

ENFIELD PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, OCTOBER 20, 2016 – 7:00 P.M.
ENFIELD TOWN HALL - COUNCIL CHAMBERS
820 ENFIELD STREET - ENFIELD, CT

1. Call to Order & Pledge of Allegiance
2. Fire Evacuation Announcement
3. Roll Call

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

Absent was Commissioner Elizabeth Ballard. Alternate Commissioner Linda DeGray sat for the absent commissioner.

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

4. Approval of Minutes – October 6, 2016 – regular meeting

Commissioner Ladd noted that on page 8 in paragraph 4 it says, "...traffic safety in blight," and it should say, "...traffic safety and blight."

Commissioner Scutt noticed that on the bottom of page 7 it said "pylon street," instead of "pylon sign."

Commissioner Drinan asked that on page 8 in paragraph 4 it say, "...back away from the details and also..."

Commissioner Ladd made a motion, seconded by Commissioner Drinan, to approve the minutes of the October 6th regular meeting as amended. The motion passed with a 7-0-0 vote, with Alternate Commissioner DeGray voting for the absent commissioner.

5. Public Participation

Maureen Mullen, of 1625 King Street, addressed the Commission and stated she had a chance to look at the maps of the settled upon modifications for the CREC School. Her concerns were with what the soil from the mound actually contained. There are reports from Fuss & O'Neill detailing the contents of the soil in the mound. Also, she is concerned with where the soil from the mound next to her

home is going to be relocated. She has heard concerns regarding the soil being relocated to the landfill, where people often purchase soil. Her final concern was with the French drain that is being installed next to her home. She wanted to know who would be in charge of maintaining it to make sure the holes in it don't get clogged and cause another water problem on her property.

Commissioner Duren asked who would have the reports on the contents of the soil and where it would be located.

Mr. O'Brien stated that the Town Attorney's office and the Engineering office would have that information.

6. Bond Release(s)

- a. PH# 2789 – Request for Site Restoration Bond release in the amount of \$69,000.00 for Chick-fil-A located at 25 Hazard Ave, in a Business Regional (BR) District, Map 45 – Lot 8; Paramount Realty Services, applicant/owner.

Commissioner Falk made a motion, seconded by Commissioner Drinan, to table the release of the site restoration bond for PH#2789 until the Commission received comments from the Planning and Engineering Departments. The motion passed with a 7-0-0 vote, with Alternate Commissioner DeGray voting for the absent commissioner.

- b. SPR# 1585 – Request for Site Restoration Bond release in the amount of \$39,500.00; Landscape Bond release in the amount of \$24,750.00 for retail building with associated site work located at 118-122 Elm Street, in a Business General (BG) District, Map 57 – Lot 330; Robert-Thomas Construction, applicant/ J. Hannoush Family, LLC, owner.

Commissioner Falk made a motion, seconded by Commissioner Drinan, to table the release of the site restoration bond and landscape bond for SPR# 1585 until the Commission received comments from the Planning and Engineering Departments. The motion passed with a 7-0-0 vote, with Alternate Commissioner DeGray voting for the absent commissioner.

- c. PH# 2816 – Request for Site Restoration Bond release in the amount of \$57,600.00; Erosion & Sediment Control Bond release in the amount of \$3,300.00 for retail building with associated site work located at 65 Palomba Drive, in a Business General (BG) District, Map 56 – Lot 7.

Commissioner Falk made a motion, seconded by Commissioner Drinan, to table the release of the site restoration bond and erosion and sediment control bond

for PH# 2816 until the Commission received comments from the Planning and Engineering Departments. The motion passed with a 7-0-0 vote, with Alternate Commissioner DeGray voting for the absent commissioner.

7. 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; MCPH: 11/10/2016) To be continued to November 3, 2016.

Mr. O'Brien stated that the traffic study has not yet been received. The applicant has asked for a meeting with staff in Enfield and Longmeadow, and the stance of both the Enfield Planning office and the Longmeadow Planning office is that we will not meet with them until we have received and reviewed the traffic study.

Commissioner Duren stated that he noticed a gas truck that was parked at Pride gas station this week and it was partially blocking the southbound travel lane on Route 5.

