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MINUTES
ENFIELD PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, APRIL 21, 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, Alan Drinan, Peter Falk, Charles Ladd, Mary Scutt, Linda DeGray, and Richard Szewczak.

Absent was Commissioner Nicles Lefakis.

Also present was Roger J. O’Brien, Director of Planning and Kim Holden.

Alternate Commissioner Richard Szewczak was seated for the absent commissioner.

4. Approval of Minutes
 - a. April 7, 2016 – regular meeting

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. Public Hearing(s) continued from April 7, 2016

- a. PH# 2836 –144 South Road (Map# 055/Lot# 0008) and 146 South Road (Map# 0055-Lot# 0006), Zone District is BL(Business Local); S&R Property, LLC Owner/Applicant. Special Use Permit/Site Plan (1) Proposed expansion of existing nursery and commercial operations to include: (a) sale and service of new and used residential property maintenance equipment, such as snow blowers and lawn mowers, (b) rental of outdoor furniture and equipment, (c) landscaping installation and maintenance services, (d) winter property maintenance services, and (e) storage of equipment, such as: Trucks, plows, etc. (f) small engine repair on site associated with services. (2) Special Permit for farming activity in a BL zone. (MCPH: 5/12/2016)

Commissioner Falk took the roll and present were Chairman Charles Duren, Commissioner Elizabeth Ballard, Commissioner Alan Drinan, Commissioner Peter Falk, Commissioner Charles Ladd, Commissioner Mary Scutt and Alternate Commissioners Linda DeGray and Richard Szewczak. Chairman Duren stated for the record that Commissioner Szewczak would be sitting in for the absent commissioner.

Chairman Duren read into the record a letter from Fahey and Landolina, Attorneys at Law, requesting a continuation for public hearing #2836.

Chairman Duren opened PH #2836 to the public and asked if anyone from the audience would like to speak in favor or against the application. This was asked several times and no one came forward.

Commissioner Drinan made a motion, seconded by Commissioner Falk to continue PH #2836 to the May 5, 2016 meeting. The motion passed with a 7-0-0 vote with Commissioner Richard Szewczak voting for the absent commissioner.

8. New Public Hearing(s)
Reading of the Legal Ad

- a. XZA #16-03 – Zoning text change to section 3.40.1 – Amendments to non-conforming uses. Enfield Planning & Zoning Commissioner initiative.

Commissioner Falk took the roll and present were Chairman Charles Duren, Commissioner Elizabeth Ballard, Commissioner Alan Drinan, Commissioner Peter Falk, Commissioner Charles Ladd, Commissioner Mary Scutt, alternate Commissioners Linda DeGray and Richard Szewczak. Chairman Duren stated for the record that Commissioner Szewczak would be sitting in for the absent commissioner.

Mr. Roger O'Brien addressed the commission and stated that this matter has been discussed previously by the commission. He said that there are areas such as this with established businesses that are in harmony with the neighborhood already and if they wish to expand their only choice presently is to go before the zoning board of appeals and ask for a variance for which they would have to meet the hardship requirement. This regulation exists in many zoning ordinances throughout the state and allows an applicant to apply to the planning and zoning commission for a special permit and if the commission makes certain findings as enumerated in the text, then they could approve a special permit allowing an expansion. He said that currently their regulations do allow expansions and extensions by special permit for other types of things so this would expand that and add a new section to the regulation; 3.40.1D, which specifies that the commission must hold a public hearing and must make certain findings. If the commission then finds the expansion is consistent with the plan of conservation and development and in harmony with neighboring uses and not detrimental to the orderly development of those adjacent properties they could approve it. Also, there were two other sections of the regulations that were modified to accommodate the new section at 3.40.1D and make them consistent. This change would address existing businesses that are in harmony but are inconsistent with the zoning regulations and allow them to expand.

Chairman Duren stated for the record that the text change was filed with the town clerk and has been to CRCOG and surrounding towns.

Chairman Duren opened public hearing XZA #16-03 to the public and asked if anyone from the audience would like to speak in favor or against the application. This was asked several times and no one came forward.

Chairman Duren closed public hearing XZA #16-03.

