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MINUTES

ENFIELD PLANNING AND ZONING COMMISSION REGULAR MEETING

THURSDAY, JANUARY 21, 2016 – 7:00 P.M.
ENFIELD TOWN HALL – COUNCIL CHAMBERS
820 ENFIELD STREET – ENFIELD, CT

AGENDA

THE MEETING WILL ADJOURN AT 11:00 P.M.

REGULAR MEETING 7:00 P.M.

1. Call to Order & Pledge of Allegiance – Commissioner Charles Duren called the meeting to order at 7:10 p.m.
2. Fire Evacuation Announcement
3. Roll Call

Present were Chairman Charles Duren, Commissioner's Elizabeth Ballard, Peter Falk, Nicles Lefakis, Charles Ladd, Mary Scutt, Linda DeGray, and Richard Szewczak.

Absent was Commissioner Alan Drinan.

Also present was Mr. Roger J. O'Brien, Town Planner.

Alternate Commissioner Linda DeGray would be sitting in for the absent commissioner.

4. Approval of Minutes
 - a. December 17, 2015 – Commissioner Ladd made a motion, seconded by Commissioner Ballard to approve the minutes of December 17, 2015 with the following amendments. On page 2 change "Mrs. Mullen" to "Miss Mullen" and on

page 8 change the following sentence '*Commissioner Falk said that it would just be to modify the inside*' to read '*Commissioner Falk asked if it would just be to modify the inside*'. The motion passed with a 5-0-2 vote with Commissioner Scutt and Alternate Commissioner DeGray abstaining from the vote.

- b. January 7, 2016 – Commissioner Ladd made a motion, seconded by Commissioner Falk to approve the minutes of January 7, 2016 with the following amendments. On page 1 under roll call take out the word '*Chairman*' so it just says '*Charles Duren*', and change the vote for Charles Duren being reelected as chairman to be '*9-0-0*'. On page 2 change the following sentence '*Chairman Duren stated that what they have been doing quite often without the By-Laws is having two separate agendas; one for the first meeting of the month and one for the second meeting of the month because he does not like to see people sitting in the audience waiting to come before the commission. They have often gone out of order on the agenda and so he would like to propose changing the agenda to accommodate this.*', to read as follows '*Chairman Duren stated that what they have been doing quite often with regards to the By-Laws is changing the order of the agenda because he does not like to see people sitting in the audience waiting to come before the commission and so he would like to propose changing the agenda to accommodate this.*' On page 3 change '*Mrs. Maureen Mullen*' to '*Miss Maureen Mullen*' as well as in the last paragraph change '*Weymouth home area*' to read '*Weymouth Road area*'. The motion passed with a 7-0-0 vote.

Commissioner Ladd made a motion, seconded by Commissioner Falk to move items 5, 7, & 8 on the agenda and hear them after item 11c. The motion passed with a 7-0-0 vote.

6. Public Participation

9. Bond Release(s)

- a. PH #2789 – Request to release Erosion & Sediment control bond in the amount of \$2,300.00 at 25 Hazard Avenue; Chick-fil-A.

Commissioner Falk made a motion, seconded by Commissioner Ballard to release the Erosion & Sediment bond in the amount of \$2,300.00. The motion passed with a 7-0-0 vote.

10. Old Business – None

11. New Business

- a. Section 8-24 Referral – Acquisition of three drainage easements at Crescent Lake; 30 Crescent Beach Drive, 42 Lake Drive and 61 Lake Drive.

Commissioner Falk made a motion, seconded by Commissioner Ladd to forward a favorable report to Town Council for acquisition of the three drainage easement at 30 Crescent Beach Drive, 42 Lake Drive, and 61 Lake Drive.

Commissioner Lefakis stated that in the 8-24 referral that they had it references two different addresses for Crescent Beach Drive; one being 30 and one being 32. Alternate Commissioner Szewczak stated that the town map shows it as being 30 Crescent Beach Drive.

The motion passed with a 7-0-0 vote.

- b. Section 8-24 Referral – Conveyance of parcel of land (.33 acre) on the north side of Oliver Road.

