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ENFIELD PLANNING AND ZONING COMMISSION
REGULAR MEETING

MINUTES

THURSDAY, JULY 7, 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. Roll Call
Present were Chairman Charles Duren, and Commissioners Elizabeth Ballard, Peter Falk, Charles Ladd and Mary Scutt, and Alternate Commissioner Richard Szewczak.

Absent were Commissioners Alan Drinan, Nicles Lefakis, and Linda DeGray. Alternate Commissioner Richard Szewczak was seated for the absent commissioners.
Present also were Roger J. O'Brien, Director of Planning, and Rick Rachele, Code Inspector
3. Approval of Minutes – June 16, 2016 – regular meeting
Commissioner Falk made a motion, seconded by Commissioner Scutt to approve the minutes of June 16, 2016 as amended. The motion passed with a 5-0-1 vote with Alternate Commissioner Szewczak voting for the absent commissioners, and Commissioner Ladd abstaining.
4. Bond Release(s)
 - a. PH# 2799 – Consideration of release of landscape bond for 103 Elm Street
Mr. O'Brien addressed the commission to bring to their attention his memo and resolution. Commissioner Falk made a motion, seconded by Commissioner Scutt, to approve the release of the landscape bond for PH# 2799. The motion passed with a 6-0-0 vote, with Alternate Commissioner Szewczak voting for an absent commissioner.

b. SPR# 1426 – Consideration of release of landscape bond for 604 Enfield Street

Commissioner Falk made a motion, seconded by Commissioners Scutt and Ladd, to approve the release of the landscape bond for SPR# 1426. The motion passed with a 6-0-0 vote, with Alternate Commissioner Szewczak voting for an absent commissioner.

c. PH# 2776 – Consideration of release of landscape bond and site restoration bond for 35 N. Main Street

Commissioner Falk made a motion, seconded by Commissioner Scutt, to approve the release of the landscape bond and the site restoration bond for PH# 2776. The motion passed with a 6-0-0 vote, with Alternate Commissioner Szewczak voting for an absent commissioner.

5. Public Hearing(s)

Reading of Legal Notice

Commissioner Falk read the legal notice and took the roll. Present were Chairman Charles Duran, and Commissioners Elizabeth Ballard, Peter Falk, Charles Ladd, and Mary Scutt, and Alternate Commissioner Richard Szewczak. Absent were Commissioners Alan Drinan, Nicles Lefakis, and Alternate Commissioner Linda DeGray. Chairman Duren stated for the record that Alternate Commissioner Szewczak would be sitting in for the absent commissioners. Charles Ladd recused himself from PH# 2843 and stepped out.

- a. PH# 2843 - Petition for Zoning Map Change to Business Local (BL) from Residential District – 33 (R-33) for the following locations: 143 Elm St (Map 57-Lot 112), 145 Elm St (Map 57 Lot 113), portion of 147 Elm St (Map 57 Lot 114), a portion of 149 Elm St (Map 57 Lot 115), 153 Elm St (Map 57 Lot 116) and a portion of property located on Carol St (Map 57 Lot 72). Enfield Properties, LLC, applicant. Copy of proposed zoning map change is available for review in the offices of the Town Clerk and Planning Office.

Mr. O'Brien informed the commission of the result of the protest petition. He had distributed to the commission the petition received at the first public hearing. He had also distributed to the commission the petition that was recently received within the last couple days. One petition was a protest petition and the other was a petition of residents who support the current zone change application. With respect to the protest petition the Town has reviewed the signatures on it and verified them. The statute requires that owners of 20% of the property within 500-feet of the proposed zone change need to sign

the petition. After careful calculations and review, and consulting the state statutes and relevant case law, the protest petition fell short of the 20%.

Mr. Frank Troiano addressed the commission alongside David Ziak of F.A. Hesketh & Associates, the engineer for the site, and Tim Smith with the law firm Smith & Bishop, LLC, who was there as part of the team. They came into this application with the expectation that they had the lowest intensity commercial zone that the Enfield Town allows. With the new zone change they are obligating themselves to a new intersection. They have worked diligently with DOT to make sure they came back with something that would be a benefit to the Town. There is a left turn lane both east bound and west bound that they will be obligating themselves to without any Town money that would be a part of this application if approved. In the back portion of the property in question, they are also obligating themselves to keep six acres of property as open space so there will be no future development back there. This development would also be a tax benefit to the Town. Currently, the property is a former farm zoned residential R-33. There would be approximately \$200,000 in annual return to the Town once the project is fulfilled. The number of jobs that would be created is understated, and that is not to say that it does not need to be stated twice. The applicants have listened to nearby residents and abutters and are willing to work with them and address their concerns. They understand the setback requirements and the open space obligations. They are open to any comments or questions.