Mr. O'Brien also explained that he received a letter from the applicant stating that they would not be able to meet the buffer requirements in the rear portion of the café/bakery property at 2 Enfield Street. He is requesting a waiver of that requirement. Mr. O'Brien asked whether such a waiver would need to be formally asked for by the applicant in his application.

Commissioner Duren stated that a request for a waiver does need to be made formally.

Commissioner Falk made a motion, seconded by Commissioner Lefakis, to continue PH# 2846 to the November 3, 2016 regular meeting. The motion passed with a 7-0-0 vote, with Alternate Commissioner DeGray voting for the absent Commissioner.

8. Old Business

9. New Business

- a. 8-24 Referral of Town acquisition of nine properties

Commissioner Falk made a motion, seconded by Commissioner Scutt, to forward a favorable recommendation to the Town Council for acquisition of the nine

properties listed in Resolution #3855. The motion passed with a 7-0-0 vote, with Alternate Commissioner DeGray voting for the absent commissioner.

b. SPR# 1595.03 – Site plan application for the construction of 4,650 s.f. building addition with site improvements located 6 Niblick Road; IP Zone (Industrial Park); Map 055/Lot 0089; Niblick Road Realty, LLC owner/applicant. (DoR: 10/06/2016; MAD: 12/10/2016) Pending at IWWA. Commissioner Falk took the roll and present were Chairman Duren and Commissioners Drinan, Falk, Ladd, Lefakis, Scutt, DeGray, and Szewczak. Absent was Commissioner Ballard. Alternate Commissioner DeGray sat in her place.

Guy Hesketh, with F.A. Hesketh and Associates from East Granby, introduced himself to the Commission along with Lorri DiBattisto with DiBattisto and Associates from East Granby.

Mr. Hesketh addressed the Commission and explained that Northeast Sheet Metal owns a 2.9 acre piece of property located at 6 Niblick Road. He explained that Northeast Sheet Metal would like to build a 4,650 square foot addition to the existing building, and add more paved parking and an access road to the rear loading area. Part of the proposed addition includes installing an overhead door. He also explained the stormwater management plans, erosion and sediment control plans, and drainage plans. Part of these plans include installing a water quality basin to retain water and allow infiltration into the adjacent wetlands. The Inland Wetlands and Watercourses Agency approved the proposed plans at their meeting on Tuesday October 18, 2016. The proposed plans also meet the lot and bulk requirements and the parking requirements outlined in the Zoning Regulations. There are landscaping requirements as well, and the applicant was hoping that the tree lines and landscaping on site already would be sufficient. The only additional landscaping proposed is for wetland plants in the on-site delineated wetlands.

Ms. DiBattisto explained that the owner wants to improve his shipping process, and that is why he is expanding his building. He keeps most of his materials on site. He recently purchased a 25-foot long processing machine to make ducts. She explained where the new machine will be located on the map. The building addition is proposed to be "L" shaped. They are using the same architecture and color scheme as the previous addition.

Mr. Hesketh presented and explained some photos of the existing building and property.

Ms. DiBattisto stated that the same architect and contractor are in charge of designing and building the new addition as the previous addition that was approved in 2013.

Mr. Hesketh stated that there will be a treatment on the building that takes the runoff from two existing downspouts to the proposed water quality basin. This way the runoff going to the front of the property will be about equal to the runoff going toward the back.

Commissioner Scutt asked where the overhead door will be placed on the addition.

Mr. Hesketh pointed it out on the plans.

Commissioner Duren asked whether there were comments from the Engineering Department or the Fire Marshal for this application.

Mr. O'Brien stated that the Planning office had not yet received comments, and the Commission can table this application if they wanted to until comments are received.

Mr. Hesketh stated that he had met with Ed Shirley, the Fire Marshal, and addressed all of his concerns on the previous application for a larger addition that was withdrawn. The retention pond was also larger in size on that previous application. John Cabbibo, Assistant Town Engineer, had many comments on the previous plans which were addressed, and eventually he gave his approval.

Commissioner Falk stated that a condition of approval could be added regarding the Town Engineer and Fire Marshal concerns being addressed once comments were received from them.

Mr. O'Brien stated that the application could be tabled because the plans are also not signed and sealed.

