

ENFIELD PLANNING AND ZONING COMMISSION
REGULAR MEETING

DRAFT MINUTES PENDING COMMISSON APPROVAL

THURSDAY, SEPTEMBER 15, 2016 – 7:00 P.M.
ENFIELD TOWN HALL - COUNCIL CHAMBERS
820 ENFIELD STREET - ENFIELD, CT

1. Call to Order & Pledge of Allegiance
Chairman Duren called the meeting to order at 7:00pm.
2. Fire Evacuation Announcement
3. Roll Call

Present were Chairman Charles Duren and Commissioners Elizabeth Ballard, Alan Drinan, Peter Falk, Charles Ladd, Mary Scutt, Linda DeGray, and Richard Szewczak.

Absent was Commissioner Nicles Lefakis. Alternate Commissioner Richard Szewczak sat for the absent commissioner.

Also present were Roger J. O'Brien, Director of Planning; Jennifer Pacacha, Assistant Town Planner; and Rick Rachele, Code Inspector.

Commissioner Drinan motion, seconded by Commissioner Falk, to go into the executive session to discuss legal matters and invite the Planning staff members Roger J. O'Brien, Jennifer Pacacha, and Rick Rachele. The motion passed with a 7-0-0 vote.

4. Executive Session
Chairman Duren announced that no votes were taken and no decisions were made during the executive session. He then called the meeting to order once again.

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

5. Approval of Minutes – September 1, 2016 - regular meeting
Commissioner Ladd made a motion, seconded by Commissioner Drinan, to table the minutes of the September 1, 2016 regular meeting. The motion passed with a 7-0-0 vote.

6. Public Participation - None
7. Bond Release(s) - None
8. Public Hearing(s) continued from 9-1-2016
 - a. PH# 2846 - Special Use Permit for Café/Bakery shop with drive thru located at 2 Enfield Street; BL(Business Local) Zone; Map 035/Lot 0109; The Pride Limited Partnership, owner/applicant. (DoR: 7/21/2016; Public hearing opened Sept. 1 to be continued until October 6 at applicant's request. MCPH 10/6/2016)

Commissioner Duren read the applicant's request to extend the hearing to October 6, 2016 and opened the public hearing.

Commissioner Falk took the roll and present were Chairman Duren and Commissioners Drinan, Falk, Ladd, Scutt, Szewczak and DeGray.

There was no public participation during the hearing.

Commissioner Falk made a motion, seconded by Commissioner Drinan, to accept the request to extend the public hearing for PH# 2846 to October 6, 2016. The motion passed with a 7-0-0 vote.

Commissioner Falk made a motion, seconded by Commissioner Drinan, to continue PH# 2846 to October 6, 2016. The motion passed with a 7-0-0 vote

8. New Public hearings(s)
Reading of Legal Notice
 - a. SPR# 1610.03 – Modification of site plan application for Mud Run special event condition – days & hours located 346 Brainard Road; R-44 Zone (Residential); Map 80/Lot 004; Cecile Swols owner; Jake Latkofsky,applicant. (DoR: 9/1/2016; MOPH: 11/5/2016)

Commissioner Falk took the roll and present were Chairman Duren and Commissioners Drinan, Falk, Ladd, Scutt, Szewczak, and DeGray.

Applicants Jake and Justin Latkofsky of 346 Brainard Road 332 North Maple Street respectively, addressed the Commission and explained their application to extend the hours of the Mud Run event, which was previously approved as a reoccurring event during daylight hours. They would like to extend the hours of the event to be 11AM to 9PM. The show and the plan would stay the same. As the show grows,

they would like to extend the duration of the show in order to ensure spectators have a better experience.

Mr. O'Brien asked whether the applicants were planning on running the event on one day or two days.

The applicants stated that they had tried to run the event on two days but it didn't work out because they had difficulty getting people to come back for the second day. The goal is to run the event all on one day.

Commissioner Duren clarified that the applicants would be making two changes to the original approval, one on the day and one on the time.

Mr. Justin Latkofsky stated that the original approval was for a weekend day. They left it general so that they could change the day from Saturday to Sunday if they wanted to. They are only requesting a change to the one condition concerning days and hours.

Mr. O'Brien stated that the original approval was for the event to run on weekends during daylight hours. It did not specify whether the event could run on one or two days of the weekend. Mr. O'Brien brought the event up last year under the Director of Planning's report and the determination was that they were allowed to run the event for two days. We advertised this application as a change to the days and hours of the event, even though the applicant is really only asking for hours, so that the Commission can determine if they meant that the event can run on two days or only one weekend day.

Commissioner Duren stated that he believed the event was only supposed to run for one day, and they made the condition that it could run only on weekends so that the applicants would choose one weekend day.

Commissioner Drinan asked what the applicants were asking for now.