Commissioner Falk noted that this is a zone change. If the commission were to approve it tonight, what would stop the applicant from selling the property? How would a new property owner be obligated to do the same things the current applicant is obligated to do?

Mr. Troiano stated that he will not be selling this property, and that he will be developing this project. He gave his word that he will do what he says to do with regards to the promises made to the abutting properties.

Mr. Tim Smith addressed the commission saying that there is no mechanism the Town has to ensure that future property owners will be obligated to the same things that Mr. Troiano is obligated to.

Mr. Troiano responded saying that if such an obligation existed then he would be happy to abide by it.

Mr. Smith stated that if future property owners wanted to use the building on site, they would have to apply for a special use permit, at which time the commission would be able to enforce the open space obligation.

Ms. Kathy Casillo, of 26 Carol Street, addressed the commission saying she and her husband have been tax paying residents for 30 years. One of her sons is also a property owner. They want to see more young families coming to Enfield to raise their children. This will increase revenue through property and income taxes, and will benefit the school system. There are also vacant storefronts throughout Enfield Square and other plazas. By allowing the zone change, this will not help fill those empty storefronts, therefore this will not financially benefit the Town of Enfield. She felt that this zone change will only help the person selling the property financially, and the attorneys associated with the land. She feels that Enfield does not need any more vacant buildings. She urged not to approve this zone change.

Chelsea Estrada, of 12 Montclair Avenue, moved in with her family four years ago. The views of the nearby open field is what attracted them to the property in the first place. While renovating their property, contractors used to compliment them on the view of the field. There are many foxes, deer, and beautiful sunsets that she and her family enjoy viewing. By not allowing the zone change the Town is taking that away from them. Neighbors agree with them. On behalf of herself and her family, after reviewing the zone change, they think it is a great idea and urges the Town to allow it.

Athanasios Koukopoulos, of 6 Carol Street, has lived in his house for 54 years. They were told houses would not be built near them because it would be difficult to build a road there. He feels that many buildings in Town are built unnecessarily. He wants to know what would actually be built on the property and how it would be used. He thinks the land should remain as is and there should be no zone change. He doesn't want a commercial business, like a restaurant, so close to his home.

Robert Cummings, of 10 St. Thomas Street, and was unable to attend the June 16th meeting. He had submitted written comments prior to the meeting. At the June 16th meeting the developer mentioned the change from residential R33 to Business Local would be lighter than their last Business General map change proposal. He wants to know how it can be lighter when this proposal includes using four more acres of property than the last proposal. He also wants to know how it can be lighter when this proposal lists 35 possible uses, and the last proposal lists only eight more than that, and 28 of those Business Local users are on the Business General list. He was concerned that should this zone change pass, then any developer could make a proposal similar to PH#

2820, which was denied. He believes that this zone change, if granted, would be considered spot zoning.

Anita Whiteway, of 10 Montclair Drive, has lived in her home since 1969. While, she would like to see the property in question remain the same because it fits well with 80-85% of the surrounding neighborhoods, she is also concerned about the left hand and right hand turns on Elm Street. She is concerned about car accidents on Elm Street, and feels that the zone change would allow for improvements to Elm Street that would reduce the number of accidents without using Town dollars. She urges the commission to really consider approving this zone change.

Wendy Stier, of 24 Carol Street, addressed her concerns at the last meeting. She would really like to address the comments made by the Bissonnette family at the end of the last meeting. She was shocked to hear that the property owner had inherited the property. She felt that if putting commercial entities on this property would benefit the neighborhood, why wouldn't the Bissonnette family have asked for this zone change long ago? She felt that the property owners were only interested in personal financial benefits and not what would be best for the neighborhood.

Joan Targonski, of 2 St. Thomas Street, addressed the commission as an abutter to the property in question. She was concerned that property values would drop for her and the neighborhood, that traffic would increase, and that the neighborhood would lose the quietness that is enjoyed by many. She urged the commission to deny this zone change.

Al Parand provided pictures to the commission and stated that a picture is worth a thousand words. He was concerned about the pond in the back portion of the property owned by the Bissonnette family. His main concern was the water dispersal when it rains or snows because that property and adjacent properties already experience a lot of water pooling and runoff. He also wanted to know what controls will be in place to control hazardous pollutants from entering the pond. He felt that the best use of this property is to remain residential. He also believes that there is a nibbling factor that causes development to escalate from one intended use to many other unintended uses as time goes on. He also gathered statistics on traffic accidents at various intersections near the proposed zone change and feels that commercial development in that area would only increase traffic and the number of accidents.

