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MINUTES

ENFIELD PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, FEBRUARY 18, 2016 – 7:00 P.M.
ENFIELD TOWN HALL – COUNCIL CHAMBERS
820 ENFIELD STREET – ENFIELD, CT

REGULAR MEETING 7:00 P.M.

1. Call to Order & Pledge of Allegiance – Commissioner Charles Duren called the meeting to order at 7:00 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 Roger J. O'Brien, Town Planner.

Alternate Commissioner Richard Szewczak was seated for the absent commissioner.

4. Approval of Minutes
 - a. January 21, 2016 regular meeting – Commissioner Falk made a motion, seconded by Commissioner Lefakis to approve the minutes of January 21, 2016. The motion passed with a 7-0-0 vote with alternate commissioner Richard Szewczak voting for the absent commissioner.
 - b. February 4, 2016 special meeting – Commissioner Ballard made a motion, seconded by Commissioner Scutt to approve the minutes of February 4, 2016. The motion

passed with a 6-0-1 vote with alternate commissioner Richard Szewczak voting for the absent commissioner and abstaining from the vote.

5. Public Participation

Chairman Duren asked if anyone from the audience would like to come forward and address the Commission. This was asked several times and no one came forward.

6. Bond Release(s) – None

7. New Public Hearing(s) – None

8. Old Business – None

9. New Business

- a. SPR #1671 – Site plan application for existing building located at 1559 King Street (Map #017/Lot #0039); Zone district SDD; Baker Properties, LP, owner/applicant. The proposed use is for A.H. Harris Co. 79,505 sq. ft. warehouse; 3,710 sq. ft. office related to business; 19,443 sq. ft. fenced outdoor storage area replacing 19 tractor trailer spaces. *DoR: 01/21/2016; MAD: 03/26/2016.*

Attorney Paul Smith presented to the commission and stated he was here to represent the applicant, Baker Properties LLC; owner/applicant for this site. Also present was Mr. Oliver Goldstein a representative of Baker Properties LP and Mr. Paul Vitaliano of VHB 100 Great Meadow Road, Wethersfield, CT; the engineering firm for the application. Attorney Smith said they have reviewed Mr. Roger O'Brien's memorandum of which there was a lot stated in there. He stated that this is the second time he has been before the commission on behalf of Baker Properties, the first being in 2015 when they did the second tenant on this property. He stated for reference to the commission that Baker Properties is the owner/manager of industrial and commercial properties and has been active as a firm in the tri-state area for about 50 years and currently have over three million square feet of warehouse either under ownership or management in that area and about 700,000 square feet in Connecticut. Attorney Smith informed the commission that Baker Properties purchased 1559 King Street in 2012 and at the time of the purchase it was vacant. He stated the property itself comprises of about 17 acres and 183,000 sq. ft. of facility and is currently zoned in the SDD zone which gives it a broad way to deal with its occupancy. This building has gone through a lot of iterations and at some point it was rezoned in 2003 to the SDD and there was an expansion which brought it to its current size. The history of this property with Baker is that after they purchased it in 2012 they leased 42,000 sq. ft. to Underwriters Laboratories which is still currently a tenant. In 2015 they leased an additional 57,500 sq. ft. to All Phase which is a mixture of warehouse, office, and a small retail component. Attorney Smith said the

application currently before the commission is the final piece and if approved by the commission the property will be completely leased. The proposed tenant is A. H. Harris and they are a construction products and supply company for contractors and construction companies and have been in business in Connecticut for more than 100 years. Their corporate headquarters are in West Hartford and they maintain in the northeast and even beyond, a number of warehouse distribution centers which this will be one off. The proposed space is 79,505 sq. ft. of warehouse and will house products for high end construction he believes. They will also have about 4700 sq. ft. of office space also but there will be no retail space. Attorney Smith stated that as part of this proposed facility there will be outdoor storage of about 19,000 sq. ft. which is really designed for concrete and metal products such as rebar and forms and that sort of thing. He said that he did submit to staff a narrative of the material to be stored in the outdoor yard which came from the tenant. This will be contained within an 8 ft. solid, vinyl fence and the tenant understands that no material will be stored within this area outdoors above the 8 ft. height of the fence.