Mr. O'Brien stated that the original approval was during daylight hours. The applicant is asking to run the event on one weekend day and to extend the hours to 9PM.

Mr. Jake Latkofsky stated that he would not be running the event on two days until 9PM.

Commissioner Drinan asked whether that one weekend day would always be a Saturday.

Mr. Jake Latkofsky stated that there would be no reason for them to run the event until 9PM on a Sunday.

Commissioner Szewczak asked what safety measures were in place to ensure the safety of pedestrians and spectators on site at night when it is dark out. He also asked whether there would be any lighting.

Mr. Jake Latkofsky explained that they never had a discussion with the Enfield Police about what they would do in regards to safety once it got dark outside. He also explained that they were planning on renting tower lights to illuminate the property. They did not have plans on the number and location of the towers, but they had information on the type of towers they would be renting. He stated that the safety of the spectators at the event is their number one priority, and that they didn't even want people walking through the parking lot in the dark. He also stated that they would have no issue working with the Police Department on fulfilling their lighting requirement.

Commissioner Szewczak asked whether the applicants were planning on having a Police Officer on site to direct traffic and ensure public safety.

Mr. Jake Latkofsky stated that part of their current conditions of approval is having Police Officers at the entrance and exit of the property to direct traffic mainly because of where the stop sign is on Brainard Road that contributes to traffic back-up from the event.

Commissioner Drinan asked whether the officers would be out on the road after dark or on site.

Mr. Jake Latkofsky stated that there isn't a requirement for them to have Police Officers on site during the event, but there are officers that come to the event throughout the day. There is not a stationed officer on the property. The North Thompsonville Fire Department puts a truck with a number of firefighters at the event next to the mud pit.

Mr. Justin Latkofsky stated that he had the specs of what the light towers would look like if the commission would like to see them.

Commissioner Ladd stated that Traffic Division recommended denying the extension of hours. He asked whether the applicants would like to extend the public hearing so that they could talk to the Traffic Division and see if they want to change their recommendation. He stated that the Commission would not make a decision on this application tonight.

Commissioner Duren stated that the lighting plans should have been included in the application package so that they could be reviewed by the Police Department and by staff.

Mr. Jake Latkofsky asked whether lighting was the only issue in regards to safety.

Commissioner Ladd stated that it is the lighting is an issue along with the Police Department's Traffic Division's response.

Mr. Jake Latkofsky stated that he felt their response was made without any information.

Mr. O'Brien stated that the Police Department responds to what they receive from the Planning Department. The Planning Department distributes the application materials to the necessary departments for review when they receive the materials. Lighting plans were not received by the Planning Department, so the Police Department did not comment on them. They only commented on what they received.

Commissioner Duren stated that lighting plans would need to be reviewed with the Police Department, and the Commission has no way of knowing tonight whether the Police Department would accept those plans tonight. The approval of the Police Department would matter to a number of commissioners sitting.

Commissioner DeGray asked whether the hours could be changed from 9AM-6PM and then the event would be longer, but still would be during daylight hours.

Mr. Justin Latkofsky stated that the issue with that is that they have people coming from Vermont, Maine, and New Hampshire, and they want to give them enough time to come and spend time there.

Commissioner DeGray stated that people are going to travel there anyway if they want to go to the event.

Mr. Jake Latkofsky stated that drags during the evening are more entertaining than drags during the day. He also stated that he felt blindsided with the issues on this application. He should have had more guidance with what plans were required. He also stated that the Planning Office told him to keep it simple, so that is what he went with.

Commissioner Duren stated that applicants will always have to deal with the Health Department, the Fire Department, and the Traffic Safety Division.

Commissioner Ladd stated that the applicants would be better off running the event in June or July when daylight would last until around 8PM or 9PM.

Commissioner Drinan asked whether this approval would be a blanket approval for all events because if it is approved to operate later for this event when the sun sets at 5:58, it would then be approved for events held in later months when the sun sets at around 4PM. It would be darker for a longer period of time. If the Commission approved the recommended resolution for the event to last until 6PM so that the event operates only in daylight, then events in November or December would also be allowed to last until 6PM when it would be dark out by that time.

Mr. Justin Latkofsky stated that he didn't agree with the recommended 6PM end time for that reason, because there are also months where it is still daylight for hours after 6PM.

Commissioner Duren stated that if the applicants wanted to try to work with the Police Department on installing lighting at the event, they could do that. They would also need to get a favorable vote from the Commission.

Mr. Jake Latkofsky asked if there would be any way for them to get a vote from the Commission tonight with a condition that if the Enfield Traffic Division is okay with the proposed lighting, then the even can last until 9PM.

Commissioner Duren stated that the Commission could not vote.

Commissioner Drinan stated that the Commission is not allowed to make a decision based on something that might happen. They need all the information.