Joyce Jones, of 159 Elm Street, addressed the commission in opposition to the proposed zone change. She was concerned about accident, which already occur on Elm Street. She purchased homeowners insurance two years ago and the rates increased significantly

due to the amount of car accidents that occur in front of her house. She feels that the zone change and addition of commercial uses near her house would increase the amount of traffic and accidents, and cause her insurance rates to increase unfairly.

Helen Waskiel, of 4 St. Thomas Street, addressed the commission as an abutter to the property in question. She stated that Mr. Troiano did not come to her house as he suggested he did. She invited him to come see what is back there and why she is against the zone change. The land was once farmland that wasn't well maintained and isn't currently well maintained. She asks to please leave the property as zoned residential because can't see it being maintained when commercial uses exist on that property either.

Len Porcello, of 9 Carol Street, addressed the commission stating that people want to develop this land, but there is nothing that he can think of that is necessary to develop on that land. He was also concerned that the applicant did not know what would be going on that property. He feels that if the applicant is investing a million dollars, then they must know what is going in there and the public is not being provided all of the information.

Wendy Atiyeh, of 23 Dorothy Street. Addressed the commission in opposition to the zone change proposal. She felt that it would drastically decrease the property values of the homes in the surrounding neighborhoods and would create a financial burden of what is largely an elderly community of original homeowners. The burden would most likely not be something that anyone could recover from. She was also concerned that commercial uses involving trucks, drive-thru speakers, dumpsters and lighting would reduce quality of life of people living in the surrounding neighborhoods. Traffic would also increase in what is already a dangerous and congested area. She also doesn't see why another building similar to the United Bank building couldn't be constructed there, or how the Town could prevent such a building from becoming vacant. She also wanted to know what will happen in the future on this property once it is zoned Business Local? It will be open to further development on the property. The property should remain zoned residential. She feels that there are many vacant commercial buildings in need of tenants and there is no need for more commercial property, especially on the north side of Elm Street. This should be looked at for senior housing to address the aging population.

Bob LaFlamme, of 333 – 337 Elm Street addressed the commission saying his property is not anywhere near the property in question, but he is against the zone change because he personally has lived next door to a BL zone with stores and shops, dumpsters, and light pollution, and there is a significant impact to the nearby residential neighborhoods.

He feels that this is spot zoning. He also drove around the existing BL zones in town and was amazed at what uses are in the zones, but that are not in the use table. This proposal is supposedly representing the best and highest use for this property, but from whose perspective?

Lorie Woodson, of 7 Montclair Drive, wanted to verify that if this zoning change was approved, that any building that would be built would have to come before the commission again to be approved. She was adamantly opposed a year ago to the proposed change to a Business General zone. She had a change of heart because she now understands that a zone change doesn't mean that just anything can be built there. She feels that it is the duty of the commission to enforce the soft nature of the Business Local zone. Previous residents discussed inappropriate Business Local uses in other zoned Business Local areas. It is the duty of the commission to enforce the dumpster placement, setbacks, etc. for a BL zone. She was also concerned that misleading information was being put before the commission. She stated that installing more impervious surfaces does not necessarily mean that there will be a flooding or puddling problem. She also wanted to know what the traffic data previously mentioned was compared to. The number of accidents at each intersection are headliners, but over what time period? Has the number of accidents increased over time? There also has been a general increase in traffic flow through Enfield over the last five to ten years so it should be expected that there be more accidents and issues. She concluded that she was for the zone change

Joyce Jones addressed the commission once more stating that she had been told that the land in the rear of the property in question would remain open space. She also saw something in writing that said it could be designated open space. She was concerned that "could be" is a loop hole that could allow future development in that space.

Commissioner Duren addressed Ms. Jones' concerns by saying that there are other designations than open space. The idea is that nothing will be developed there. The designation is a legal term that needs to be decided.

Mr. O'Brien stated that tonight's hearing is about changing the zoning. If the zone change were to pass, then the applicant would be able to come back with another application. As part of that application, a mechanism could be put in place to keep the six-acre rear portion of the property as permanent open space.

Mike Fournier, of 1 St. Thomas Street, addressed concerns about the quality of life of three neighborhoods that this zone change and subsequent development would effect. He stated that Elm Street would not be able to withstand another commercial corridor,

Enfield can't withstand another retail enterprise, Enfield does not need another square foot of property paved as asphalt, and that the zone change would destroy the quality of life in the neighborhoods due to the installation of artificial light and light towers that would be on all night. He does not want to hear another dump truck, which residents on St. Thomas Street can already hear.

