

ENFIELD ZONING BOARD OF APPEALS
REGULAR MEETING
MONDAY, FEBRUARY 27, 2017 7:00 PM
Enfield Town Hall – Council Chambers – Floor 1
820 Enfield Street - Enfield, CT

RECEIVED
ENFIELD TOWN CLERK
2017 MAY 23 AM 10:34

MINUTES

1. Call to Order performed by Chairman Maurice LaRosa
2. Roll Call performed by Secretary Mary Ann Tuner.
Chairman: Maurice LaRosa
Vice Chairman: Andrew Urbanowicz,
Secretary Mary Ann Tuner
Commissioners:
Lynn Scull and Charles Mastroberti.
Alternate Commissioner:
Robert Kwasnicki
Also Present:
Director of Planning: Roger J. O'Brien
Assistant Town Planner: Raquel Ocasio
3. Fire Evacuation Notice
4. Pledge of Allegiance
5. Legal Notice – Secretary Mary Ann Tuner read the legal notice.
6. Old Business

- a) ZBA 2016-11-19 - 4 Print Shop Road; M2 Realty Holdings, LLC (Raymond Millette), owner/applicant; Map 99/Lot 0009, I-1 Zone. Location Approval for an automobile dealership and restoration shop for Enfield Auto Restoration, Inc. Continued from December 19th, 2016.

Chairman Maurice LaRosa asked the applicant to provide an overview of their project discussing the paint suppression booth, fire suppression equipment, and parking spaces as shown on the map. Steven Lewkowicz provided an overview of the project's history as well as the history of the business as an auto restoration center for over 43 years. Currently the business employ's five employees and two part time employee for the restoration for classic/vintage vehicles. Additionally, Steven Lewkowicz discussed the environmental testing that was completed on site. In regards to the fire suppression equipment, Steven Lewkowicz disclosed that they had received a proposal from AllState Equipment and the company is ready to install the fire suppression equipment in the paint booth area. The detailed proposal was reviewed by the Fire Marshal and the Fire Marshal also visited the facility a number of times. The secondary concern of the proposal was the parking spaces, Steven Lewkowicz discussed the addition of a handicap parking space and the designated parking area in front of the building. Steven

Lewkowicz disclosed that given the nature of their business he was looking to reduce the number of required parking spaces of thirty to ten through means of an appeal. Steven Lewkowicz disclosed that the applicant seeks to obtain a Connecticut Dealer & Repair License for the purpose of transporting cars to and from the location with the aid of an F150 pickup truck and trailer. The F150 vehicle also has DOT approval for domestic pick up from Connecticut and occasionally in Massachusetts or New York. More often than not, the vehicles are delivered to the location by the owners or by a professional carrier. Steven Lewkowicz continues to stress that restoration vehicles are not parked outside on their lot nor are they parked outside overnight in the secured facility. Additionally, the applicant Raymond Millette is in the process of upgrading the security systems. Secretary Mary Ann Tuner questioned whether or not the fire suppression equipment would be installed in the paint booth as well as in the mixing booth. Applicant Raymond Millette and Steven Lewkowicz confirmed that the fire suppression equipment would be installed in both locations. Steven Lewkowicz stated that the Fire Marshal reviewed the site plan and the plans are in accordance to the standards set forth by O.S.H.A.

Secretary Mary Ann Tuner asked the applicant to discuss their parking situation. Steven Lewkowicz states that ideally there would prefer ten spaces versus the required amount of parking spaces. Secretary Mary Ann Tuner questioned the use of the back parking spaces. Steven Lewkowicz stated that the parking spaces in the back are for the employees as they prefer to keep the area in front of the facility as cosmetically clean as possible. Secretary Mary Ann Tuner questioned Roger O'Brien in regards to the required amount of parking spaces of thirty. Roger O'Brien stated that within the discussions with the applicant, the applicant stated that they would be willing to accommodate thirty parking spaces. Therefore, when drafting the proposed resolution it was decided by the Zoning Board of Appeals that no more than thirty spaces would be allowed on site. Secretary Mary Ann Tuner confirms with the applicant the number of parking spaces that they desire to obtain. Roger O'Brien informed the applicant that any revisions made to the plans would have to be resubmitted and further prolong the process. Chairman Maurice LaRosa stated that the applicant did not apply for a variance therefore, he did not want to further discuss the parking and leave the parking as is.

In regards to the storage containers on the property, applicant Raymond Millette disclosed that the storage containers are used to store extra car parts once a car has been dismantled. Chairman Maurice LaRosa questioned the applicant if he would be willing to entertain the construction of a shed. Reason being because storage containers are not an allowed used according to the Town of Enfield Regulations. Vice Chairman Andrew Urbanowicz stated that although the business is changing hands, it does not impact the nonconformity/rights of the property that was there prior to the changing of the hands. Secretary Mary Ann Tuner questioned if the storage containers where on the ground or on wheels. Applicant Raymond Millette stated that the storage containers were propped up on pressure treated lumber-not on wheels. Raymond Millette also stated that where the storage containers are the Fire Marshal would be able to drive around the building. Additionally, the applicant stated that the Fire Marshal has an annual visitation to the facility to inspect. Chairman Maurice LaRosa stated that at times when there is the changing of hand of a business there are often soil testing samples-a health report completed prior to the exchange and asked the applicant if soil testing had been completed. Steven

Lewkowicz that the soil testing report had been completed and that the Zoning Board of Appeals have received documentation from Paul Tanner from the Department of Energy and Remediation regarding the outcome of the report. In addition to the DEEP referral form included in the documentation.

