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ENFIELD PLANNING AND ZONING COMMISSION

REGULAR MEETING

THURSDAY, January 5, 2017 – 7:00 P.M.

ENFIELD TOWN HALL - COUNCIL CHAMBERS

820 ENFIELD STREET - ENFIELD, CT

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1. Call to Order & Pledge of Allegiance

Chairman Duren called the meeting to order at 7:00PM.

2. Fire Evacuation Announcement

3. Roll Call

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

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

4. Staff Reports

a. Town Attorney (in writing)

b. Zoning Enforcement Officer (in writing)

5. Approval of Minutes – December 15, 2016 – regular meeting

Commissioner Falk made a motion, seconded by Commissioner Ballard, to approve the minutes of the December 15, 2016 regular meeting. The motion passed with a 7-0-0 vote.

6. Public Participation

Dana Steele, of J.R. Russo and Associates, addressed the Commission on behalf of BBL Construction and their project at 20 Palomba Drive for Lia Honda. Lia Honda would like to enclose a vehicle delivery area. The application has to go before the Wetlands Commission on January 17th. Lia Honda and BBL Construction asked Mr. Steele to come to the meeting tonight and request that they be put on the agenda for January 19<sup>th</sup>, so that in case the application passes at IWWA on the 17<sup>th</sup>, then they would be able to come before the Commission on the 19<sup>th</sup>.

Mr. O'Brien stated that the Commission can't act on the application until IWWA does, but the public hearing for the Planning and Zoning Commission has already been advertised for the meeting on January 19, 2017.

7. 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 clarified that in the letter that Rick wrote, it says there are bonds for Site Restoration for \$69,000 and Soil and Erosion for \$2,300. The motion only includes the Site Restoration bond. He asked whether the Soil and Erosion Control bond should be included or not.

Mr. O'Brien stated that there must have been an oversight and the Soil and Erosion Control bond should be part of the resolution as well.

Commissioner Falk made a motion, seconded by Commissioner Ballard, to amend the resolution to include the release of the Soil and Erosion Control bond for \$2,300 and to approve the release of both the Site Restoration bond for \$69,000 and Soil and Erosion Control Bond for \$2,300 for Chick-fil-A.

WHEREAS, The Town of Enfield Planning and Zoning Commission has reviewed the request for the release of the Site Restoration Bond in the amount of \$69,000.00 for Chick-Fil-A, 25 Hazard Ave.

WHEREAS, The Site has been inspected by the Town of Enfield Planning Department and it was found that the responsibilities of the Applicant have been fulfilled.

WHEREAS, The site has been inspected by the Engineering Department and it was found that the responsibilities of the applicant have been fulfilled.

WHEREAS, The site has been inspected by the appropriate Fire District and it was found that the responsibilities of the applicant have been fulfilled.

NOW THEREFORE BE IT RESOLVED:

RESOLVED, The Town of Enfield Planning and Zoning Commission hereby approves the release of the Soil and Erosion Control Bond in the amount of \$2,300 and the Site Restoration Bond in the amount of \$69,000.00 to Chick-Fil-A Inc.

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

8. Public Hearing(s) – None
9. New Business – None
10. Old Business

- a. Section 8-24 Referral from Town Council for recommendation on conveyance of a portion of Lot 339 on Assessor's Map 57 on St. Thomas Street

Mr. O'Brien stated that at the last meeting the Commission had some questions regarding what portion of the property in question is being conveyed. Because of the late hour in which the 8-24 was received in the Planning Office, there was not enough time to fully research the property. The Planning Staff has since discovered that the portion of property to be conveyed is adjacent to property owned by the person who wants to buy it, and it does not extend behind anyone else's property.

Commissioner Ladd stated that there are encroachments on the property and asked whether that has any impact on the conveyance of the property.

Mr. O'Brien stated that the Commission previously discussed asking the abutters of the property if they want to buy that land since it is landlocked with no access and there are encroachments.

Commissioner Falk made a motion, seconded by Commissioner Scutt, to forward a favorable recommendation to the Town Council for the conveyance of a portion of Lot 330 Map 57 on St. Thomas Street.

WHEREAS, the Town of Enfield Planning and Zoning Commission has received and reviewed the referral of Town Council for recommendation on conveyance of a portion of Lot 339 on Assessor's Map 57 on St. Thomas Street;

NOW THEREFORE BE IT RESOLVED

RESOLVED, The Town of Enfield Planning and Zoning Commission hereby forwards a favorable recommendation to the Town Council for the conveyance of a portion of Lot 339 on Assessor's Map 57 on St. Thomas Street.