Mr. O'Brien stated to the commission that they have looked into this further and a member of the town council had asked for staff to reach out to the Conservation Commission which they did. He went on to say that the referral given to them does not say who wants to acquire the property and if the land is sold to somebody other than the owner of the rear property it would land lock that property. A suggestion was made for the commission to suggest to the council that as part of their report if 0.33 acres is sold that a right-of-way be retained to the rear property. Commissioner Ladd asked if they should let the town attorney resolve this before they vote. Mr. O'Brien said that what came to them was a request for a review of the disposition of this parcel and so his inquiry to the town attorney was that in order for the P&Z Commission to render an opinion they would need to know what the proposed use was and what it would result in and the answer was unknown, which is why the suggestion from Karen LaPlante to render a report that says they are okay with disposing 0.33 acres of land provided that a mechanism is found to not land lock the portion to the rear would be a good solution. Chairman Duren stated that if they say it is okay to dispose of the property with the condition that a right-of-way is maintained over this parcel to the rear property this would alert the council to take a look at the whole picture.

Commissioner Falk made a motion, seconded by Commissioner Ladd to forward a favorable report to Town Council for conveyance of a .33 acre parcel of land on the north side of Oliver Road. This referral does not conflict with the plan of development but they would like to add a condition that this property be maintained as a right-of-way for access to the property in the rear. The motion passed with a 7-0-0 vote.

- c. SPR #1670 – Site Plan application for existing building change of use from a bank to proposed Dunkin Donuts Restaurant located at 660-662 Enfield Street (Map #32/Lot #4); Carlos Caetano, applicant; 660 Enfield Street, LLC, owner.

Chairman Duren stated that there has been a number of letters and requests to staff regarding this application and he would like to have consideration for this to be a public hearing. Attorney Carl Landolina stated to the commission that the commission would need the applicant's permission to do that by having them grant an extension. Attorney Landolina stated that it would have been preferable if they had learned about this prior to this evening as this puts them in the position of either saying yes to an extension or asking the commission to move forward on the site plan which they are not comfortable with. Mr. Caetano's problem is that he is a tenant in another location where his lease is expiring and he has to make the decision of whether he is going to remain in this tenancy or move to this new location by the end of the month. Attorney Carl Landolina said that the applicant would agree to grant an extension until February 4, 2016 but not the 35 days and they will deal with it again at that time if they need to.

Commissioner Falk made a motion, seconded by Commissioner Ladd to approve the decision to hold a public hearing on February 4, 2016 in the interest of the general public for application SPR #1670. The motion passed with a 7-0-0 vote.

5. Staff Reports

a. Town Planner

Mr. Roger O'Brien addressed the commission and stated that he had a letter from Miss Maureen Mullen which he read into the record. Mr. O'Brien informed the commission that they did meet at her property which was an opportunity for them to become familiar with the situation and there will be a follow-up meeting at which they have asked the architect and the site engineer who are working on behalf of CREC to make a presentation of what they propose to do to the berm. He stated that from what they can determine they are proposing to remove a portion of the berm that is directly opposite Miss Mullen's house but not the entire berm at this time and they will be showing them in the field what they are going to be filing with the commission.

Mr. O'Brien also said to the commission that he was asked at the last meeting to confirm with the town attorney the status of the village's project and this was remanded to the commission so the applicant will have to come forward with a re-filing.

7. Correspondence

- Planning magazine

8. Commissioner's Correspondence

12. Other Business

Commissioner Falk made a motion, seconded by Commissioner Ballard to add Revision to the By-Laws to the agenda. The motion passed with a 7-0-0 vote.

Commissioner Falk stated that he did not receive any changes to the By-Laws other than from Chairman Duren with regards to changing the agenda for the meetings.

Commissioner Falk made a motion, seconded by Commissioner Ballard to approve the revised By-Laws changes to the Planning and Zoning Commission agenda as amended by Chairman Duren. The motion passed with a 7-0-0 vote.

13. Authorization for Administrative Approvals.

14. Applications to be Received

- a. Liquor application on agenda for February 4, 2016
- b. 1559 King Street still being reviewed.

15. Unresolved issues

16. Adjournment – Commissioner Scutt made a motion, seconded by Commissioner Falk to adjourn the meeting at 8:25 p.m. The motion passed with a 7-0-0 vote.

17. Next Regular Meeting – Thursday February 4, 2016

Respectfully submitted,

Peter Falk, Secretary