Dan Blasko, of 6 St. Thomas Street, addressed the commission as an abutter to the property in question. He stated that residents of Montclair are in support of the zone change for the same reason all the other abutting neighborhoods do not want the zone change. He believes that Business Local is an aggressive zone change for that area and will change the character of the neighborhood. He and his wife moved to Enfield from out of state and do not want to raise kids on a property that looks down on dumpsters and lights. His property is at a higher elevation than the property in question.

Debbie Roberts, of 9 Montclair Drive, is in support of this zone change.

Mr. O'Brien stated that Mr. Cummings, who previously addressed the commission, also wrote a letter. He discussed spot zoning in that letter, but there is one other thing he did not reiterate tonight which should be put on the record. Mr. Cummings stated that he was opposed to the zone change because replacing residences with businesses will also increase already heavy and disruptive traffic. This would require additional traffic signals and the reworking of current traffic signals.

Mr. Troiano, Mr. Smith, and Mr. Ziak have nothing else to say to the commission and they are open to answering any questions.

Commissioner Falk addressed the applicants if they agreed that every building proposed to be built on that property will be brought to the commission for special use permits to address issues concerning berms, lighting, and other items discussed by residents and abutters.

Mr. Ziak stated that the applicant plans to present the commission with a master plan for all the buildings proposed for the site.

Commissioner Falk asked if there would be one big site plan.

Mr. Ziak answered yes and that all the tenants will be listed on the architectural plans. The applicant is working with the State (DOT) and will need to provide them with the entire site plan. He also stated that he recognizes that people in Enfield have always been concerned with empty retail space. He feels that the Town of Enfield and its

residents should be proud of the many large shopping centers it has, and that aside from the mall in town, Enfield has a healthy amount of retail.

Mr. O'Brien clarified that the applicant mentioned administrative approval. He stated that there would be no administrative approval of the site plan because public comment is always allowed. Going forward the applicant will be doing a site plan review which gives the commission less discretion than a special permit, but will have standards of lighting and light pollution control, etc. that will be addressed in the site plans. It remains to be seen whether multiple buildings on the site will be allowed on one lot. Also, if the zone change is approved tonight, that doesn't necessarily mean the commission is approving a master plan because that is not allowed in the current regulations at this time.

Bob Atiyeh, of 23 Dorothy Street, addressed the commission stating that he was very concerned and not in favor of the zoning change. Businesses like grocery stores, retail stores, restaurants and gyms, while they sound great, they exist in Business Local zones. Auto shops, tattoo parlors, adult stores, and liquor stores also do exist in Business Local. Changing to Business Local and having a hearing will not protect the use on site which is clear in the existing Business Local zones around town.

Commissioner Duren closed PH# 2823.

Commissioner Falk made a motion, seconded by Commissioner Ballard, to approve PH#2823.

Commissioner Falk commented that the development would be an improvement to Elm Street which is only deteriorating, especially in terms of traffic control as Enfield is impacted by surrounding towns like Somers. The applicant was very generous and forward looking in wanting to help in this situation. The proposed buffering would help with the noise and light pollution that is always an issue with commercial properties.

Commissioner Scutt questioned the improvements along Elm Street and Palumbo Drive because there is no guarantee that they will actually happen. She felt that this was a huge jump. Limited office would be more appropriate and would allow the residential areas to transition more easily even though there is commercial business on Elm Street already.

Commissioner Duren stated that there have been past proposals to rezone the north side of Elm Street to accommodate office space and the public was against the proposal back then too. There have been many attempts to develop this property. This is the best

proposal he has seen so far. The comments and concerns from the public have been answered already or will be answered at public hearings in the future. Concerns raised about buffer zones, operating times of the businesses and trash pickup will be brought up at public hearings going forward. The Planning & Zoning Commission has always held public hearings for projects of large public concern. The project currently meets the goals of the Plan of Conservation and Development under policy 5.3.04 which states that develop will take place in a manner that preserves and enhances the aesthetics, recreation, and ecological value of the resources of the Town of Enfield. Action 4.5.7 states that the Town of Enfield should find alternatives to create a central park district in future development, which could be in the form of land acquisition or granting easements as a way of creating parks, trails, and preserving natural qualities. The applicant has preserved an acreage for open space which presents a unique opportunity to the Town to begin what could be part of a larger greenway. The open space can allow for passive recreation and potential for walking trails and nature enjoyment of the existing pond and wildlife. It also will help improve the health and safety of the area.