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

- b. SPR# 1691 – Site plan application for the construction of six (6) carports with small-scale solar energy systems located 15 Mullen Road; Zone I-1 (Industrial 1); Map 016/Lot 0002; Mullen Road, LLC, owner/applicant. (DoR: 10/06/2016; MAD: 2/4/2017) Extension received.

Mr. O'Brien stated that the previous issue with this application was that the Commission wanted to look at the structural drawings of the solar panels. Those have now been distributed.

Jay Usseri of J.R. Russo and Associates introduced himself and Jonathon Murray from USA Hauling. He stated that the two trees that the Commission requested have been put on the plans. There are now 10 trees in total. Structural drawings were submitted, signed and sealed, showing the structure and details of the carports. There were also details for the roof panels. The panels will be a green color and will match the building. Pictures were also supplied to show other projects that this solar company has completed.

Commissioner Szewczak stated that he looked at the framing plan where three different sizes of carport types are indicated. The first carport shows dimensions that are too big, since that carport needed to be smaller in order to accommodate the Fire Department's trucks and ladders. This should be revised to show accurate dimensions.

Commissioner DeGray asked what will happen when it snows. She expressed concern with snow and ice falling off of the carports and onto the people below.

Mr. Murray stated that he can make sure the carports are cleared off after it snows.

Chairman Duren asked what effect the wind will have on the carport.

Mr. Usseri stated that they are designed to withstand the wind uplift in a storm event.

Commissioner Falk made a motion, seconded by Commissioner Szewczak, to approve SPR# 1691 with 22 conditions.

WHEREAS, the Commission has received the site plan application for the installation of six carports with small-scale solar systems at 15 Mullen Road; Industrial Zone (I-1); and

WHEREAS, the Commission has reviewed the site plan application for the installation of six carports with small-scale solar systems at 15 Mullen Road; Industrial Zone (I-1); and

WHEREAS, the proposed small-scale solar system complies with the Enfield Zoning Regulations;

NOW THEREFORE BE IT RESOLVED

RESOLVED, The Town of Enfield Planning and Zoning Commission hereby approves the Site Plan application for the installation of six carports with small-scale solar systems at 15 Mullen Road; Industrial (I-1) Zone with the following conditions:

**Referenced Plans:**

"Site Plan, Proposed Installation of Six Carports and Roof Mounted Solar Energy Systems at 15 Mullen Road, Enfield, CT October 2016." Applicant: Jonathan Murray; Sheet 1 of 2 with Location Map, Reference Map, Legend, Site Details, Planting Layout and Zoning Data: Scale for Location Map: 1"= 1,000'; Scale for Reference Map: 1"= 40'; Prepared for Mullen Road, LLC, 15 Mullen Road, Enfield CT 06082; Prepared by J.R. Russo and Associates, LLC dated October 4, 2016. Revised to December 20, 2016.

"Project Details, Proposed Installation of Six Carports and Roof Mounted Solar Energy Systems at 15 Mullen Road, Enfield, CT October 2016." Applicant: Jonathan Murray; Sheet 2 of 2; Scale: 1"= 40'; Prepared for Mullen Road, LLC, 15 Mullen Road, Enfield CT 06082; Prepared by J.R. Russo and Associates, LLC dated December 6, 2016.

"Framing Plan and Details, Proposed Installation of Six Carports and Roof Mounted Solar Energy Systems at 15 Mullen Road, Enfield, CT October 2016." Applicant: Jonathan Murray; Sheet S-1; Sheet 1 of 1; Scale: 1/8"= 1'; Prepared for Mullen Road, LLC, 15 Mullen Road, Enfield CT 06082; Prepared by Maybury Associates, Inc. dated October 4, 2016.

**Conditions to be met prior to signing of plans:**

1. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
2. The application number shall be displayed on the plans in or near the Title Block area.
3. A copy of the approval letter and conditions shall be made part of the final plans submitted for signature, preferably located on the cover sheet or first sheet of the plan set.

4. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
5. A list outlining all changes to the plans shall be submitted along with final plans submitted for signature. The list should cite the sheet number where each change has been made.
6. The conditions of this approval shall be binding on the applicant, land owners, and their successors and assigns.

**Conditions to be met prior to the issuance of permits:**

7. Four sets of paper plans and one set of mylar plans, with any required revisions incorporated shall be submitted to the Planning Department for signature of the Commission. The signed mylars shall be recorded by the applicants and/or owners in the Land Records.
8. The applicant shall post a bond for Site Improvements in an amount to be determined by the Town Engineer and with surety acceptable to the Town Attorney.
9. The applicant shall post a separate bond for Erosion and Sediment Control submitted in the form of cash or certified check, pledged to the Town, in an amount to be determined by the Town Engineer.
10. The applicant shall post a landscaping bond to the Town, in an amount and format determined by the Planning Department.
11. A pre-construction meeting between the applicant, site contractors, project engineer and Town Staff shall be held.
12. Any required certificates and/or approvals from State or Federal agencies (i.e. CT-DOT, DEEP, Army Corps of Engineers) shall be obtained by the applicant and reported to the Planning and Zoning Commission file. Any changes to the plans required by such entities may require a plan modification from the Enfield Planning and Zoning Commission.