Commissioner Falk made a motion, seconded by Commissioner Drinan for the resolution of the Town of Enfield Planning and Zoning Commission XZA# 16-03 Zoning Text Change to Section 3.40.1, Amendment to Non-Conforming Uses. WHEREAS, The Town of Enfield Planning and Zoning Commission has reviewed a Zoning Text Change to Section 3.40.1, Amendment to Non-Conforming Uses; and WHEREAS, A notice was published in the April 9, 2016 and April 14, 2016 editions of the Journal Inquirer regarding the proposed text amendment; and WHEREAS, A notice of the hearing scheduled for April 21, 2016 was sent to Suzanne Olecknicki, Town Clerk on March 7, 2016; and WHEREAS, The proposed text amendment was submitted to the Capitol

Region Council of Governments for comment; and WHEREAS, The Capitol Region Council of Governments has reviewed this referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns; and WHEREAS, Referral letters were sent to the Town Clerk's Offices in the surrounding towns (Somers, Ellington, East Windsor, Suffield, Windsor Locks, Longmeadow and East Longmeadow); and WHEREAS, No correspondence was received from the surrounding towns; and WHEREAS, Section 3.40.1 D will be added to allow the Commission to hold a public hearing and review a Special Permit application for the expansion of an existing non-conforming use or to extend or enlarge a non-conforming use or building and the section will also allow the Commission to approve such Special Permit, if it finds that the proposal is consistent with the goals of the Plan of Conservation and Development and is in harmony with neighboring uses and will not be detrimental to the orderly development of adjacent properties; and NOW THEREFORE BE IT RESOLVED, The Town of Enfield Planning and Zoning Commission hereby adopts the amendments adding 3.40.1D, amending 3.40.4A and amending 30.40.1C of the Town of Enfield Planning and Zoning Regulations in accordance with the Public Hearing copy; NOW THEREFORE BE IT FURTHER RESOLVED, this twenty-first day of April, 2016, with an effective date of May 9, 2016.

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

Commissioner Nicles Lefakis joined the meeting at 7:20 p.m.

b. XZA #16.02 – Zoning text change to section 8.80.1.5(d) – Solar panels. Enfield Planning & Zoning initiative.

Commissioner Falk took the roll and present were Chairman Charles Duren, Commissioner Elizabeth Ballard, Commissioner Alan Drinan, Commissioner Peter Falk, Commissioner Charles Ladd, Commissioner Nicles Lefakis, Commissioner Mary Scutt, and alternate Commissioners Linda DeGray and Richard Szewczak.

Mr. O'Brien addressed the commission and stated that this has been an issue for quite some time. He stated that staff has been out and looked at homes and also contacted Connecticut ListServ, DEEP, and the American Planning Association and put together something to simplify the process. This will make it easier for homeowners to take advantage of new technologies. He said that a few months ago they approved a motion that also exempted commercial establishments from the uniform pattern and array

regulation if it was 750 ft. or further away from a residential structure but tonight they are eliminating the 750 ft. requirement. Mr. O'Brien also said that there are residents who feel they should not be regulating the aesthetics of solar panels at all.

Commissioner Drinan stated that he had one exception with what was before him and that was with one of the pictures on page 4 of 6 and would prefer that it not be included as an example. Commissioner Falk stated that he did not agree with deleting this and that many planning commissions in the State of CT do not have any regulations for solar panels at all. He also said that the zoning officer will be the one making the decision on whether what is being applied for is consistent with the regulations.

Chairman Duren opened public hearing XZA #16-02 to the public and asked if anyone from the audience would like to speak in favor or against the application.