Chairman Maurice LaRosa questioned the hours of operation. Applicant Raymond Millette stated that the hours of operation would be 6:30 a.m. until 5:00 p.m. Monday thru Friday and weekends by appointment only. Chairman Maurice LaRosa stated the applicant said that they would not be interested in selling cars and that the cars that are being restored are within the building therefore, he questioned the applicant if he would be opposed to the board imposing those limitation with a condition that would state that they would not be able to have a vehicle that they are working on outside the building. The applicant Raymond Millette stated that it was his understanding that the condition has always been in that manner. The applicant stated that he was fine with the condition of having worked on cars inside the facility as a condition of approval. Chairman Maurice LaRosa stated that the hours of operation would be limited to 6:00 a.m.-6:00 p.m. Monday thru Friday, Saturday's 6:00 a.m. - 1:00 p.m., Sunday's closed as a condition of approval. In addition to no outside storage of car parts on the property excluding the preexisting storage containers as a condition of approval. Limited sales of up to 20 automobiles on the lot at one given time, obtaining a Certificate of Compliance, and any changes to the approve site plan must come back to the board as a condition of approval. Steven Lewkowicz revisits the number of parking spaces and offered to introduce a new map. Roger O'Brien informed the applicant that he cannot introduce a new map at the night of the meeting as there is a 15 day requirement in addition to the need of circulating the new site plan to the appropriate departments, all of which would further prolong his approval process.

Motion: Chairman Maurice LaRosa asked for a motion to close the public hearing. Secretary Mary Ann Turner made a motion to close the public hearing.

Chairman Maurice LaRosa asked for any discussion, Secretary Mary Ann Tuner stated that the applicant had provided the board with everything that was required from them and appreciated how clearly the packet was formatted.

Motion: Charles Mastroberti made a motion to approve, Secretary Mary Ann Tuner seconded the motion and read the site conditions.

Votes: 5-0-0

Resolution:

WHEREAS, the Zoning Board of Appeals has received an application for an Automotive Location approval consistent with CGS 14-54.

WHEREAS, the site has been operating as an automotive use for over 40 years;

WHEREAS, the applicant has made changes requested by the ZBA at its December 19, 2016 meeting.

NOW THEREFORE BE IT RESOLVED,

RESOLVED, the Town of Enfield Zoning Board of Appeals hereby approves the Automotive Location Site Plan Application for an automotive repair and dealership located at 4 Print Shop Road, Industrial Zone (I-1), with the following conditions:

Site Specific Conditions

1. Parking outside will be limited to 27 cars.
2. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
3. The application number shall be displayed on the plans in or near the Title Block area.
4. 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.
5. The conditions of this approval shall be binding on the applicant, land owners, and their successors and assigns.
6. All vehicles will be stored inside the building.
7. The hours of operation will be Monday-Friday 6:00 a.m.-6:00 p.m., Saturday 6:00 a.m.-1: p.m., Sunday closed.
8. There will be no outside storage of cars or parts within the existing use and the applicant will use the pre-existing storage containers.
9. No live auctions and vehicles limited to 20 display vehicles.

Conditions to be met prior to the issuance of permits:

10. Four sets of paper plans with any required revisions incorporated shall be submitted to the Planning Department for signature of the designated Zoning Board of Appeals official.

General Conditions:

11. 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 Zoning Board of Appeals.
12. This approval does not include signage permits, other than allowing the sign lighting as proposed.
13. This project shall be constructed and maintained in accordance with the referenced plans.
14. 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.
15. At the completion of site improvements, the applicant shall apply for a Certificate of Zoning Compliance.

7. New Business: No new.

- a) Approval of Minutes – December 19, 2016 and January 30, 2017. Chairman Maurice LaRosa asked if there were any objections to table the minutes until the next meeting.
- b) Correspondence / Staff Report: Roger O'Brien stated that the Planning Department made the changes to the current ZBA forms: Information sheet, variances, appeal of zoning enforcement decision, and automotive location approval application. Secretary Mary Ann Tuner stated that she would like to see page numbers at the bottom of the forms. Roger O'Brien asked if the board would like to be included in the next steps after decision/approval letter. Secretary Mary Ann Tuner stated that when the department is ready for her to come in and signed the site plan that the letter provided to the applicant should also include how they met the requirements and are visible on the site plan.
- c) Other Business:
Chairman Maurice LaRosa welcomes the new Assistant Town Planner Raquel Ocasio. Chairman Maurice LaRosa discusses concerns that he had brought forth to the Code Enforcement Officer Rick Rachele. Concerns included: Liquor store on route 5 by exit 46 with the banners and posters all over the building and cars. Roger O'Brien stated that Rick Rachele disclosed that we are in the 30 day period of notice of violation to correct the concern. Another concern that Chairman Maurice LaRosa brought up was the vehicles parked at the mall location as the cars are being rotated and questioned if the cars were being taxed. Chairman Maurice LaRosa stated that the board would like a rundown on the actions taken of concerns brought to the department attention and a list of approvals and denials of what took place. Chairman Maurice LaRosa stated he would like 6 months to a year of what the Zoning Board of Appeals has completed. Chairman Maurice LaRosa and Secretary Mary Ann Tuner requested to be included in the Code Enforcement Officer notice of violation report.
- d) Adjournment

Motion: Motion to adjourn made by Mary Ann Tuner and the motion was seconded by Lynn Scull.

Votes: 5-0-0

Note: Next Regular Meeting is Monday, March 27, 2017.

Prepared By: Raquel Ocasio

Respectfully Submitted,


Mary Ann Turner, Secretary