

ENFIELD PLANNING AND ZONING COMMISSION
REGULAR MEETING

MINUTES FOR COMMISSION

THURSDAY, MARCH 2, 2017 – 7:00 P.M.
ENFIELD TOWN HALL - COUNCIL CHAMBERS
820 ENFIELD STREET - ENFIELD, CT

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Vice Chair Ballard called the meeting to order at 7:00PM.

Acting Secretary Lefakis took the roll and present were Commissioners Elizabeth Ballard, Charles Ladd, Nicles Lefakis, Mary Scutt, Richard Szewczak, Virginia Higley, and Linda DeGray. Absent were Commissioners Charles Duren and Alan Drinan. Alternate Commissioners Linda DeGray and Virginia Higley sat for the absent Commissioners.

Election of Commission Secretary

Commissioner Ladd made a motion, seconded by Commissioner Scutt to elect a Secretary for the Planning and Zoning Commission. The motion passed with a 7-0-0 vote.

Alternate Commissioner DeGray made a motion, seconded by Commissioner Scutt, to elect Richard Szewczak as the Commission Secretary. The motion passed with a 7-0-0 vote.

Approval of Minutes – January 19, 2017

February 2, 2017

February 16, 2017

Commissioner Ladd made a motion, seconded by Commissioner Szewczak, to approve the minutes of the January 19, 2017 regular meeting as amended. The motion passed with a 7-0-0 vote.

Commissioner Ladd made a motion, seconded by Commissioner Szewczak, to approve the February 2, 2017 regular meeting minutes as amended. The motion passed with a 5-0-2 vote, with Commissioners Szewczak and Higley abstaining.

Commissioner Ladd made a motion, seconded by Commissioner Szewczak, to table the minutes of the February 16, 2017 regular meeting. The motion passed with a 7-0-0 vote.

Bond Release(s)

- a. **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 Lefakis stated that he had noticed some scrub trees and other weeds growing on the property. He also noticed that the ground on the west side, which faces

the Mobile gas station, is uneven. This could be considered a landscaping issue or a site restoration issue. He therefore recommended not releasing either bond.

Alternate Commissioner Higley asked whether anyone looked at the landscaping when the flowers were in bloom.

Mr. O'Brien stated that the property had been inspected in the summer.

Alternate Commissioner Higley suggested releasing the one bond and holding the other bond. She recommended releasing the site restoration bond and holding the landscaping bond.

Commissioner Szewczak made a motion, seconded by Alternate Commissioner DeGray, to approve the release of the Site Restoration Bond in the amount of \$39,500.00. The motion passed with a 6-1-0 vote, with Commissioner Lefakis voting against the release.

Commissioner Ladd made a motion, seconded by Commissioner Lefakis, to table the release of the Landscaping Bond in the amount of \$24,750.00. The motion passed with a 7-0-0 vote.

Old Business

Public Hearing(s)

- a. **PH# 2850 – Modification to a Special Use Permit application for the enclosure of a 954 s.f. vehicle delivery area, expansion of the show room by 54 s.f, and façade and interior building improvements located 20 Palomba Drive; Zone BR (Business Regional) Map 057/Lot 0335; W.L. Realty. Ltd, owner/ Collin Rostohar, applicant. (DoR: 12/01/2016; MCPH: 2/23/2017) – continued from January 19, 2017. Extension received.**

Commissioner Szewczak called the roll and present were Commissioners Ballard, Szewczak, Lefakis, Ladd, Scutt, and Alternates DeGray, and Higley.

Dana Steele, a Professional Engineer, addressed the Commission and introduced his clients from BBL Construction – Brian O'Connor, Eric Masterson, and Colin Rostohar. Mr. Steele then presented the site plan. He presented the locations of the proposed building addition, the wetlands on the property, and the catch basin that exists already.

Mr. O'Connor explained the floor plans of the new building and stated that updates to the existing building will include new tile, paint, lights, woodwork and doors.

Commissioner Szewczak asked whether they are proposing to raise the parapet on the southwest corner.

Mr. O'Connor said yes they are proposing to raise the parapet in the southwest corner of the building.

Alternate Commissioner Higley asked whether the mechanicals are going to be taller than the existing parapet.