Mr. Eric Anderson of CED Greentech at 1559 King Street addressed the commission and said that CED is a five billion dollar a year electrical distributor that specializes in serving the solar PV industry. He stated that he has come before the commission to submit testimony on public record regarding the ordinances being considered tonight restricting the application of solar PV technology on private residences based on aesthetic purposes. It is their understanding that outside of an HOA or historic district the town zoning board does not have the legal authority to dictate through town ordinance the aesthetics of a private citizen's dwelling but regardless he is here to voice their respectful but firm opposition to any and all ordinances that would seek to restrict the placement or application of solar PV technology based on aesthetics. He went on to say that these regulations are anti-business and anti-environment and are contrary to the opinions and desires of a majority of the Connecticut residents. These actions send a clear message to the solar industry, which is one of the fastest growing industries today, that Enfield is closed for business. He stated that this will in turn hurt the town's revenue from permits and prevent homeowners and business owners from adopting energy and money saving technologies which will disproportionately affect those among us who need the help the most, the elderly and retired, those on fixed incomes or permanent disability, and many others. It will prevent homeowners from building value in their homes with energy saving technologies which has been widely documented in mainstream publications like Forbes and the New York Times, and it is also evidenced in the Connecticut's governments legislative efforts to prevent property taxes from increasing due to the increased value of a person's home or business when solar PV is added. He stated that they ask that the Enfield town government cease the pursuit of any restrictions to the application of solar PV technologies as well as remove any and all ordinances that currently restrict a citizen's ability to take advantage of a

technology that helps not only the environment and the resident's pocket books but the town of Enfield at large.

Mr. Robert LaFlamme of 337 Elm Street came before the commission and said that he was there to support the changes made. He stated he has looked at the pictures and thinks that he agrees and has stated to the board several times in the past that minimal regulation is best and they need to let common sense break out so that people can get on with their lives. He stated that the picture Commissioner Drinan mentioned shows to him solar panels installed probably in a south and west facing orientation and he said that his home in particular is ideally suited to that and he would hate to see something come in to say that he cannot do that and reduce his generating capacity by 40 percent or more because this just doesn't look right. He then said to address the comment of people building structures around a house in your parlance, wouldn't that qualify as a ground mounted array versus a roof mounted array?

Denise Merrill of 197 Columbia Road addressed the commission and said that what Mr. LaFlamme said was a good point and the regulations as they are right now are very restrictive. She stated that she had a solar company come out to her house last month and they said that she had a pipe sticking out of her roof so they could only put one panel and could not do her whole roof because of the pipe. She stated that it should not take another four to six month to come to a decision on this.

Louise Merrill of 197 Columbia Road came before the commission and said that she was a little confused on the issue as it stands now and is it that there is only allowed to be one panel. She asked if the regulations were going to be changed and when this would go into effect if the change happened. Chairman Duren stated that it would be May 9th. She stated that it is tough for her because of the vent pipe and that they cannot do it even though they could have it aesthetically pleasing on both sides. She said they would like to be to do it because electricity costs are so high and stated that she was in support of the text amendment.

Mr. Jim Sementicci of 18 Sapphire Street Enfield addressed the commission and stated that he recently became employed by Vivid Solar and they asked him what territory he would like to cover and he said Enfield. He said that everyone told him he did not want Enfield because Enfield has the most restrictions of any town in the State of Connecticut and he questions why. He stated that the reduction of a reliance on fossil fuels is the main goal of solar panels in his opinion and obviously you would also see greatly reduced carbon emissions. He stated that Eversource hikes are going between 4-12 percent per year and they are expected to be between 45 and 60 cents a kilowatt hour

in the next twenty years and it is absolutely ridiculous that they can restrict someone from putting this on their house especially people on a fixed budget. He said that there are a lot of areas in the town that have electric heat and it will put a big burden on peoples. He went on to say that with solar panels on your house over the lifetime of their agreements, as is probably true with other companies, people will save 50-60 percent off their electric bill.

Melissa Everett of 2 Post Road and also the chairperson of the Enfield Clean Energy Committee came before the commission and stated that she is in great support of this providing that this is a shift from a micromanaging rule to a guideline and that they work with it so that there is a bias to approve and keep it simple. She also said that pole and ground mounts are not mentioned in this but they believe that they fall under the accessory structure law and they support keeping it that way if that is the case. She said that if this is interpreted flexibly they hope that it will not constrain businesses and evaluate it periodically.