Mr. Paul Vitaliano, P.E. next addressed the commission and stated he also came before the commission with Attorney Smith in July 2015 and also in 2004 for Bernie's so he too has a history with this property. He stated that the area for the new tenant is along the southern side of the property and is in the 83,000 sq. ft. range and will complete the tenanting of this building. He stated that it will remain as open warehouse and there will be six offices with an employee count of about ten. Mr. Vitaliano informed the commission that on the exterior of the building on the west side the tenant requested a roll up door for a fork lift so they are going to strike out four of the parking spaces and add a roll-up door for the forklift. He said they do want to keep the parking count the same so they are going to re-stripe the four spaces on an already paved area. Also, opposite the loading door there will be a 100 ft. area that will be stripped out as a loading zone, and again it is in pavement, with the intention being that when a truck comes around the building it will stay there and wait for the forklift to come and unload. Mr. Vitaliano informed the commission that in the front on the southern side of the building there are 23 loading bays and the current tenants do not have a need for that many of them. He said that the tenant all the way to the east is currently using two of the loadings bays and will continue too and the new tenant would like to maintain two on the western side. The remaining loading docks are in the area where the fence will go to enclose the outdoor storage so they would be adding the fence around the existing loading area. The new tenant would like one ramp to get up to one of the loading bays so they can access from inside to the outside storage and some stairs for the same purpose. He stated the fire marshal wants them to add a pedestrian gate which they will do. Mr. Vitaliano said that the only change to the western half of the southern façade is where

the six offices are they would like to put six windows so the employees can see out, and on the eastern portion of the southern side is where the loading docks are and show the roll up doors, the stairs, and ramp.

Attorney Smith again addressed the commission to discuss plantings and stated that they would do plantings in the area where the outdoor storage is to soften and closer to I-91 there is a large area between the parking areas which they can put some plantings in. Mr. Vitaliano stated to the commission that they are open to whatever the commission would like with regards to doing plantings around the fence area also and also said that there are currently about ten trees on either side of the road which they could build on with additional trees which do have some size to them and were planted by them in 2004.

Commissioner Lefakis asked what kind of screening is along route 5 and Mr. O'Brien responded and said that along route 5 you will not be able to see the storage area at all due to the elevation difference and it is also vegetated on that side.

Chairman Duren asked about the ten foot fencing to allow for truck access and Mr. Vitaliano responded and said it was not a gate but is to help trucks maneuver around the fence when backing up.

Commissioner Ladd asked if they would be doing any heating and bending of the rebar on site and Attorney Smith said that he thinks they may be able to do some of that on site but it is not a fabricating facility. Mr. Vitaliano said that they would be assembling products but if they were doing any kind of welding they would obviously have to follow any building code or fire code there is. Mr. Goldstein informed the commission that the tenant had told him that someone would come once a month for a session of welding.

Commissioner Szewczak asked if they would be renting the concrete forms because they usually put an oil film on the forms and is the possibility there that these forms will come back with contaminants. Attorney Smith said that he believes that it is more renting than selling. Mr. Goldstein said they asked that question to the tenant and the tenant said there would be no contaminants on them; may be mud that would need to be removed but no contaminants.

Commissioner Szewczak asked how often they service the four Vortech units and Mr. Vitaliano said this should be cleaned about once a year and there should be a maintenance schedule in the individual approval from 2004 because that is standard. Mr. Vitaliano said that they could put something on the approval submittal drawings with regards to the maintenance schedule.

Mr. Roger O'Brien stated that there are still some conditions of approval from the 2015 approval that have not been addressed yet and they would like those done.

Chairman Duren noted for the record that the engineer had no concerns; the fire department needed the gate and panic hardware to be addressed; the police department had no concerns.

Mr. O'Brien brought up the reference of a wash down area and Attorney Smith said there is no expectation of any washing and no proposal for that so there will be no need for a wash down area. Mr. O'Brien asked if maybe a copy of an operations plan would take care of that concern.

Commissioner Falk made a motion seconded by Commissioner Lefakis;
whereas the proposal completes the process of tenanting of a once-vacant and uniquely large building;
whereas the proposal brings new investment and employment to Enfield;
whereas the proposal provides adequate traffic access to and within the site's several loading and parking areas;
whereas the proposed façade changes do not impact the King Street Design Overlay District.
whereas the proposed outdoor storage area will be screened by a solid fence and the additional planting of 6 ft. evergreen trees;

now therefore the Enfield Planning and Zoning Commission does hereby approve Application SPR #1671 by the Baker Properties LP for the modification to the approved plan to allow the tenanting of ~83,000 sf within the existing building, along with limited outside storage, parking lot and façade changes to 1559 King Street (Map 17, Lot 39), in accordance with the submitted application; referenced plans cited below; documentation listed in the public record; testimony received during the site plan review of February 18, 2015; and in accordance with conditions contained herein.