Mr. O'Brien stated that if there was a gas station proposed in the Business General application, the gas station would not be allowed under current Business Local zone regulations. Gas stations, among other uses, used to be allowed in Business Local, but that was revised so that the Business Local zone is more limiting in what uses are allowed. That explains how some more intense uses came to exist in Business Local zones.

Commissioner Szewczak stated that he would support this proposal if it could be guaranteed that the setbacks that are proposed will remain 80-100 feet from the residential neighbors. These residents purchased their homes with the knowledge that their properties would be adjacent to other residentially zoned properties, and the commission should strive to maintain the type of community feeling and environment consistent with when residents first bought their homes. The commission should not want to create back yards consisting of dumpsters and trash containers. Commissioner Szewczak does not think that people who abut the property should have their quality life impacted.

Mr. O'Brien stated that at the last meeting the commission discussed the required setback and a 35- foot buffer. The first application that would come in would be a special permit pertaining to the concept plan that the applicant will create. Special permits give the commission a lot of discretion to create conditions to preserve the quality of life of residents, etc. The commission can determine what the appropriate buffer is.

Commissioner Duren stated that there is a McDonald's adjacent to a residential area that is not allowed to have speakers or outside music. The property owners had to agree to this as part of a special permit.

Commissioner Szewczak stated that the commission needs to pay attention to the privacy and intimacy concerns that residents have.

Mr. O'Brien stated that landscaping standards include a sections about buffers which say that they should be at least 35 feet. One section states that if the commission deems a 35-foot buffer to be insufficient, then they can customize the buffers to what they feel is sufficient.

The motion passed with a 4-1-1 vote, with Commissioner Scutt opposing the motion and Commissioner Ladd having recused himself. Alternate Commissioner Szewczak voted for an absent commissioner.

6 New Business

- a. SPR# 1595.02 – Site Plan application to construct 12,878 s.f. building addition, access drive, drainage and site grading located at 6 Niblick Road; IP Zone; Map#055-Lot# 0089; Niblick Road Realty, LLC owner; Northeastern Sheet Metal Co., Inc., applicant. (DoR: 4/21/16; MAD: 6/25/16 extension granted to 7/7/2016). To be withdrawn or denied w/out prejudice

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

Mr. O'Brien informed the commission that the original engineer on this project retired. They just hired a new engineer who is reducing the size of it in light of some wetland issues. They have asked to withdraw this application at this time.

Commissioner Duren read the letter requesting to withdraw SPR# 1595.02

Commissioner Falk made a motion, seconded by Commissioner Ladd, to withdraw SPR# 1595.02. The motion passed with a 6-0-0 vote, with Alternate Commissioner Szewczak voting for an absent commissioner.

- b. SPR# 1674 – Site plan application to partition building into 4 tenant building with site improvements located at 17 Bacon Road; I1 Zone; Map# 96/Lot# 03; Brown & Brown Enterprise, LLC; Dane Thorogodd, applicant. (DoR: 6/16/2016 MD: 8/20/2016) Building encroachment onto neighboring property.

Mr. O'Brien stated that he had a conversation with Dane Thorogodd. They scheduled a meeting later in the week to discuss concerns the Planning Department had. He is unsure whether the commission has sufficient material before them to allow for consideration at this time.

Commissioner Falk made a motion, seconded by Commissioner Ladd, to deny without prejudice SPR# 1647. The motion passed with a 6-0-0 vote, with Alternate Commissioner Szewczak voting for the absent commissioners.

- c. SPR# 1677 – Site plan application for a 2,400 sf building addition located at 9 Anngina Drive; I1Zone; Map# 82/Lot# 56; Robie Realty, LLC, owner/applicant. (DoR: 7/7/2016 MD: 9/11/2016) Pending at Wetlands Commission

Mr. O'Brien stated because a set of maps was submitted at 4:30 P.M today, there was not enough time to review them thoroughly. He is unsure whether the information in front of the commission is sufficient to consider at the current meeting.

Commissioner Scutt asked whether the door on the rear of the proposed building addition is encroaching on the property setback line.

Mr. O'Brien stated that this is the third iteration of this application. The original application called for a larger addition, which would be closer to the abutting tobacco farm. This would have required a variance. The application went before Zoning Board of Appeals and was denied because the applicant did not want to move the underground detention galleries. The applicant then came forward with a proposal to put an addition on the front building. That also did not comply with zoning. They then came back with the current proposed addition to the back building, which required approval from the Inland Wetlands Commission. Wetlands approved it as an amendment. From a zoning perspective, some zoning information is not on the map, which usually takes the form of a table.

Commissioner Szewczak raised concerns about vernal pools existing in southwest and northeast property corners. He requested more information on them.