Commissioner Duren agreed that the application should be tabled.

Commissioner Falk made a motion, seconded by Commissioner Lefakis, to table SPR# 1595.03 until signed and sealed plans were received, and appropriate

department comments are received. The motion passed with a 7-0-0 vote, with Alternate Commissioner DeGray voting for the absent commissioners.

- c. PH# 2836.02 – Site plan application for the installation of a Green House accessory structure located at 144-146 South Road; Zone BL (Business Local); Map 055/Lot 008 and Map 055/Lot 006; S & R Property, LLC, owner/applicant. (DoR: 10/06/2016; MAD: 12/10/2016)

Commissioner Falk took the roll and present were Chairman Duren and Commissioners Drinan, Falk, Ladd, Lefakis, Scutt, DeGray, and Szewczak. Absent was Commissioner Ballard. Alternate Commissioner DeGray sat in her place.

Mr. O'Brien stated that this application started out as a request for Administration Approval for a temporary greenhouse structure, but the Commission wanted to see the application.

Commissioner Falk noted that there were some serious concerns from the Fire Department regarding this application.

Commissioner Duren suggested tabling the application until the concerns are addressed.

Commissioner Falk agreed.

Commissioner Duren stated that John Cabbibo's comments would need to be addressed as well. He asked whether the applicant received those comments.

Ms. Pacacha stated that the Fire Marshal and Engineering comments were received late in the day today. The comments were included in the staff report, and a copy of the staff report was e-mailed to the applicant.

Commissioner Duren asked whether the applicant read them.

Mr. Darshanand Rajnauth stated that he had not. Ms. Pacacha gave him a copy of the report.

Commissioner Duren asked why the Tarnow sign was still on the property.

Mr. Rajnauth stated that he bought the company from the previous owner.

Commissioner Duren stated that he noticed stumps and wood on the property. He asked whether that wood will be used for fire wood, and if so, when would the wood be split?

Mr. O'Brien stated that outdoor storage was not approved on the original special permit plans.

Mr. Rajnauth stated that he will split the wood in the winter.

Commissioner Falk asked when the pond and other landscaping would be completed.

Mr. Rajnauth stated that he has a five stage plan for completion of the necessary site improvements.

Commissioner Falk asked how long he has to complete site work.

Mr. O'Brien stated that he has 5 years, and that outdoor storage wasn't allowed under the approved special permit.

Commissioner Falk stated that he will need to remove the wood.

Commissioner DeGray stated that there were leaves and clippings in the back portion of the building which wasn't allowed because of the potential impact on the adjacent wetlands. There was also a junk car and mounds of soil on the site.

Mr. Rajnauth stated that he hasn't changed anything on the site except bring in supplies to build the approved storage bins. He also stated that he will move whatever the Commission says he should move on his property.

Commissioner Szewczak stated that part of the original approval was moving the materials stored around the property under the previous owner to one place in order to mitigate the potential impact on the adjacent wetlands.

Mr. Rajnauth stated that he had done that already and that everything has been neatly organized on the property. He also stated that there are several piles of different kinds of firewood that are organized based on what is good firewood and what is not good firewood.

Commissioner Szewczak stated that the Commission was previously concerned with the materials stored on site that were encroaching on the wetlands area, and anticipated that the applicant would be improving the site to make it a more controlled and wholesome landscaped area.

Mr. Rajnauth stated that everything the Commission asked him to move has been moved, and that there is nothing within 100 feet of the wetlands.

Commissioner Scutt asked whether the greenhouse will be seasonal.

Mr. Rajnauth stated that it will be seasonal, but because the framing isn't coming down and only the plastic is, then it is considered a permanent structure.

Commissioner Scutt asked whether it will be strong enough to stand up to weather conditions like heavy snowfall. She also asked whether there is additional egress from the building since the greenhouse will be attached to one of the egress doors. Her third question was whether the public would be allowed in the greenhouse.

Mr. Rajnauth stated that the greenhouse will be able to strong enough to handle heavy snow; there are many other egress doors to the building; and the public will not be allowed in the greenhouse.

Commissioner Duren asked whether this is a manufactured greenhouse.