The referenced plans are as listed below:

- "Proposed Site Plan, Proposed Development at 1559 King Street, Prepared for Baker Properties, 1 West Red Oak Lane, White Plains, NY 10604 January 2016." Cover Sheet with Sheet Index and Reference Drawings; Sheet 1 of 1; Scale: 1/2" = 1,000'; Prepared by Vanasse Hangen Brustlin, Inc., dated January 20, 2016.
- "Legend, Abbreviations and General Notes, Proposed Development at 1559 King Street, Prepared for Baker Properties, 1 West Red Oak Lane, White Plains, NY 10604 January 2016." Sheet C-1 – Sheet 1 of 2; Scale: None; Prepared by Vanasse Hangen Brustlin, Inc., dated January 20, 2016.

- "Layout and Materials Plan, Proposed Development at 1559 King Street, Prepared for Baker Properties, 1 West Red Oak Lane, White Plains, NY 10604 January 2016." Sheet C-2 – Sheet 2 of 2; Scale: As Noted; Prepared by Vanasse Hangen Brustlin, Inc., dated January 20, 2016.
- "Exhibit A Overall Plan, Proposed Development at 1559 King Street, Prepared for Baker Properties, 1 West Red Oak Lane, White Plains, NY 10604 January 2016." Sheet A – Sheet 1 of 2; Scale: 1/30"= 1'; Prepared by John Cruet, Jr., Architect, dated January 19, 2016.
- "Exhibit B Elevation Study, Proposed Development at 1559 King Street, Prepared for Baker Properties, 1 West Red Oak Lane, White Plains, NY 10604 January 2016." Sheet B – Sheet 2 of 2; Scale: 1/8"= 1'; Prepared by John Cruet, Jr., Architect, dated January 19, 2016.
- "Truck Turn Movement Exhibit 1, Proposed Development at 1559 King Street, Prepared for Baker Properties, 1 West Red Oak Lane, White Plains, NY 10604 January 2016." Sheet TT-1 – Sheet 1 of 3; Scale: 1"= 60'; Prepared by Vanasse Hangen Brustlin, Inc., dated January 20, 2016.
- "Truck Turn Movement Exhibit 2, Proposed Development at 1559 King Street, Prepared for Baker Properties, 1 West Red Oak Lane, White Plains, NY 10604 January 2016." Sheet TT-2 – Sheet 2 of 3; Scale: 1"= 60'; Prepared by Vanasse Hangen Brustlin, Inc., dated January 20, 2016.
- "Truck Turn Movement Exhibit, Proposed Development at 1559 King Street, Prepared for Baker Properties, 1 West Red Oak Lane, White Plains, NY 10604 January 2016." Sheet TT-3 – Sheet 3 of 3; Scale: 1"= 60'; Prepared by Vanasse Hangen Brustlin, Inc., dated January 20, 2016.
- "Property Survey and Topographic Survey, Proposed Development at 1559 King Street, Prepared for Baker Properties, 1 West Red Oak Lane, White Plains, NY 10604 January 2016." Sheet SV-1 – Sheet 1 of 4; Scale: 1"= 40'; Prepared by Vanasse Hangen Brustlin, Inc., dated March 27, 2012.
- "Property Survey and Topographic Survey, Proposed Development at 1559 King Street, Prepared for Baker Properties, 1 West Red Oak Lane, White Plains, NY 10604 January 2016." Sheet SV-2 – Sheet 2 of 4; Scale: 1"= 40'; Prepared by Vanasse Hangen Brustlin, Inc., dated March 27, 2012.
- "Topographic Survey, Proposed Development at 1559 King Street, Prepared for Baker Properties, 1 West Red Oak Lane, White Plains, NY 10604 January 2016." Sheet SV-3 – Sheet 3 of 4; Scale: 1"= 40'; Prepared by Vanasse Hangen Brustlin, Inc., dated March 27, 2012.
- "Topographic Survey, Proposed Development at 1559 King Street, Prepared for Baker Properties, 1 West Red Oak Lane, White Plains, NY 10604 January 2016." Sheet SV-4 – Sheet 4 of 4; Scale: 1"= 40'; Prepared by Vanasse Hangen Brustlin, Inc., dated March 27, 2012.