Commissioner Falk made a motion, seconded by Commissioner Ladd, to table SPR#

1677. The motion passed with a 6-0-0 vote, with Alternate Commissioner Szewczak voting for an absent commissioner.

SPR# 1678 - Site Plan application for self-storage and outdoor storage of recreational vehicles located at 53 Manning Road, I1 Zone; Map 034/Lot 0015; KBRC Realty, LLC owner/ applicant.

Mr. O'Brien asked if the commission felt comfortable proceeding without a floor plan. There is no site plan because there are no site plan changes proposed, but the commission may want to know about parking arrangements, especially if trucks will be on site. The Fire Marshall also raised questions on the floor plan. The commission may not have sufficient information to make a decision.

Commissioner Duren stated that there were traffic concerns about on street parking and fire lanes associated with this property. There is also a note that says there are no floor plans because they are adding interior walls which would change the flow of the building, which is why the Fire Marshall would be interested in reviewing the floor plans.

Mr. O'Brien stated that the commission would be waiving a site plan and there is no floor plan, so the commission would be approving something based on a narrative. This application started out as a special permit application because attached to it was the notion of outdoor storage of boats and other recreational vehicles. The Planning Department discussed with the applicant what they would need to submit. The applicant then withdrew the outdoor storage application because the Planning Department had advised him that it wasn't allowed in that particular zone. The applicant then changed the proposed plan to be for self- storage only.

Commissioner Falk stated that there are too many unanswered questions associated with this application.

Mr. O'Brien stated that the commission must make a decision by August 20th or it is an automatic approval.

Commissioner Duren stated that public health and safety is a major concern.

Mr. O'Brien stated that the commission does have comments from the Police Traffic Officer, the Fire Marshall, and from the Planning Director. He suggested that the commission may want to hear from the applicant.

Mr. Chip Labante addressd the commission stating that he owns the former Hallmark property, which is two-thirds leased. He is from Massachusetts. He grew up in Springfield. He is here for a

change of use approval because he is looking to put in a use that is less intensive than the warehouse use that is currently there.

Commissioner Duren stated that the commission doesn't approve things unless they have seen them. Mr. Labonte asked if there were any questions he could answer. Commissioner Scutt asked where the site plan was and what was going in on the site.

Mr. O'Brien stated that traffic would need to be separated to accommodate truck and car entrances and exits. He also stated that there are pictures printed from the internet of the site, but more information is needed to see how the inside of the building will be separated.

Commissioner Duren stated that if the applicant is putting a wall in to separate two businesses, then the flow of people through the building would change and therefore the fire marshal would need to review the plans.

Mr. Labonte asked if the application could be withdrawn without prejudice? Commissioner Duren stated that an application can only be withdrawn or denied without prejudice. Mr. Labonte stated that he would withdraw the application.

Commissioner Duren stated that the applicant would need to put the withdrawal into writing.

The applicant provided a written withdrawal.

Mr. O'Brien stated that the application would probably be on the schedule for September.

Commissioner Falk made a motion to accept the withdrawal of SPR# 1678. The motion passed a 6-0-0 vote, with Alternate Commissioner Szewczak voting for an absent commissioner.

- d. SPR# 1679 – Site plan application for automotive location approval located at 1 and 3 Depot Hill Road; I-2 Zone; Map 013/Lot 0038; RSP Capital Holdings, LLC, owner; Aviant Truck Centers, Inc., applicant.

Mr. O'Brien stated that he met with the applicant earlier on to discuss what they needed to give to the commission. The applicant submitted the requested materials

Mr. Rachele took pictures of the property. There is only a change in ownership taking place on this property, but since the owners are not related a new site plan application is required. This application appears to be a model application.

Mr. Rachele stated that the site will stay as is and just change from one owner to the other.

Commissioner Falk made a motion, seconded by Charles Ladd, to approve SPR# 1679. The motion passed with a 6-0-0 vote with Alternate Commissioner Szewczak voting for the absent commissioners.

- e. SPR# 1680 – Site plan application for automotive location approval auto dealership and repair located at 157 South Road (Map# 055/Lot# 0082); I-1 Zone; Joseph Bosco, Somers, CT owner/ Eric Hewitt, applicant. (DoR: 7/7/2016 MD: 9/11/016) Pending at Wetlands Commission

Mr. O'Brien stated that this application is similar to SPR# 1678. It went before the Wetlands Commission and it was determined that the materials presented were inadequate. The Planning and Zoning Commission therefore cannot take it up. He was not sure that the application as is met the commission application requirements.. This is an application again for location approval. Owner is changing but the use is not. They are not relatives so they need to provide a new site plan.