**Conditions which must be met prior to the Issuance of a Certificate of Compliance:**

13. Complete as-built plans certified to Class A-2 accuracy shall be submitted prior to the issuance of any certificates of zoning compliance. The as-built plan shall also contain a certification by a Professional Engineer that they have inspected the site improvements and that they have been installed in accordance with the approved plans. Any deviations or omissions must be noted.
14. No Certificate of Occupancy or other final approval may be issued until the Zoning Enforcement Officer has signed off on the final work. When minor site work cannot be completed because of weather or other pertinent reason, a conditional approval may be issued for a period not to exceed 180 days,

providing satisfactory surety shall be posted with the Town of Enfield in an amount sufficient to complete the site work and with surety acceptable to the Town of Enfield.

15. A request for final project review and certificate of zoning compliance must be made to the Planning Department not less than 10 days before a Certificate of Occupancy or other final approval is requested from the Building Official.
16. The length of Carport 1 on the Structural Plans must be reduced in order to reflect the smaller size required by the Fire Department.

**General Conditions:**

17. This approval is for the specific use, site, and structure identified in the application. Any change in the nature of the use, site, or the structure will require new approvals from the Enfield Planning and Zoning Commission.
18. This approval does not include signage permits, other than allowing the sign lighting as proposed.
19. This project shall be constructed and maintained in accordance with the referenced plans.
20. A building permit for the construction of facilities as approved must be obtained within 24 months of approval or this approval shall be rendered null and void, unless an extension is granted by the Commission.
21. All construction authorized by this approval shall be completed within five years or this approval shall be considered null and void, unless an extension is granted by the Commission.
22. By acceptance of this permit and conditions, the applicant and owner acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

The motion passed with 7-0-0 vote.

- c. XSP# 13-26.02 – Site plan modification application to modify Riverview Street access to Enfield High School restrictions. 1264 Enfield Street; R-33 Zone (Residential); Map 19/Lot 68; Town of Enfield owner/ Enfield High School Building Committee, applicant.(DoR: 10/11/2016; PHO Nov 3,MCPH: 12/08/2016)  
Applicants request withdrawal of application.

Chairman Duren opened the public hearing.

Commissioner Falk made a motion, seconded by Commissioner Scutt, to accept the withdrawal of XSP# 13-26.02 without prejudice. The motion passed with a 7-0-0 vote.

11. Other Business

12. Correspondence

13. Commissioner's Correspondence

Chairman Duren stated that he would rather have all of the application materials together in one place as opposed to being split between materials previously distributed and new materials. The packets also need to include updated meeting dates for 2017, updated names, numbers and addresses of members on the Planning and Zoning Commission and all other land use boards, and the schedule of Alternate Commissioners needs to be corrected so that Commissioner Szewczak is the Alternate Commissioner in January instead of Commissioner DeGray.

14. Director of Planning Report

Mr. O'Brien discusses the upcoming applications for Lia Honda at 20 Palomba Drive, a self-storage facility at 53 Manning Road, and a reduction in parking lot space at 35 Manning Road. He also explained that he is working on revising the zoning regulations.

Mr. O'Brien also updated the Commission on work going on at 496 Enfield Street for the liquor store. The owner would like to put an apartment over the liquor store, which seems like a good idea but it is not allowed in that zone. He asked whether the Commission would entertain a text amendment to allow mixed-use commercial and residential in that zone.

Chairman Duren stated that mixed-use commercial and residential would be a good fit for that area of Town where there are other residential uses nearby. He felt that it would be a good idea as the use already exist.

15. Authorization for Administrative Approvals

Mr. O'Brien introduced SPR# 1670 – an application for a martial arts training school located in a multi-tenant building at 7 Moody Road. He requested authority to administratively approve this application.

Commissioner Falk made a motion, seconded by Commissioner Scutt, to give the Director of Planning authority to administratively approve SPR# 1670. The approval is approved in collaboration with appropriate departments to ensure it is not one entity. The motion passed with a 7-0-0 vote.

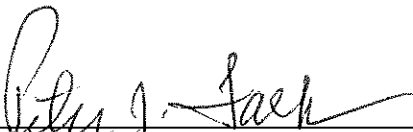


16. Applications to be received
17. Opportunities/Unresolved issues
18. Adjournment

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

Prepared By: Jennifer Pacacha

Respectfully Submitted,



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Peter Falk, Secretary