This application is approved with the following conditions:

Conditions to be met prior to signing of plans:

1. All plans submitted for signature shall require the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
2. The application number SPR #1671 shall be displayed on the plans in or near the Title Block area.
3. A copy of the approval letter and conditions shall be made part of the final plans submitted for signature, preferably located on the cover sheet or first sheet of the plan set.
4. A list outlining how any conditions of approval have been met shall be submitted along with final plans submitted for signature.
5. 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.
6. 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:

7. Four sets of paper plans with any required revisions incorporated shall be submitted to the Planning Department for signature of the Commission. The signed mylars shall be recorded by the applicants and/or owners in the Land Records.

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

8. No Certificate of Occupancy or other final approval may be issued until the Town Planner/Assistant ZEO 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 Attorney and Finance Department.
9. A request for final project review from the Planning Department must be made at least 10 days before a Certificate of Occupancy or other final approval is requested from the Building Official.

General Conditions:

10. The outdoor storage area will be limited to the storage of non-permeable material and stored at less than 8 feet high.
11. The outdoor storage area will be screened by an 8 foot high solid fence of vinyl.
12. The fence will have a pedestrian gate as specified by the Fire Marshall

13. The site will be screened from I-91 by a row of 6 ft. (measured from the grown up when planted) evergreen type tree such as Norway Spruce or White Pine spaced 10 feet off center as approved by the Director of Planning.
14. A landscape performance bond will be posted with the Planning Office for the tree planting.
15. 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.
16. This project shall be constructed and maintained in accordance with the referenced plans.
17. This approval does not include signage.
18. A building permit for the construction of facilities as approved must be obtained by *February 18, 2017* or this approval shall be rendered null and void, unless an extension is granted by the Commission.
19. All construction authorized by this approval shall be completed by *February 18, 2021* or this approval shall be considered null and void, unless an extension is granted by the Enfield Planning and Zoning Commission.
20. 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.
21. Applicant to submit an Operation Plan for outdoor storage area to the Planning Division.
22. Engineer to include on final plans a drainage maintenance plan and drainage maintenance schedule for entire site.

Chairman Duren congratulated the people that brought this company in and filling up the building. He said it has been vacant long enough and it will be great to get it back on the tax roll.

Commissioner Scutt stated that she agrees also with Chairman Duren and she said it is nice to see this space fully occupied.

The motion passed with a 7-0-0 vote with alternate commissioner Szewczak voting for the absent commissioner.

10. Other Business – None

11. Correspondence

- Summary of Zoning, Subdivision and POCD Referrals 1/14/15 through 1/28/16
- Summary of Zoning, Subdivision and POCD Referrals 1/28/16 through 2/4/16

- Summary of Zoning, Subdivision and POCD Referrals 2/4/16 through 2/11/16

Commissioner Falk informed the commission that he met with the energy committee last night where they had a lengthy discussion on what they commission was expecting from them, and as he had mentioned prior they were looking for some proposals of different types of patterns on common roofs in Enfield. He stated that they said they are going to put this together and then would like a workshop to talk about them. Chairman Duren said that all they want are pictures so they can finish this and they do not need to do another workshop. Chairman Duren stated that Mr. Roger O'Brien has said he was collecting material and Mr. O'Brien said that was right and his intention at the next meeting was to pass out the materials and to have a discussion with them so they could put together the draft update. He said they queried other towns with what they do and particularly with aesthetics and they got the DEEP advisory guidelines, and model solar panel regulations drafted nationally. He said that Mr. Shawn Rairigh went out to several homeowners in Enfield who were saying they cannot put up solar on their roof and looked at ways to address those issues. He said they are moving along with getting what the commission asked for in front of them at the next meeting. Commissioner Falk asked if they could work this out with the committee and Mr. O'Brien said he had informed the committee of this and there were several emails one Sunday afternoon and she was supposed to be coming in to see what he had but he has never heard anything else. Chairman Duren said this has been going on too long and if they have what the need they may not need to meet with her. Commissioner Falk asked if his understanding was correct in that the people who have solar panels on the roofs are limited to generating only enough electricity to support their own house and not to sell back. Chairman Duren said they can ask for the calculations for each house if they want to make it a procedure.