Mr. Steele stated that the parapet will be taller than the mechanicals.

Mr. O'Connor stated that all mechanicals will be hidden from view from the street.

Commissioner Scutt stated that the property is on the DEEP list of contaminated sites for having leaking underground tanks. She asked what the status of the contamination was.

Mr. Masterson stated that there was documentation filed when those tanks were removed. The documentation was filed with the Town. It was identified during the removal of the tanks, even though they were pumped, that there was still some liquid coming out.

Commissioner Scutt asked whether that documentation was included with the application package.

Mr. Masterson stated that the documentation can be provided.

Mr. O'Brien asked whether the applicants submit quarterly reports to DEEP.

Mr. Masterson stated that they do not.

Mr. O'Brien asked that they provide their final report to DEEP.

Commissioner Ballard closed the public hearing for PH# 2850.

Commissioner Szewczak stated that a condition of approval be that the applicant must supply documentation of the contamination of the property to the Planning Office.

Commissioner Szewczak made a motion, seconded by Commissioner Ladd, to approve PH# 2850 with 26 conditions. The motion passed with a 7-0-0 vote.

WHEREAS, the Planning and Zoning Commission has received an application for the enclosure of a 954 square-foot vehicle delivery area and the expansion of the vehicle show room by 54 square-feet at 20 Palomba Drive; BR Zone (Business Regional); and

WHEREAS, the Planning and Zoning Commission has reviewed the application materials for PH# 2850; and

WHEREAS, a public hearing was opened and continued on January 19, 2017;

NOW THEREFORE BE IT RESOLVED

RESOLVED, the Enfield Planning and Zoning Commission hereby approves application PH# 2850 for the enclosure of a 954 square-foot vehicle delivery area and the expansion of the vehicle show room by 54 square-feet at 20 Palomba Drive with conditions.

Referenced Plans:

"Proposed Building Addition and Renovations, Lia Honda, 20 Palomba Drive, Enfield, CT, Applicant: Collin Rostohar; Owner: William Lia Realty, LTD; Prepared for BBL Construction Services, 302 Washington Avenue Ext., Albany, New York 12203, January 2017." Cover Sheet with Sheet Index, Location Map and Scope Plan; Sheet T1; Sheet 1 of 6; Scale: 1/32"= 1'; Prepared by Cotler Architecture, dated August 26, 2016. Revised February 15, 2017.

"Demolition Plans, Proposed Building Addition and Renovations, Lia Honda, 20 Palomba Drive, Enfield, CT; Prepared for BBL Construction Services, 302 Washington Avenue Ext., Albany, New York 12203, January 2017." Sheet D1.0; Sheet 2 of 6; Scale: 3/32"= 1'; Prepared by Cotler Architecture, dated February 15, 2016.

"Floor Plans, Proposed Building Addition and Renovations, Lia Honda, 20 Palomba Drive, Enfield, CT; Prepared for BBL Construction Services, 302 Washington Avenue Ext., Albany, New York 12203, January 2017." Sheet A1.0; Sheet 3 of 6; Scale: As Indicated; Prepared by Cotler Architecture, dated August 26, 2016. Revised: February 15, 2017.

"Roof Plan, Proposed Building Addition and Renovations, Lia Honda, 20 Palomba Drive, Enfield, CT; Prepared for BBL Construction Services, 302 Washington Avenue Ext., Albany, New York 12203, January 2017." Sheet A1.6; Sheet 4 of 6; Scale: 3/32"= 1'; Prepared by Cotler Architecture, dated August 26, 2016. Revised: February 15, 2017.

"Elevations, Proposed Building Addition and Renovations, Lia Honda, 20 Palomba Drive, Enfield, CT; Prepared for BBL Construction Services, 302 Washington Avenue Ext., Albany, New York 12203, January 2017." Sheet A2.1; Sheet 5 of 6; Scale: 1/8"= 1'; Prepared by Cotler Architecture, dated August 26, 2016. Revised: February 15, 2017.

"Elevations, Proposed Building Addition and Renovations, Lia Honda, 20 Palomba Drive, Enfield, CT; Prepared for BBL Construction Services, 302 Washington Avenue Ext., Albany, New York 12203, January 2017." Sheet A2.2; Sheet 6 of 6; Scale: 1/8"= 1'; Prepared by Cotler Architecture, dated August 26, 2016. Revised: February 15, 2017.

