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ENFIELD PLANNING AND ZONING COMMISSION
REGULAR MEETING

MINUTES

THURSDAY, JULY 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, Commissioners Elizabeth Ballard, Alan Drinan, Peter Falk, Nicles Lefakis, Charles Ladd, and Mary Scutt, and Alternate Commissioners Linda DeGray and Richard Szewczak.

Also present was Roger J. O'Brien, Director of Planning and Ms. Jennifer Pacacha, Assistant Town Planner.

4. Approval of Minutes
None
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)
None

8. Old Business
Reading of Legal Notice

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

- a. SPR# 1677 – Site plan application for a 2,400 sf building addition located at 9 Anngina Drive; Industrial-1 Zone; Map# 82/Lot# 56; Robie Realty, LLC, owner/applicant. (DoR: 7/7/2016 MD: 9/10/2016) – Tabled at July 7, 2016 meeting.

Mr. Dana Steele, P.E. from J.R. Russo & Associates came before the commission on behalf of Precision Camera and stated that this was a site plan application for a building addition at 9 Anngina Drive, which is occupied by Precision Camera. He introduced Mr. John Malinowski, President of Precision Camera who would be answering questions regarding parking. He went on to present the nature of the site improvements that are being proposed with the help of a site plan. The site is a five-acre parcel at the end of Anngina Drive, which is off of Moody Road. The site contains two buildings which are currently in use. One building is used for camera repair, while the other building is used for storage. The proposed building addition would be located in the northwest portion of the property where there is currently a parking lot. The addition would be used for additional storage. There is currently a storwater drainage system in place where the building addition would be located on site, but there are places to move the plastic water chambers ninety-degrees to the left and reconnect the pipes. This change will reduce the amount of water entering the drainage system. The building addition will also remove sixteen of the one-hundred and sixteen current spaces. Eight parking spaces are already being used by existing storage containers.

Mr. John Malinowsky, President of Precision Camera came before the commission on behalf of Precision Camera and stated that storage space is very valuable to the company, and the addition will assist in keeping them organized. The existing parking lot on site is rarely full and many employees work from home. They operate at a 17% employee absenteeism. The building addition would add enough extra storage space so that the existing storage containers could be removed. This will make eight additional parking spaces available.

Commissioner Drinan stated that he had visitied the site several times and counted how many spaces were available in the parking lot. The first day there were 29 available spaces, two of them being handicapped, and the second day there were 20 available

spaces, three of them being handicapped. He then asked whether the dumpsters on site will be moved into the building?

Mr. Steele informed the commission that the dumpsters will be moved to the front of the building addition and will not be taking any more parking spaces. They will be located on top of the relocated drainage system.

Commissioner Scutt noticed that there is a door that is proposed with a concrete slab that is five feet from the property line. She asked whether they differentiate where the front, back, and sides of the building are and whether that door and concrete slab would be encroaching on the property line?

Mr. Steele informed the commission that he does not believe that the back door would be encroaching on the property line because the structure is not a real structure. The door could be moved to a different location if necessary.

Commissioner Szewczak asked that Mr. Steele go over his remarks on the lot being nonconforming.

Mr. Steele recalled questions on what the regulations and definitions of a lot are, and whether this lot is conforming or non-conforming. If it is considered non-conforming in an industrial zone, should the second building be allowed? His opinion is that the lot is conforming and if it is not actually conforming, than the second building is still allowed because it is not increasing its non-conformity.

Mr. O'Brien commented that he and Mr. Steele had disagreed on the definition of a lot, and that the second building may be a non-conforming structure. Nevertheless, the second building is not eroding the zoning envelope so therefore adding to the non-conforming building can be approved by site plan. The commission can leave for another day, the question of how many buildings are allowed to exist on one industrial site.

Commissioner Drinan commented that the addition would be in place of a portion of the parking lot, therefore decreasing the impervious coverage on site, which makes it more conforming.

Commissioner DeGray asked whether the existing buffer along the property would be removed.

Mr. Steele responded that the existing buffer would not be removed because it is not on the property.

Mr. O'Brien stated that under the conditions for approval of this project, condition #6 refers to filing a special use zoning certificate which is not necessary. Therefore, the commission would be approving the application with 21 conditions as opposed to 22.

Commissioner Duren stated for the record that Engineering had no concerns, the Police Department had no issues, and there were no issues from Water Pollution Control. Wetlands was not involved.

Mr. O'Brien stated the Inland Wetlands and Watercourses Commission approved it last month and the only technicality is that when Mr. Steele submits the plans he needs to put the Wetlands Approval number on it.