Michael Trahan from Solar Connecticut which is the association of solar installers and is based in Haddam Connecticut addressed the commission. He stated that the State of Connecticut and the US government are both supportive of efforts to reduce the time and effort that is put on solar installers to permit solar power. The incentives at the state level and federal level like tax credits will all be gone in a couple of years and if the industry does not replace those sources of revenues with cuts in terms of costs the industry will be in a tough sport. Therefore, whenever they see additional requests being made of installers in a municipality to get another approval this puts additional time and effort into a project and those monies are then added to the bill of people who decide to put solar on their rooftop which is something they are trying to avoid. He stated that the number one issue for the industry is to reduce costs. He also said that the State of Connecticut's Green Bank which is the former Connecticut Clean Energy fund; the group that manages the incentive program. Last year they examined the permitting process in municipalities in the state of Connecticut and found the cost to install solar in the average home is more than \$1,500.00 dollars more than what it should be and they provided guidelines to municipalities on how to streamline processes. So given that, wherever they see instances where municipalities are adding additional recommendation requirements on top of the existing ones we like to come out and talk to groups like this. He stated that their request is that they would like to self-monitor and work with this group to come up with a way to address the situation which some of the members feel so strongly about. He stated they are not in favor of the replacement language or the current language and would ask the commission to drop both. Chairman Duren stated that there would be no way to enforce it. Chairman

Duren also said that they had several meetings with installers and everyone was invited and they had at least two meetings which were prior to the other regulations being passed. Mr. Trahan stated that to use Mr. O'Brien's language the current regulations are very restrictive and he would say that the change they are making is going from very restrictive to restrictive, and again he said they would ask them to not go forward with that existing language.

Douglas Lombardi of 23 Lawncrest, Enfield addressed the commission and stated that he is a 25 year resident of Enfield, a former member of the Clean Energy Committee, and a former member of the town's energy task force. He stated that he has solar on his home and he installs solar for a living. He said that although he appreciates the efforts of this commission in making the changes he does not believe this goes far enough. He said they are setting a precedent not only in the town but for the state and it is going to cost homeowners money in the long run for not being able to put as much solar on their home as they possibly could. He asked that they reconsider these restrictions in the best interest of the economy and specifically homeowners like himself in the town of Enfield.

Tim Schneider an owner of a solar company in Ellington came before the commission and stated this year they are hoping to install about 200 systems and he asked their parts managers today how many they have done in Enfield this year and they said five, which is poor. He informed the commission that it is tough to work in the town of Enfield and they do not support the restrictions at all. He also said that as a quality installer they take pride in how they do it and they do not just put panels everywhere so they can self-monitor their own installations in order to keep a good quality company in name.

Gary Checkalski of 15 Celtic Court stated to the commission that he is going to have solar panels installed in the very near future and has held off since last fall because for his application he needs panels on the top of his roof and the side at a 90 degree angle but presently he cannot do that. He has looked at the document they are considering allowing multiple arrays. He said that one of his suggestions is that at least on the none street-facing sides where most houses have stack pipes coming out there should not be any restrictions as to the shape or arrangement of the array because no one really gets to see that. He stated that no one tells people what color their lawn furniture should be behind their house. He went on to say they really need to consider softening up the restrictions on the none street-facing side.

Robert LaFlamme came before the commission again and said that he supports all the people who said for complete deregulation as it makes sense. He stated to the commission that they do not regulate the color he paints his house or the color of his roof except in the historic district and some others areas. He went on to say that he is in favor of the changes because he needs to get solar on his roof but he does believe that it is too restrictive.

Mr. O'Brien stated that on businesses making it less restrictive the approval process is a sign off on the building permit and nothing is being required of an applicant other than what they have to show the building department as far as the location of the panels on the roof, the structural integrity of them, and whether the roof can support them and so forth. There is no additional added paperwork and what they do now is look at the building permit and if it does not meet the current regulations they inform the applicant. He stated that one gentleman had suggested they drop both the old and the new regulations but unfortunately they cannot do that. He stated that to his knowledge and in speaking to the homeowners that they visited, they can all be accommodated under these proposed regulations at this point in time to the point if the commission wanted to consider further loosening regulations that would be something that could follow on as a second step. So for those reasons they would urge the commission to take this step and to adopt these regulations which will bring relief to a significant number of Enfield residents.

