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ENFIELD ZONING BOARD OF APPEALS
REGULAR MEETING
MINUTES

2022 DEC -5 AM 9:13

Sheila M Bailey

MONDAY November 28, 2022, 7:00 PM
ENFIELD TOWN HALL – COUNCIL CHAMBERS
820 ENFIELD STREET – ENFIELD, CT

1. Call to Order

Chairman Urbanowicz called the meeting to order at 7:00 PM

3.. Roll Call

Commissioner Turner took the roll and present were, Chairman Urbanowicz, Commissioners, Mary Ann Turner, Kelly Davis, Timothy Neville, Richard Stroiney, Catherine Plopper, Robert Kwasnicki and Charles Mastroberti

Also, present Matthew Davis, Assistant Town Planner

5. Town Attorney Report- None

6. Old Business- None

7. Legal Ad- Read by Commissioner Turner

8. New Business-

a. ZBA# 2022-10-06 – 78 Park Ave. Application of Variances of Section 4.30.2B and Section 4.30.3C to allow a new two-family home to be constructed on the subject property; Maiden Builders, LLC, Applicant; Lori and David Longhi, Owners; Map 39/Lot 4; R-33 Zone.

Attorney Richard Case from Avon representing Maiden Builders, in which they have a contract to purchase the lot from the Owners, Lori and David Longhi presented to the commission their reason for requesting the variances. A variance for regulations 4.30.2B and 4.30.3C is required to build this site. The density of the subject lot, if a two family is permitted, does not meet the density under this section. Section 30.3C requires that at least 50% of the “abutting” lots contain a building having at least two dwelling units (and a C.O.). The subject lot “abuts” three lots. 76 Park is a two family. 86 Park is a single and 43 Elm is a single. The parcel directly across the street from the subject lot is 71 Park and is a two family.

Attorney Case handed the agency maps of the original subdivision from 2006 to indicate that each lot is 51 feet in width. He also pulled up the GIS which shows the street numbers.

Regarding the density question, there are two parcels of grounds that impact the site, which makes the density calculation noncompliant which is the parcel on the south.

From the public:

Adam Hall, 65 Park Ave. spoke to the commission on his reasons why he is against the approval of these variances. One concern Mr. Hall indicates is the parking concern. Park Ave. is a narrow two-way street. Many people park along both sides of the road, making it difficult to pull out of

their driveway without hitting another car. Cars must wait for another car to pass by to drive down the street. When the town has events at the Town Green or at Mt. Caramel, attendees use Park Ave to park. Having another two-family house built on this road will lead to more cars parking on the street. The addition will cause more congestion for cars and emergency responders to get down Park Ave. Safety for children is another concern. With cars parking on both sides of the street, it is difficult to see children playing. The last concern is the underground water that was mentioned. There is basically a stream that runs through that part of the neighborhood. Water runs from Summer Street and into the surrounding properties. With the building of this house, construction vehicles will be at this property to build up the foundation due to the underground water issues, how will Park Ave handle all these construction vehicles along with the people that live in this neighborhood parking their cars on the road?

Robert Lucas, 86 Park Ave stated that he is also not in agreement with the construction of a two-family home on this street. Mr. Lucas indicated that the water levels are a problem for his property. His backyard is a sponge when water levels are high. He has a sump pump in his cellar that works 24/7.

Brandon, 63 Park Ave. Brandon read a letter to the Commission from his landlord with regards to the construction of a two-family home on Park Ave. This letter stated that the concern is about traffic and adding another two-family home will increase traffic to an already congested street. Brandon has a concern regarding power outage since he works from home. If during construction wires are accidentally cut, how will he be able to perform his job duties?

Ian Brown, 71 Park Avenue, Mr. Browns main concern is parking. He stated that he has trouble getting into his house because of cars parked on the street. When his girlfriend was 9 months pregnant it was difficult for her because she had to park wherever she could and would have to walk to get to the house.

Mr. Case stated that he heard what the people from the audience were saying and these concerns should be brought up with Planning and Zoning. If these variances are granted, the applicants will still need to go and request a special permit from Planning and Zoning, at which time a site plan will be discussed.

Chairman Urbanowicz read into the record, The Zoning Board of Appeals must find a legal hardship, a hardship exists where the zoning ordinance uniquely affects a parcel of land differently from other properties and where use of the property or reasonable use of the land would without the variance self-inflicted or financial hardships cannot by law be considered as a reason for granting a variance.

Commissioner Turner made a motion to close the public hearing, seconded by Commissioner Stroiney.

By a show of hands motion passed 8-0-0 Vote

Commissioner Turner made a motion to approved ZBA# 2022-10-06, seconded by Commissioner Neville by the following findings:

Parcel is uniquely affected by the application of the density standards contained in sections 4.30.B and 4.30C due to the proximity of large undeveloped and low density and residential

properties in the zone that are not functionally part of this higher density neighborhood. The neighborhood especially Park Avenue is predominately occupied by two family and the addition of one two family home in this location will not undermine the comprehensive plan or violate orderly development principles, and the addition of this two-family home to this neighborhood will support the communities desire to create more affordable housing options and appropriate locations

Motion passed by 5-0-0 vote

9. Approval of Minutes

a. October 24, 2022

Commissioner Neville made a motion to approve the minutes from October 24, 2022, seconded by Commissioner Plopper.

Motion passed by a show of hands 6-0-2 vote

10. Correspondence / Staff Reports-None

11. Other Business- The Commissioners discussed the meeting dates

Commissioner Stroiney made a motion to approve the meeting dates, seconded by Commissioner Neville.

By a show of hands motion passed 8-0-0 Vote

Commissioner Stroiney stated that they discussed at the last meeting to have the Newsletter emailed to the Commissioners instead of including it in the master packet.

Commissioner Turner asked about the Enfield Buy Center. She also asked when there will be more training.

Commissioner Neville inquired on the barn on 140, if there are any updates. Mr. Davis stated that he believes they received the permits and an agreement that included a schedule.

12. Adjournment

Commissioner Kwasnicki made a motion, seconded by Commissioner Neville, to adjourn. The meeting was adjourned at 7:49 PM.

Prepared by:

Sandie Barone, Recording Secretary

Respectfully Submitted,

Mary Ann Turner, Secretary