Mr. Rajnauth stated that it is a manufactured greenhouse.

Commissioner Duren asked whether the Commission could receive a drawing of what it will look like, and whether a copy of that drawing could be given to the Town Engineer and Planning office.

Mr. Rajnauth stated that he does have drawings he could submit.

Commissioner Ladd asked whether Rick had been out there to assess whether the applicant had done everything they asked.

Mr. O'Brien stated that Mr. Rachele supplied photos, but did not address whether all the concerns of the Commission were addressed.

Commissioner Duren asked that Rick look at the property. He also asked the applicant whether he was constructing the greenhouse or having someone else construct it.

Mr. Rajnauth stated that he would be having someone else build the greenhouse.

Commissioner Drinan made a motion, seconded by Commissioner Falk, to table the modification of the site plans for PH# 2836.02 until the concerns of the Town Engineer and Fire Marshal are addressed. The motion passed with a 7-0-0 vote, with Alternate Commissioner DeGray voting for the absent commissioners.

11. Other Business

12. Correspondence

Commissioner Duren stated that the Commission received a letter from CRCOG regarding Windsor Locks revising their Zoning Regulations pertaining to breweries and brew pubs. The Commission also received a public hearing notice from the Planning Board of Longmeadow concerning the revision of their bylaws.

13. Commissioner's Correspondence

Commissioner Ladd expressed concern with 160 Hazard Avenue where they clear cut the property, and now the trees that remained along one side of the property are also dying.

Mr. O'Brien explained that the Commission received the proposed tree plantings for that site. The IWWA recommended planting Norway Spruce or White Pine as 10-12 inch caliber trees as opposed to the originally proposed 8-10 inch caliber trees. The Planning Office will look into the dying trees. The Commission also previously expressed concern with Mayfield Place. The trees in the buffer yard have been planted. The Commission had asked for 30 trees, and 40 trees were planted instead.

Commissioner DeGray stated that there was sand blowing across Hazard Avenue this week.

Mr. O'Brien stated that the Planning office would look into that as well.

Commissioner Scutt stated that at the Town Council meeting this week there was discussion on residents needing their foundations replaced. She was concerned with the regulations on temporary homes. Currently temporary homes are only allowed when there has been a fire in a home.

Mr. O'Brien stated that the Town Manager's office has asked him to look into this issue as well, and it is agreed that the regulations need to be revised.

Commissioner Falk asked what the plans for 33 Post Office Road were.

Mr. O'Brien explained that a pool company from Massachusetts wanted to convert the residential use of the house in an I-1 zone to the sale, display and storage of both in-ground and above-ground pools. They started making renovations to the building and impacting the wetlands without the proper approvals. Because of this, they had to go before the IWWA for enforcement issues. The public hearing is now scheduled for November 15, 2016 for the IWWA. Part of the proposal is to also to build in-ground pools in the front of the house, and above-ground pools in the rear of the house on platforms as a display. The Planning and Zoning Commission will need to determine whether this would be allowed, and whether the pools would be accessory structures or outdoor displays. There is no application before the Planning and Zoning Commission because of the enforcement issues concerning the wetlands. The IWWA needs to also decide whether they would allow the installation of the pools to begin with because of the wetlands on site.

Commissioner Duren stated that if retail isn't allowed in an Industrial zone, then why bother going before the IWWA in the first place.

Mr. O'Brien stated that the Connecticut State Statutes require it to go through the IWWA first.

Commissioner Scutt expressed concern with people and animals falling into the pools.

Mr. O'Brien stated that the Commission will hearing the application from Yankee Casting for 243 Shaker Road. That application also has to go before the IWWA at their next meeting. Camerota Truck Parts also gave a presentation before the IWWA, but the commissioners told the applicant to come back in two weeks for approvals.

Commissioner Scutt asked what the application for Riverview Street was, and whether it was just about opening the gate to the High School property.

Mr. O'Brien stated that the application was just for the opening of the gate to the High School. There was a report from Sergeant Meiers, of the Traffic Safety Division, who went to the High School on the first week of school and made observations.