Melissa Everett again came before the commission and said that they endorse what is proposed and very much endorse the continued evaluation and work with the industry on more and more flexible approaches over time.

Chairman Duren closed public hearing XZA #16-02.

Commissioner Falk made a motion, seconded by Commissioner Lefakis for the resolution of the Town of Enfield Planning and Zoning Commission XZA# 16-02-Zoning Text Change to Section 8.80.1.5(d), Solar Panels. WHEREAS, The Town of Enfield Planning and Zoning Commission has reviewed a Zoning Text Change to Section 3.40.1, Amendment to Non-Conforming Uses; and WHEREAS, A notice was published in the April 9, 2016 and April 14, 2016 editions of the Journal Inquirer regarding the proposed text amendment; and WHEREAS, A notice of the hearing scheduled for April 21, 2016 was sent to Suzanne Olecknicki, Town Clerk on March 7, 2016; and WHEREAS, The proposed text amendment was submitted to the Capitol Region Council of Governments for comment; and WHEREAS, The Capitol Region Council of Governments

has reviewed this referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns; and WHEREAS, Referral letters were sent to the Town Clerk's Offices in the surrounding towns (Somers, Ellington, East Windsor, Suffield, Windsor Locks, Longmeadow and East Longmeadow); and WHEREAS, No correspondence was received from the surrounding towns; and WHEREAS, Section 8.80.1.5(d) will be replaced from "Roof top panels shall be configured in one (1) square or rectangular pattern, Commercial and industrial buildings located in Business and Industrial Districts are exempt from this configuration pattern, and provided that they are not visible to abutting residential uses within 750 feet and located in a Residential zone" to "Rooftop panels shall be configured in an overall square or rectangular pattern so as to present a uniform appearance. This may be one square or rectangular panel or two (2) or more square or rectangular panels that form an overall uniform appearance according to the 11 examples shown in the proposed regulations; NOW THEREFORE BE IT RESOLVED, The Town of Enfield Planning and Zoning Commission hereby adopts the Zoning Text Change 8.80.1.5(d) of the Town of Enfield Planning and Zoning Regulations; NOW THEREFORE BE IT FURTHER RESOLVED, this twenty-first day of April, 2016, with an effective date of May 9, 2016.

Commissioner Drinan stated he is in complete support of this change to the zoning regulations. He also said that he had one reservation on one of the eleven example photographs that appears to show some ground mounted solar panels that were not on a rooftop but as one of the citizens who testified indicated, ground mounted solar panels are an accessory use and are regulated by a different section in the zoning regulations and the town planner would review applications, so his reservation has been addressed.

Commissioner Falk also said that he would be supporting the resolution and he also hopes that they continue discussions as recommended tonight for further alterations in the future.

Commissioner Ladd said that he also supports the solar energy and general non-pollutant energy but as far regulations go most of them are caused by people doing things and then they have to make an ordinance about it.

Commissioner Scutt stated that she is in support of this resolution and also with working in the future to make other changes.

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

- c. PH #2835 – Zoning text change to section 4.40.3.J.i – Age restrictions. 343 North Maple, LLC, applicant. (MOPH: 4/23/2016) MCPH: 5/26/2016

Commissioner Falk took the roll and present were Chairman Charles Duren, Commissioner Elizabeth Ballard, Commissioner Alan Drinan, Commissioner Peter Falk, Commissioner Charles Ladd, Commissioner Nicles Lefakis, Commissioner Mary Scutt, alternate Commissioner Linda DeGray, and alternate Commissioner Richard Szewczak.

The applicant was not present.

Chairman Duren opened public hearing PH #2835 to the public and asked if anyone from the audience would like to speak in favor or against the application. This was asked several times and no one came forward.

Commissioner Drinan made a motion, seconded by Commissioner Ladd to continue PH #2835 to the May 5, 2016 meeting. The motion passed with a 7-0-0 vote.

- d. PH #2837 – Special use permit application for new tenant in existing building for limited direct sales to the public as an accessory use located at 35 Manning Road; Zone District I-1: Map 034/Lot 0014; Enfield Distribution Center LLC applicant/owner.