Commissioner Duren stated that there was no report from the Fire Department and therefore assumes they must not object.

Mr. O'Brien stated that the Fire Marshall was familiar with the plan and had concerns about the number of sprinklers given the size of the proposed building at the time, but it has since been reduced.

Commissioner Drinan made a motion, seconded by Commissioner Ladd, to approve SPR# 1677 with conditions.

Commissioner Scutt stated that she would like the egress door and concrete slab to be moved to another side of the building so as not to encroach on the property line.

Commissioner Drinan and Commissioner Ladd accepted the amendment as a condition of approval. The motion passed as amended with 22 conditions and a 7-0-0 vote.

9. New Business
Reading of Legal Notice

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

- a. SPR# 1681 – Site plan application for transfer of liquor permit for Caronna's Package store; Thompsonville Village Zone; Map 024/Lot 0066; Anthony M. Caronna and Kathleen R. Caronna, owners; NYSA, LLC, applicant.

NYSA, LLC applicant Nirbhik Desai addressed the Commission and stated his name and address, which is 974 Burnside Avenue in East Hartford, Connecticut. On behalf of NYSA, LLC he stated that this is an application for a zoning permit.

Mr. O'Brien stated that there is no site there, and that there is only a building. The applicant created a floor plan, but the Commission needs to waive the site plan requirement.

Commissioner Duren asked the applicant why the application says his name is NYSA, LLC located at Pearl Street in Enfield, but he says he is from East Hartford.

Mr. Desai responded that NYSA, LLC is located on Pearl Street, but Burnside Avenue in East Hartford is his personal home address.

Mr. O'Brien commented that the correct address is noted in his resolution, and that there are three members of the LLC located on Pearl Street.

Commissioner Drinan motioned to waive the zoning regulation requirements of section 9.20.2 in regards to SPR# 1681. Commissioner Scutt seconded the motion and it passed with a 7-0-0 vote.

Commissioner Drinan motioned to approve SPR# 1681 with conditions. Commissioner Ladd seconded the motion and it passed with a 7-0-0 vote.

10. Other Business

None

11. Correspondence

Commissioner Duren commented on an interesting proposal for a solar array and other discussion of a fast food restaurant proposal in a residential zone to look forward to.

Commissioner Falk commented that there was a solar farm in Burlington, Vermont where goats ate the grass between the panels and were therefore used as a way to "mow" the grass.

12. Commissioner's Correspondence

Commissioner Duren asked about the progress of the removal of the dead logs and trees at the side of Brainard Road and Washington Road intersection

Mr. O'Brien sent the code enforcement officer out there and was led to believe the owner was going to get a chipper that day, which did not happen. This led to the question of what should a person be cited for? He was told that the Council had apparently decided that if a person was storing firewood, then it doesn't fall under property maintenance. The logs are not split, however, so he doesn't believe they qualify as firewood. Mr. Rick Rachele cited them under property maintenance and they now have a certain number of days to comply before they are fined.

Commissioner Lefakis asked what was now happening with a sign that had previously been installed for a liquor store near Big Y? The sign is now not installed.

Mr. O'Brien responded saying the commission had approved the liquor store but they never filed their special permit. Under the State Statute there is no time limit, but recently the commission has been putting their own time limits on filing them. This time, there was no time limit attached to filing the special permit, but there was a time limit for getting the building permit. The time limit expired June 30th and they have not returned to the Planning & Zoning Department. Their approval for the special permit is now null and void.

Commissioner Scutt thanked Mr. O'Brien for sending Mr. Rick Rachele to take care of issues on Broadleaf Avenue.

Mr. O'Brien responded saying that the Planning Department is trying to establish credibility by continually addressing the commission's top three issues. It is important to have good staff to review things. He also addressed a current issue with a Dunkin Donuts in town where there is a crosswalk that leads from a sidewalk to a garbage can. The site plan was approved by the commission, but there is still a performance bond in place so this issue can be resolved.

13. Director of Planning Report

Commissioner Duren asked Mr. O'Brien if there was anything else he wanted to report on or if there were any Pending Applications.

Mr. O'Brien advised the commission regarding the pending application for an outdoor dining patio at Smash Burgers. Smash Burgers sent an overnight mail package with a special use permit proposal, but they do not meet the Planning & Zoning Commission regulations because the regulations require detailed schematics of how much seating there will be, how it will be arranged, and what kind of furniture will be used.

Commissioner Duren commented that those requirements are in place mostly for the Fire Department's assessment.

Mr. O'Brien raised the question of whether an outdoor dining patio was appropriate given the size and proximity to the parking aisle. The plans for this proposal will not come before the commission until September.

