding the old Mobil on 190. Ms. Whitten stated that the traffic study is underway and they are doing the market studies for the mall. She stated that the Mobil station has been cleaned up. Ms. Pacacha stated that there are a lot of restrictions on the deed and the property is over an aquifer, so it cannot be a gas station again. She stated that there are ongoing monitoring wells to monitor the environmental impacts.

Ms. Whitten stated that they had a request from the Felician Sisters to come in and discuss some possible changes they would like to see so that they can develop their property the way they want to. She stated that they are looking into putting up non-profit multi-family housing. The Commission decided to put them on the agenda for an informal discussion on July 8, 2021.

Administrative Approval Report

- a. **SPR# 1865** – 86B Elm Street – Administrative Approval application for modifications to the landscaping associated with Wendy’s; Restaurant Holdings LLC., owner; Oliver Gaffney (TPA Design Group), applicant; Map 43/Lot 34; BR Zone.

Ms. Pacacha stated that Wendy’s has proposed changes to the existing landscaping, which is the part that pertains to the PZC. She stated that they are also taking down the glass atrium of the building and not replacing it with anything.

- b. **ZP# 2021-52** – 98 Elm Street – Change of roof color on the Outback Steakhouse Restaurant

Ms. Pacacha stated that they are looking to make the roof a more muted color.

Applications to be Received

- a. **SPR# 1866** – 504 Hazard Avenue – Site Plan Modification application for the previously approved outdoor seating area (PH# 2981); 10 Water Street, LLC., owner; Michael McManus, applicant; Map 101/Lot 216; I-1 Zone.

Ms. Pacacha stated that the Powder Hollow outdoor dining area is coming back because they built it in a different place than what was approved, and also expanded it.

- b. **PH# 3012** – 43 Pearl Street – Special Permit & Site Plan Review application for a place of worship; E+D Stovall, LLC., owner; Leroy Stovall, applicant; Map 24/Lot 79; TD-5 Zone.

Ms. Pacacha stated that there is a proposed place of worship that wants to go in at 43 Pearl Street where the former American Legion was located.

Ms. Whitten stated that they received a resubmittal from Blair Manor. She stated that they changed all of the units to the sizes that the Commission wanted and they will be back before the Commission at the next meeting.

Opportunities/Unresolved Issues

Commissioner Szewczak stated that they need to address marijuana since the law has been passed.

Ms. Whitten stated that they will also need to address the accessory apartments, which was approved through the legislature. Ms. Whitten stated that the intent is to allow people to provide affordable housing to others. She stated that the town has to show that they are encouraging and promoting affordable housing in order to obtain grants.

Chairman Nelson stated that at the last meeting they made basement bedrooms legal providing they meet the building code. He asked why an in-law apartment would not be legal if basement bedrooms are now legal. Ms. Whitten stated that an in-law apartment is different as it is accessory. Ms.

Pacacha stated that an in-law apartment would require a Special Permit, and part of the requirement is that it have proper ingress and egress from the outside.

Commissioner Alaimo asked if the POCD Committee meets virtually or in person, to which Ms. Whitten replied that they meet virtually.

Chairman Nelson asked how often the consultant will be coming to Commission meetings as they cannot tie up every meeting for an hour with his report, to which Ms. Whitten replied that he will be coming to meetings periodically. She stated that the consultant had suggested some workshops to address the regulation updates.

Adjournment

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

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

Votes: 6-0-0

Prepared by: Elizabeth Bouley

Respectfully Submitted,

Richard Szewczak, Secretary