Commissioner Ladd noted that the address shown on the application for the owner is in Somers, but wondered if the applicant was actually from Enfield?

Mr. O'Brien stated that the Joseph Bosco on the application for the owner is not the same Joseph Bosco who is on the Town Council. The owner is the Councilman's uncle who lives in Somers.

Commissioner Duren noted that the site plan shows a paint booth that appears to be on the outside. We have had other paint booths presented to us such as the one on Simon Road. The Fire Marshall needs to review this plan.

Mr. O'Brien stated that he had asked the applicant if the site used well water and a septic tank. The applicant didn't know. There was also a fenced area on the map that was previously used to store old cars. The applicant now wants to use it to allow his dog to run around in. There is also auto storage parking. The parking would need to be for vehicles waiting to be serviced, or for vehicles that have been serviced. Vehicle storage can lead to becoming an eventual junk yard.

Commissioner Duren asked where the propane tanks are on the map, and should their location require approval from the Fire Marshall? There also appears to be wetlands on site. The applicant needs to supply more information, most particularly to the Fire Marshall because paint booths pose safety issues.

Commissioner Scutt wanted clarification as to whether the building in question was the one in front of Bosco's, which was confirmed.

Commissioner Duren wanted to know the time line of this application.

Mr. O'Brien stated that the commission is only just receiving the application tonight so they have 65 days to make a decision. The commission also can't act on it until the Wetlands Commission makes a decision. Wetlands will not take this up until the first week in September at the earliest.

Commissioner Duren asked if the commission should deny the application without prejudice just to be safe.

Mr. O'Brien stated that if the commission did that then it should be because the application is inadequate.

Commissioner Falk made a motion to deny SPR# 1680 without prejudice. The motion passed with a 6-0-0 vote, with Alternate Commissioner Szewczak voting for the absent commissioners.

6. Other Business

- a. Raymond Myott – 25 Oliver Road – renewal of Federal Permit to Sell Pistols or Revolvers

Commissioner Duren stated that this was just a reapplication for a renewal.

Mr. O'Brien asked Mr. Rachele to give a report on his inspection.

Mr. Rachele stated that everything was completely fine. The applicant does reloading of ammunition and does not keep a stockpile of firearms there. He has the ability to make purchases for individuals pursuant to state regulations.

Commissioner Szewczak asked if reloading was just a hobby. He had heard about explosions from gun powder in the past.

Mr. Myott addressed the commission stating that he reloads as a hobby for himself. It became expensive to do so he got a permit to sell pistols and revolvers. He would appreciate the approval, and he has already been approved by the Fire Marshall.

Mr. O'Brien stated that the commission can grant permission for him to approve it administratively, but because it has to do with firearms he wanted to be transparent.

Commissioner Falk made a motion to approve the request for renewal of the permit to sell pistols or revolvers as a home occupation. Motion passed with a 6-0-0 vote, with Alternate Commissioner Szewczak voting for an absent commissioner.

7. Correspondence

Commissioner Duren stated that the commission has reports to Windsor Locks and to South Windsor on their zoning regulation changes. They also have reports on zoning practices for group housing.

8. Commissioner's Correspondence

Commissioner Ladd stated that the CVS on the corner of Hazard Ave and Freshwater has trucks parked there for storage which the commission has had problems with for many years. CVS uses them as storage warehouses. They have been there for a year. It is about time to have them moved elsewhere. The commission has brought this up to CVS many times over there years.

Commissioner Duren stated that their headquarters has been notified about this issue too.

Mr. O'Brien stated that in the last meeting the Yard House restaurant was brought up. Mr. Rachele went down there and has prepared a letter for the commission and a letter to the gentleman. There are two issues. The first being a temporary overflow parking lot which should have been paved and hasn't been. The second issue is that patrons have been parking along Route 5. The Planning Department started dialogue with him about what he needs to do. He has been made aware of the issues and has been asked to not provide parking on Route 5. He says he doesn't have control over that. The Planning Department was hoping to convince him that if patrons are parking out there, that there are things he can do to ensure that doesn't happen.

Commissioner Ladd stated that the commission just approved a new license for a trucking company next door.

Mr. O'Brien stated that the trucking site was actually sold. The trucking site will no longer be owned by the owner of the yard house.

Commissioner Lefakis is not here, but he had previously brought up an issue regarding blowing garbage along a public street.

Mr. Rachele stated that property maintenance has contacted DPW to put more garbage bins on site to prevent the garbage problem.

Mr. O'Brien stated that the existing bins were inadequate and overflowing.

Commissioner Duren stated that Palumbo Drive has car dealerships with flags that the commission does not allow

Mr. Rachele stated that he had spoken with them a month ago and saw the flags again today. He will write them a notice of violation.