Mr. O'Brien raised questions regarding the pending application for a fence fabrication shop. The property that the fence fabrication shop would be located on was formerly an automobile shop. The regulations require a site plan drawn by a professional designer and signed. The plans that were supplied were signed by the applicant. Is this acceptable? In this case the commission would be replacing one non-conforming use with another non-conforming use in an R-33 zone. There are also wetlands in the back of the property, but there was no impact to them from the previous automobile shop.

Commissioner Duren stated that the commission shouldn't accept the plans because they can't just make one exception. The rule is in place for a reason.

Commissioner Szewczak stated that he would like more details on the plan.

Commissioner Scutt agreed and stated that the commission needs to know that the measurements on the plans are accurate.

Mr. O'Brien informed the commission that the office had posted a sign that all site plan applications need to be submitted 15 days prior to the meeting date.

Mr. O'Brien also discussed the pending application by Winstanley. Winstanley would like to be on the August 11th special meeting agenda for the building which they already have a tenant for on the former Hallmark property. Winstanley is not ready to announce the use.

Mr. O'Brien then addressed an application for 1551 King Street currently occupied by NAMCO. This application will also be on the August 11th agenda for the approval of an office and warehouse for Secure Energy Solutions. It would be an upgrade to what is currently there.

Mr. O'Brien then discussed a site plan for a sign company to go into a space on 95 High Street, which is a retail unit. That application is similar to the package store plan from tonight.

Mr. O'Brien stated that Pride also recently filed their application, but he had not spoken with Longmeadow so the application will most likely be on the September agenda.

He also stated that the Planning Department has communicated with the Enfield Historical Society regarding 12 Post Office Road. They want to split the property so they can sell the house but keep the driveway that leads to the property in the back. The zoning requires a minimum street frontage. Ms. Kim Holden, of the Planning Department, provided them with a map showing how the property could be split to conform to zoning. The Historical Society would like a different configuration that does not conform to regulations.

Mr. O'Brien brought an application for landscaping as a home occupation to the commission's attention. The Planning & Zoning Commission required that equipment be stored in a shed, but the applicant wants to store it in a car port. Planning said that it does not comply because the car port is not a full enclosed structure.

The last item Mr. Roger O'Brien brought to the commission's attention was a woman who called the Planning Department asking if she could house three piglets in her house. The Planning Department sent her to the Health Department, who told her that as long as the pigs do not become a nuisance and the home is maintained, then they will not get involved. How does the Planning and Zoning Commission feel about pigs?

Commissioners concluded that though they like chickens and dogs, they need to consider the matter of pigs.

Commissioner Scutt brought up St. Adalbert's and the disconnection on what they need to give the Planning and Zoning Commission. There is an approved special permit. The applicants have not yet completed the conditions of approval needed to have the permit issued.

Mr. Roger O'Brien also brought an application that may come in tomorrow to the commission's attention. The application is for a front building on South Road. There was an application for an automobile shop but it was previously denied without prejudice at the July 7th meeting. The deadline is tomorrow for them to submit an application for the August 11th meeting agenda.

14. Authorization for Administration Approval

None

15. Applications to be Received

Public Hearing Application(s)

PH# 2845 - Special Use Permit for fence fabrication shop located at 41 Mullen Road; R-44 Zone; Map 049/Lot 001; P&J Ventures, LLC, owner; Vinnie J. Grillo (East Coast Vinyl Fence & Decks, LLC), applicant. (DoR: 7/21/2016; MOPH: 9/24/2016)

Site Plan Application(s)

SPR# 1676 – Site plan application for an office and warehouse located at 1551 King Street; BG Zone; Map 017/Lot 0038; Aramis Associates, LLC, owner; Secure Energy Solutions, applicant. (DoR: 7/07/2016; MOPH: 9/10/2016)

SPR# 1682 – Site plan application for a sign company located at 95 High Street, Unit 8; TV Zone; Map 025/Lot 0006; Molina’s Plaza, LLC, owner; Nelson Zuluaga, applicant. (DoR: 7/21/2016; MOPH: 9/24/2016)

16. Unresolved issues/Opportunities
Commissioner Drinan will resurrect a previous list of unresolved issues.
17. Adjournment
Commissioner Drinan made a motion, seconded by Commissioner Scutt to adjourn the meeting at 10:00 p.m. The motion passed with a 7-0-0 vote.

Note: Next meeting is August 11, 2016.
Prepared by Jennifer Pacacha

Respectfully Submitted,

Peter Falk, Secretary