Commissioner Falk took the roll and present were Chairman Charles Duren, Commissioner Elizabeth Ballard, Commissioner Alan Drinan, Commissioner Peter Falk, Commissioner Charles Ladd, Commissioner Nicles Lefakis, Commissioner Mary Scutt, alternate Commissioner Linda DeGray, and alternate Commissioner Richard Szewczak.

Mr. O'Brien stated to the commission that they heard a complete application in December with multiple maps for the renovation of this building and they approved the site plan. At that time there was one tenant identified which was Namco. He said that tonight they have a second major tenant for the building. The main use which is the warehouse distribution was approved by the December approval and what is before the commission tonight is that the second tenant is seeking to use a small portion of the building for limited direct sales to the public.

Mr. Alan Weber the CFO of M. F. DiScala & Company addressed the commission. Also present was Mr. Bob Ahern, representing the tenant Ashley Furniture. He stated that they are planning to use approximately 70,000 sq. ft. of the building for furniture warehouse and distribution for their stores in the area, and as a limited direct sales for damaged furniture or such things that are returned they would like to use approximately

5,000 sq. ft. and this may actually be smaller. He stated that as is shown on the site plan there is car parking on the right side of the paved area and there will be directional signs for when the cars are coming in to go to the end of the cul-de-sac and follow a striped lane along the right side so they stay along the right side and get directed to the car parking area to stay away from the trucks. Mr. Weber stated that the amount of people coming should be fairly minimal as this is not a retail store but just a place to sell things that they cannot sell in the store.

Commissioner Falk asked about the hours of operation and Mr. Ahern stated that if they were to copy what they do now it would be Monday through Saturday from 10:00 a.m. to 9:00 p.m. and for the clearance area it would 10:00 a.m. to 5:00 p.m.

Chairman Duren asked Commissioner Falk if he was proposing to have the store hours as a condition of approval and Commissioner Falk said he thought they should be.

Chairman Duren opened public hearing PH #2835 to the public and asked if anyone from the audience would like to speak in favor or against the application.

Ms. Jane Liro of 12 Manning Road, Enfield addressed the commission and stated that she has been before the commission several times concerning the traffic issue and the trucks down this road. She stated that she realizes that the roads are allocated to be done and supposedly once this is done her house will no longer shake. She stated she does not know how much more traffic may come down the road with the addition of this. She said that there needs to be a plan for this street. She stated that there was a speed trap and she asked the police department how it worked and was told that it was allocated by batteries and that maybe they were low and should have been working more frequently than it was. She stated that her concerns are about the additional traffic and how this is going to work.

Chairman Duren asked Mr. O'Brien if they were going to do the striping and signage and Mr. O'Brien said that yes they are going to be doing this. He also said that with respect to the complaints of the trucks, they have looked into this and at the end of Manning Road there have been trucks parking there which are not connected with anything on the street and this has been an enforcement issue for the police department. They have asked that the property be posted for no overnight parking.

Ms. Mary Lynn LaFlamme addressed the commission and said that she wanted to say that for 30 years she lived on a dead end street in Enfield and the traffic was unbelievable with people turning around. She would like them to think about the children that are on the street.

Mr. Weber again addressed the commission and stated that the building has been there for 40 plus years and was occupied by Hallmark Cards and has had trucks going up and down the street. He said that this is about a couple of extra cars a day and not about trucks which was dealt with back in December.

Chairman Duren closed PH #2837.