Mr. O'Brien stated that if towers are being added to the plans, then the Fire Department, the Police Department, the Engineering Department and the Building Department would all need to weigh in on that.

Mr. Jake Latkofsky stated that they are the same towers the Town uses at events held on the Town Hall green.

Mr. Justin Latkofsky asked whether the public hearing would be extended to October 6th to see if they can figure out what needs to be done to install light towers.

Commissioner Duren stated that the Fire Department would need to weigh in on the light towers because they most likely run on some sort of fuel.

Mr. O'Brien stated that there were also letters and phone calls received in the Planning office in opposition of this application.

Commissioner Duren read an e-mail from a resident in opposition of extending the hours of the event. He also stated that the applicants can try to get a favorable vote for changing the hours from 11AM-5PM to 9AM to 6PM, or there is still plenty of time to provide more information for review concerning added lighting at the event so that it might run after daylight hours.

Mr. O'Brien stated that the applicants would have to provide the Planning Office with lighting plans two weeks ahead of the next meeting so that the plans can be distributed and reviewed by the appropriate departments.

Mr. Justin Latkofsky stated that he already had an Engineer working on illumination plans.

The applicants stated that they would like to continue their public hearing to the October 6th meeting.

Commissioner Drinan made a motion, seconded by Commissioner Falk, to continue PH# 1610.03 to the October 6, 2016 regular meeting. The motion passed with a 7-0-0 vote.

9. Old Business - None

10. New Business

Commissioner Falk took the roll and read the legal notice

- a. SPR# 1686 – Site plan application for driving school located 2 Middle Road; BLZone (Business Local) Map 056/Lot 0015; Casara Property Management, LLC, owner/ The Next Street, applicant. (DoR: 9/1/2016; MAD: 11/15/2016)

Mr. Steven Rourke addressed the Commission representing the Next Street Driving School.

Commissioner Duren asked where the applicant's home address was.

Mr. Rourke gave his home address at 14 Partridge Lane in Tolland, CT. He stated that he is the Regional Manager and this is his region.

Mr. O'Brien explained that the applicant on the application was the Next Street Driving School, but the lease that was supplied to the Commission was for All Star Driver located in Watertown. The applicant explained that All Star Driver is going to eventually be the Next Street Driving School

Commissioner Duren stated that there are no abutting streets or lot acreage on the application. The application needs to be filled out completely. The Commission also stated that they wanted to receive all possible applications for this property in the past.

Mr. O'Brien stated that this application is for filling one of three commercial spaces in one building.

Commissioner Drinan asked which space this proposal was for.

Mr. Rourke stated that the space was formerly used by Split Ends.

Commissioner Drinan asked how many parking spaces are required and how many are provided.

Ms. Pacacha stated that there was no site plan associated with this application so Planning staff were unsure how many parking spaces there are.

Mr. Rourke stated that by his count there are about 35 in the rear and 18 in the front for the whole complex.

Mr. O'Brien stated that the Commission has recently waived the full site plan requirement for applications where a business is locating in a building with other

tenants in it as well. There did not seem to be an issue with parking associated with this property. He stated that he did advise the applicant to request a waiver of the full site plan.

Commissioner Duren stated the operation would take place inside and nothing really taking place outside the building. The narrative also states that they expect that most people would need to be dropped off since they do not have a license. He also asked whether the bathroom in the space would be a unisex bathroom.

Mr. Rourke stated that it would be an ADA accessible unisex bathroom.

Commissioner Duren asked whether they would have an office or work area.

Mr. Rourke stated that they would not. That the employees are essentially only there for the duration of the class. He stated that all record keeping would be done in an online database that is archived as a requirement by the Connecticut DMV.

Commissioner Duren stated that there are wetland soils on site and that the property is over an aquifer.

Commissioner Falk stated there are no changes to the site, only to the interior.

Commissioner Duren stated that there are still vehicles coming in and out of the property.

Commissioner Falk stated that the traffic is already there anyway.

Commissioner Duren stated that on the application is asks about aquifers.

Mr. O'Brien stated that in the Staff Report the Planning staff included a condition as a tool that has been used in the past regarding making buildings that are non-compliant come into compliance. There is a condition requesting that the landlord remove the excessive signage on the building.

Commissioner Drinan asked whether the excessive signage is on the portion of building that this application is for.

Mr. O'Brien stated that it was not, but since it is all one building, the Commission has the opportunity to have the property owner bring his building into compliance with Enfield sign regulations.

Commissioner Drinan stated that the Commission would be putting the tenant in the position of having to ask the landlord to bring the building into compliance.

Commissioner Duren stated that it is not the tenant's fault. The landlord should be cited.

Commissioner Drinan made a motion, seconded by Commissioner Falk, to waive the site plan requirement because the commission has sufficient information to consider the application without that requirement being met. The motion passed with a 7-0-0

Commissioner Drinan made a motion, seconded by Commissioner Falk, to approve SPR# 1686 with 7 conditions. The motion passed with a 7-0-0 vote.