The State Traffic Commission sent a letter in response to the request for a traffic light at that intersection, and they determined that the documentation submitted did not support the approval of the installation of a light at that location. They also stated that they would be open to reviewing an engineering report demonstrating the need for a traffic light at that intersection. Mr. O'Brien also explained that there was an issue with a sign application for a restaurant that was approved to be located on Pleasant Street. The applicant would like to locate the sign above the partial roof line, which the Planning office has interpreted is not allowed. The applicant would like the Planning and Zoning Commission to interpret the regulation in order to determine whether the sign would be allowed or not.

Commissioner Lefakis stated that a picture of the sign would help. He also stated that he took pictures of the Hannoush Jewelers property. He referred the owner to the Planning office, and discussed the maintenance of the landscaping.

Mr. O'Brien stated that Rick was going to talk to the owner today. He also discussed the proposed pylon sign regulations drafted by Chris Smith, who is the attorney for Kohl's. He suggested scheduling a presentation from Chris Smith for the Commission.

Commissioner Duren stated that the Commission would be open to hearing a presentation.

Commissioner Ladd asked whether Pleasant Street developments require approval from the Thompsonville Revitalization Committee.

Mr. O'Brien stated that it would have to go before the Thompsonville Revitalization Committee, but approval from the Planning and Zoning Commission would be required first.

Commissioner Szewczak stated that the Commission would need to define what the outside wall is, not necessarily what the roof line is, before they could make a determination concerning the sign on the restaurant on Pleasant Street.

Commissioner Ladd stated that a sign can't be higher than the window line of the second floor.

Commissioner Drinan stated that the owner can come before the Commission with his sign application if he would like to.

14. Director of Planning Report

Mr. O'Brien stated that there are pictures of Brookside Plaza in the Commission's packet. They are looking to repaint the metal roof now that they have repainted the rest of the building. They painted a portion of the roof "Garrett Gray," which is the proposed color. The Commission has previously held public hearings concerning the color of the roof.

Commissioner Drinan made a motion, seconded by Commissioner Lefakis, that the Planning and Zoning Commission deliver a consensus that the proposed change in the color of the roof at Brookside Plaza is acceptable. The motion passed with a 7-0-0 vote, with Alternate Commissioner DeGray voting for the absent commissioner.

15. Authorization for Administrative Approvals

- a. PH# 2827.02 – Site plan application for addition awning over menu board located 100 Elm Street; Zone BR (Business Regional); Map 43/Lot 15; Alliance Energy, LLC, owner/applicant. (DoR: 10/20/2016; MAD: 12/24/2016)

Commissioner Falk took the roll and present were Chairman Duren and Commissioners Drinan, Falk, Ladd, Lefakis, Scutt, DeGray, and Szewczak. Absent was Commissioner Ballard. Alternate Commissioner DeGray sat in her place.

Mr. O'Brien stated that when the gas station and convenience store were built, an awning was installed as well over the menu board. The Building Department said that it was considered unsafe and made them take it down. The applicant is here now to amend the site plan to include the awning.

Bill Gadigan of 7 Farmstead Lane in Ellington addressed the Commission. He is from Alan Industries, which is the company in charge of manufacturing all of the awnings and signage for Dunkin' Donuts. All the permitting for this project was done by the builder. Unfortunately, the awning got missed. The installation completed, and then it was realized that the awning was not on the approved plans and therefore had to be removed. It is currently in storage.

Mr. O'Brien stated that the Building Department deemed it structurally unsound.

Commissioner Drinan asked whether Mr. Gadigan will be overseeing the installation of the awning.

Mr. Gadigan stated that he would be, and that he would go to the Building Department tomorrow to sort out their concerns with the original installation of the awning.

Commissioner Drinan made a motion, seconded by Commissioner Falk, to grant authority to the Director of Planning to administratively approve PH# 2827.02 and the installation of an awning at 100 Elm Street. The motion passed with a 7-0-0 vote, with Alternate Commissioner DeGray voting for the absent commissioner.

16. Applications To Be Received
17. Opportunities/Unresolved issues
18. Adjournment

Commissioner Drinan made a motion, seconded by Scutt, to adjourn. The motion passed with a 7-0-0 vote, with Alternate Commissioner DeGray voting for the absent commissioner.

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

Respectfully submitted,

Peter Falk, Secretary