Mr. O'Brien stated that with respect to zoning enforcement on 16 Glendale Road, there were fines that piled to a very high amount. This has been brought to the Town Attorney. The Town is going to court with the complaint. The commission tries to work with people but after ignoring fines, the Town had to take action.

At the Wetlands Commission the other night there were five issues on the agenda. Three of those were resolved. One issue ended with motion to turn it over to the Town Attorney. Enfield hasn't enforced their wetlands regulations pursuant to state regulations in a while but recently the Wetlands Commission has begun to do that. The bottom line is that the Town wants a vibrant, healthy community just like the people here tonight to discuss the zone change, and if people are dumping in the wetlands and eroding that quality of life then as it comes to our attention we are trying to address it.

Commissioner Scutt stated that near Broadleaf Avenue people are complaining about a landscaping truck that is always parking on the street. They have landscaping equipment in their front yard. It has been going on for a couple months and hasn't changed. It is causing issues for buses getting up and down the street.

Mr. O'Brien stated that landscaping is an issue the commission runs into a lot from a strategic stand point. Regulations do not allow those kind of businesses anywhere in town. Landscaping businesses end up being operated out of homes and storing equipment on lawns.

Commissioner Scutt stated that this truck hardly ever moves and they have a driveway they can park in but don't.

Mr. O'Brien stated that as the commission reviews the zoning regulations they ought to think about what a landscaping business is and where they can operate.

The new Town Manager wants to shorten the timeframe for addressing some property maintenance issues. Enforcement is restrained by statutory procedures. Guidelines need to be followed as does due process. Tall grass complaints that come in in May are addressed, but mowing may not take place until June or July because of the due process and the statutes that need to be followed. One of the things being looked at now is that each job has been individually put out to bid. The Town is looking to get on-call contractors so that at the end of the due process, there isn't an added timeframe to cut

the grass. The Town Manager is looking at everything that can be done to move things along.

There are two code enforcement officers who handle property maintenance who work 19.5 hours, which if put together equals one person on property maintenance issues. The volume is 375 cases a year to inspect, report on and do citations.

Commissioner Duren stated that he, along with Commissioners Ballard and Falk, had met with Town Manager and Mr. O'Brien.

Commissioner Falk stated that the Town Manager was hired with the pre-requisite that there would be a plan for Thompsonville including a vision, plan, and how to achieve it. The Town Manager gave a brief description on what he presented to the Council. He appeared to be up-beat about façade changes and mixed-use buildings. He focused on the road going down to the river and train station. A developer purchased some older buildings with the hope of putting in a brewery. The overall goal was to build up and revitalize Thompsonville. These aren't new ideas to the commission because the commission has been talking about this for 30 years and it never happens. The Town Manager has come before us as a whole in the past to discuss thoughts. The town he came from was smaller but similar to Enfield. He was talking about what they did there that was successful. He has some experience in revitalization and hopefully he can make something happen

9. Director of Planning Report/ Authorization for Administration Approval

Mr. O'Brien asked the commission to discuss plans for the Italian festival, especially concerning parking. In July 2013, the commission approved a parking lot that was all gravel in connection with the development of ball fields. The fields have not been built, but the Mt. Carmel Association would like to know if the approved parking lot could be grass and gravel rather than paved.

Commissioner Falk stated that those plans were approved for a project involving creating a ball park. If that park never gets built should the commission even allow the building of the parking lot?

Mr. O'Brien suggested that the applicant could come back for a site plan to only build the parking lot? Italian festival parking usually ends up being along side streets and throughout the Center.

Commissioner Duren asked if the commission should give Mr. O'Brien administrative approval. Commissioner Falk asked if the parking lot would be permanent.

He suggested providing administrative approval for this year only and then ask the applicant come in with a site plan for the parking lot in the future.

Commissioner Falk stated that he could make that motion, and suggested not even putting down gravel, and to just allow parking on the grass. Then they can come in with the site plan for the gravel parking lot later.

Commissioner Falk made a motion, seconded by Commissioner Scutt, to approve a temporary grass parking lot for the Italian festival. The motion passed with a 6-0-0 vote, with Alternate Commissioner Szewczak voting for the absent commissioners.

11 Adjournment

Commissioner Ballard made a motion, seconded by Commissioner Scutt, to adjourn. The motion passed with a 6-0-0 vote, with Alternate Commissioner Szewczak voting for the absent commissioners.

Prepared by Jennifer Pacacha, reviewed by Roger J. O'Brien
Respectfully Submitted,

Peter Falk, Secretary