11. Other Business - None

12. Correspondence

Commissioner Duren stated that the Commission received a letter from Windsor Locks, as well as correspondence between the Enfield Planning Department and Manning Road.

13. Commissioner's Correspondence

Mr. O'Brien stated that there was one request for attendance at a meeting by the Regional Planning Commission. Mr. O'Brien responded them stating that the Enfield Commissioners can never attend that event, and requested once again that they change the meeting time.

Commissioner Duren stated that has always been the case and the Commission has always asked for the meetings to be rotated. At one point the Commission asked that an Alternate attend, but the Alternates ultimately decided they should be at the Planning and Zoning Commission meeting in case someone is absent.

14. Director of Planning Report

Mr. O'Brien stated that there is a special meeting in one week. He asked if the Commission wanted to add anything to the agenda because it currently only has one item.

Commissioner Duren asked what the work being done outside of the liquor store on Enfield Street was for.

Mr. O'Brien stated that they filed a site plan and application to amend their originally approved plans. A site plan was submitted late that day and after looking at it quickly, it was noticed that the applicant wants to stripe some parking spaces that are located in the State right-of-way. They are positioned in a place that would make vehicles have to back out over a sidewalk. The Planning Department had asked them to file a site plan because there were many changes that took place to that building outside of what was originally approved.

Commissioner Duren stated that there was some sort of digging or construction taking place on site.

Mr. O'Brien stated that he was unsure of what work was being done on that site, but they are closed down by order of the Building Department and the Fire Marshal. The business is not open. Once the Planning Department received a complete application from them they said they would send it to the Administrative Review Team for review. He went on to discuss the status of the pending applications for properties located at 53 Manning Road, 157 South Road, lots 69 and 70 Hazard Avenue, 80 Shaker Road, and 176 South Road. He stated that almost all the industrial buildings are being used in Enfield.

Mr. O'Brien stated that he brought to the Commission's attention a piece of property being marketed off of King Street. The marketing brochure for the site said "expedited permitting available." He asked if the Commission had granted any type of preliminary approval on that property.

Commissioner Duren stated that there had been a proposal for that property to be an industrial park, but the State turned it down because that property crossed many brooks and wetlands.

Mr. O'Brien stated that he asked the Director of Community Development, Peter Bryanton, whether he knew anything about the expedited permits. Mr. Bryanton stated that years ago there was once a "shovel-ready" program that was created when the stimulus money came out. The former owner received a grant from Connecticut Light and Power, so a lot of site engineering and site study was done.

Mr. O'Brien also stated that a developer from Massachusetts was looking to bring back a proposal for a CVS in Scitico on Hazard Avenue.

Commissioner Szewczak explained that at the recent Economic Development Commission meeting there was discussion of tax increment financing. Six different districts in town were proposed. The first district was based around the mall, the second was based around the industrial park, the third district was based around the proposed train station, and the fourth was based around Enfield Street going towards Longmeadow. There were two others proposed as well.

Mr. O'Brien stated that he hadn't been aware of the districts before the meeting, and that there will need to be input from the Commission in regards to the location of the districts. The question is whether they make sense based on the goals in the Plan of Conservation and Development.

Commissioner Duren asked how successful the solar panel regulations were.

Mr. O'Brien stated that there has really only been one complaint so far, and the Planning Department approves many solar panel applications every week. Planning Staff advised the one person who complained, and they were able to bring their application into compliance with the regulations. He also stated that the regulations that deal with solar panels on monopoles may need to be revisited.

15. Authorization for Administrative Approvals
16. Applications To Be Received
17. Opportunities/Unresolved issues

Commissioner Ladd asked whether the issue on Shaker Road with a woman complaining about bullets going by her house was ever resolved.

Mr. O'Brien stated that Rick Rachele, the Code Inspector, had drafted a letter to the property owner stating that they could not invite people to their home to be shooting. The Police Department followed up with that as well to enforce it.

Mr. O'Brien also updated the Commission on the status of the Mayfield apartments being built on the Enfield/Longmeadow line. He stated that the property owner claims the work on site has not yet been completed and that the berm will be put in place when the work is done. They continue to ask for Building Permits and Certificates of Occupancy. He asked the Commission whether they would like to invite that developer back in order to get a timeline on when the berm will be put in place.

Commissioner DeGray asked whether someone from the Planning Department could contact the owner to discuss when the berm might be installed. The Commission agreed with this.

18. Adjournment

Commissioner Drinan made a motion, seconded by Commissioner Szewczak, to adjourn. The motion passed with a 7-0-0 vote.

Note: Next Special meeting will be Thursday, September 22, 2016. The regular meetings are Thursday, October 6, 2016 and Thursday, October 20, 2016.