12. Commissioner's Correspondence

13. Town Planner Report

Roger O'Brien discussed the following proposed projects in various forms that could be coming before the commission.

- 65 Hazard Ave – Family Ford expansion: working on text change to zoning regulations
- 99 Phoenix Avenue – New manufacturing tenant at empty 76,400 sq. ft. building
- 28 Hazard Avenue – McDonalds rebuild

- River front – zone change request for properties along river from R-33 to TV-C near proposed train station
- 143-153 Elm St – Bissonette property: New commercial development
- Pride Bakery – Demolish three buildings build new building: Enfield Street near town line
- Camerota Truck Parts – New 80,000 sq. ft. building
- 9 Anngina – 2,800 sq. ft. addition to 9,360 sq. ft. building: Manufacturing
- King Street - CREC site plan modification
- 144-146 South St. Road – Former Tarnow Nursery: New nursery and related accessory uses
- Villages at Scantic Simon Road – 39 lot subdivision: Initial telephone call received by ZEO
- 343 North Maple Street – 120 units for elderly housing: Text change application received to reduce age from 62 to 55

Planning Projects

- New residential solar panel regulations
- Review of zoning vs Plan of Conservation and Development
- Reconciliation of Unresolved issues list
- New regulations Scitico at Hazard
- Revisions to Thompsonville regulations
- DOT train station plans review
- Transit oriented development grant work
- Enfield Square Mall

Mr. O'Brien discussed with the commission that a woman came in to the office who bought a commercial condo unit and wants to put in a hair salon and this was a very similar use previously but not the same category. He stated that the regulations require a site plan approval and he was hoping they could just use the drawings she gives to the building department and a narrative and not put her through the expense of site plan drawings. Chairman Duren said that a lot of times if it is an apartment or building they have had them put it on ¼ inch graph paper as long as they chart it and it's to scale.

Mr. O'Brien also informed the commission that a gentleman keeps calling from New Jersey and wants to take the Holiday Inn in front of Mass Mutual and turn it into an assisted living facility which is not allowed in that particular zone. The commission's consensus was that Mr. O'Brien inform the gentleman that it was not allowed in that zone.

14. Authorizations for Administrative Approvals
15. Applications to be Received
16. Unresolved issues

Commissioner Szewczak discussed with the commission the definition of signs with the roof line and said that regulations do not necessarily relate the signs to the roof line but relate the signs to the walls and you have to define where a wall starts and where a wall ends which then defines where you can put the sign. He stated that what he noticed after looking at the regulations is that consistently they have a common theme in terms of if a wall intersects a horizontal roof line that the sign can be placed at the top of the intersection between a horizontal roof line and a wall. He said if a wall intersects a sloping roof line then the wall height is defined by the eave height of the sloped roof. So, wherever you have a vertical wall that intersects a sloping roof the height of the wall is defined by the lower end of the sloping roof or the eave height. So in looking at the question about whether the tower wall is a wall or a roof; the tower wall is a wall especially if it has four sides, and as long as it is a wall you can put a sign on a wall.

Chairman Duren asked Mr. O'Brien if they need to change this. Mr. O'Brien said that the interpretation has always been that you cannot put a sign above the main roof line and the question is if you have an architectural building on top, so this opens up to people putting these things on so they can have a high mounted sign. He stated that it is really what the commission wants to do as far as regulating signs. Chairman Duren said they wanted to maintain current interpretation. Mr. O'Brien said to the commission that there is conflict in their sign regulations right now because in one section it says that the Director of Planning issues signs permits and if somebody disagrees with the Director of Planning's interpretation they can appeal to the Planning and Zoning Commission who will then interpret the regulation, but in another section of the regulations it says that a sign permit requires a zoning permit. So even though what was given to the gentleman was a sign permit he appealed the decision to the zoning board of appeals as if it was a zoning permit.

17. Adjournment – Commissioner Falk made a motion, seconded by Commissioner Ballard to adjourn the meeting at 8:45 p.m. The motion passed with a 7-0-0 vote with alternate commissioner Szewczak voting for the absent commissioner.

Next Regular Meeting – Thursday March 3, 2016

Minutes prepared by – Emma Gothers

Approved by Commission:

Peter Falk, Secretary