Commissioner Falk made a motion, seconded by Commissioner Lefakis to accept the Resolution of the Town of Enfield Planning and Zoning Commission for PH# 2837 – Special Use Permit application for limited direct sales to the public as an accessory use located at 35 Manning Road; Zone District I-1; Map 034/Lot 001; Enfield Distribution Center, LLC applicant/owner. WHEREAS, The Town of Enfield Planning and Zoning Commission has reviewed an application for a Special Use Permit for limited direct sales to the public as an accessory use located at 35 Manning Road; and WHEREAS, A notice was published in the April 9, 2016 and April 14, 2016 editions of the Journal Inquirer regarding the Special Permit application; and WHEREAS, a Site Plan was approved for the renovation of the entire building at the November 5, 2015 meeting of the Enfield Planning and Zoning Commission; and WHEREAS, There was one major tenant identified at that time; and WHEREAS, There is now a second major tenant identified; and WHEREAS, The new tenant desires to operate a limited direct sales to the public as a small accessory use to the main use of furniture warehouse distribution center; and WHEREAS, The Commission has received comment from the Town Engineer and the Town Traffic Officer; NOW THEREFORE IT BE RESOLVED, the Town of Enfield Planning and Zoning Commission hereby approves the Special Permits to allow a for new tenant in existing building for limited direct sales to the public as an accessory use located at 35 Manning Road on this twenty-first day of April, 2016, 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 PH# 2837 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 Special Permit and 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 Planning Staff has signed off on the final work. When minor site work cannot be completed because of weather or other pertinent reason.
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. 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.
11. This project shall be constructed and maintained in accordance with the referenced plans.
12. This approval does not include signage.
13. A building permit for the construction of facilities as approved must be obtained by April 21, 18, 2017 or this approval shall be rendered null and void, unless an extension is granted by the Commission.
14. All construction authorized by this approval shall be completed by April 21, 2021 or this approval shall be considered null and void, unless an extension is granted by the Enfield Planning and Zoning Commission.
15. 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.
16. The hours of operation would be Monday through Saturday from 10:00 a.m. to 5:00 p.m. for retail sales and closed on Sunday.

The motion passed with a 7-0-0.

9. Old Business – None

10. New Business – None

11. Correspondence

- Practice by Rights Zoning
- Quarterly Newsletter

12. Commissioner's Correspondence

Commissioner Drinan stated to Mr. O'Brien that he emailed the members of the commissioner a photograph of a ground mounted solar array but it was not clear if that was approved for zoning or building so he would like him to look into this and see what level of approval was approved for this.

Commissioner Ladd stated that on PBS they had a show about the ten best cities in the county and it was about planning. He asked if this may be something PBS would share so that the commission could view it.

13. Town Planner Report

Mr. O'Brien addressed the commission and said that prior to the meeting this evening the commission had the opportunity to have a group photograph taken which was requested by the national office of the American Planning Association in recognition of the fact that the Enfield Planning and Zoning Commission has every member of the commission signed up to receive the literature and has for several years.

He informed the commission that Kim Holden, the interim acting Assistant Town Planner, has been working on mapping and is also getting rid of three versions of the zoning regulations on the website that are not accurate. Mr. O'Brien stated that he has asked Kim to put together an overall map of the area with regards to the properties Mr. Robert Levitz would like to have re-zoned.

Mr. O'Brien also said that they need to start and think about various proposals the old commission looked at in terms of changes to the regulations and that density was an issue. He stated that at the land use meeting the chairman was able to talk about the goals for taking the plan that was adopted in April of 2011 and looking at how that was intended to be implemented. As the commission knows the plan of conservation and

development was implemented throughout town government and is not just a planning and zoning responsibility. Mr. O'Brien asked that they reinstitute the planning meetings for the second Thursdays.

Chairman Duren asked Mr. O'Brien if he had talked to any of the owners of the Square about the possibilities there. Mr. O'Brien stated that they want to have a series of events take place in and around the parking lots. One of the proposals that came in with, and he is not sure it is an appropriate use, was a tractor trailer training use in the mall parking lot but he would have concerns about that.

Mr. Marty Levitz would like to re-zone three parcels of property along the river and as part of that he is also proposing to re-zone one of the properties owned by Eversource.

14. Authorization for Administrative Approvals.

Applications to be Received

A dog grooming business at 585 Hazard Avenue which would be an expansion of a commercial industrial enterprise.

15. Goals and Opportunities (previously known as Unresolved Issues)

16. Adjournment – Commissioner Drinan made a motion, seconded by Commissioner Ballard to adjourn the meeting at 8:56 p.m. The motion passed with a 7-0-0.

Next Regular Meeting – Thursday May 5, 2016

Minutes prepared by Emma Gothers.

Respectfully submitted,

Peter Falk, Secretary