"Improvement Location Plan, Proposed Building Addition and Renovations, Lia Honda, 20 Palomba Drive, Enfield, CT; Prepared for BBL Construction Services, 302 Washington Avenue Ext., Albany, New York 12203, January 2017." Sheet 1 of 1; Scale: 1"= 40'; Prepared by J.R. Russo and Associates, LLC, dated September 21, 2016. Revised to February 16, 2017.

Site-Specific Conditions:

1. All grass areas on the property are to be maintained as grass. No cars can be parked on those grass areas.
2. Documentation must be provided regarding the status of the contamination from the leaking tanks that were removed from the property.

Conditions to be met prior to signing of plans:

3. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
4. The application number shall be displayed on the plans in or near the Title Block area.
5. 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.
6. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
7. 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.
8. 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:

9. Four sets of paper plans with any required revisions incorporated shall be submitted to the Planning Department for signature of the Commission. The Director of Planning may require Mylars.
10. This approval will become effective upon the filing of a Special Use Zoning Certificate signed by the Commission Secretary on the Land Records by the owner of the property. Such certificate must be filed within 90 days of approval by Commission. Proof of such filing shall be in the file prior to the issuance of any permits.
11. The applicant shall also submit final plans as approved by the Commission in a digital format compatible with the Enfield Geographic Information Systems Electronic Submittals Ordinance.
12. 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 Commission.
13. 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.
14. The applicant shall post a landscaping bond to the Town, in an amount and format determined by the Planning Department.
15. A pre-construction meeting between the applicant, site contractors, project engineer and Town Staff shall be held.
16. 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:

17. 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.
18. The design professional who prepared the approved PZC architectural drawings, shall provide as-built drawings with a certification that they have complied with approved plans. Any changes need to be noted on the plans and a list of changes submitted.
19. 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.
20. 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.

General Conditions:

21. 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.
22. This approval does not include signage permits, other than allowing the sign lighting as proposed.
23. This project shall be constructed and maintained in accordance with the referenced plans.
24. 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.
25. 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.
26. 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.

- b. **PH#2853 – 1654 King Street – Special Use Permit for a multi-use building including office, industrial and motor vehicle uses; JFP Realty, LLC., applicant/owner; Map 013/Lot 0009; I-2 Zone (Industrial 2). (DoR: 01/19/2017; MCPH: 03/9/2017) continued from February 2, 2017.**

Commissioner Higley made a motion, seconded by Commissioner Lefakis, to accept the withdrawal of PH# 2853 without prejudice. The motion passed with a 7-0-0 vote.

Site Plan Review(s)

- a. **SPR# 1658.02 – 108-114 Pearl Street (#112) – Enfield Pizza - Site Plan Modification for the addition of a porch to accommodate a freezer/cooler. Hasan Kuruca, owner/applicant; Map 024/Lot 0114; TV Zone (Thompsonville Village Zone). (DoR: 1/5/2017; MAD: 3/11/2017)**

Mr. Hasan Kuruca, of Enfield Pizza, addressed the Commission and stated that the previous issues with this application involved addressing the concerns of the Fire Department and Police Department. Those concerns have now been addressed. Commissioner Szewczak asked whether the deck will be reinforced. Mr. Kuruca stated that it would not be. Commissioner Szewczak asked whether everything will be delivered and carried by hand to the cooler/freezer on the deck. Mr. Kuruca stated that they will only be delivering stuff by hand. Deliveries will go up the ramp, through the restaurant, out the back door and onto the deck. He also got information on the decibels of sound coming from the machines on the deck. The noise would only be as loud as a window air conditioner, and only when the door to the cooler/freezer is opened. He also asked whether the compressors could be kept on the deck. The Commission's consensus was that the compressors have to go in the basement.

Commissioner Scutt made a motion, seconded by Commissioner Lefakis, to approve SPR# 1658.02 with 11 conditions. The motion passed with a 7-0-0 vote.

WHEREAS, the Enfield Planning and Zoning Commission has received an application for the addition of a deck and a cooler/freezer to the rear of the building with an overhang at 108-114 Pearl Street (#112); Thompsonville Village Zone (TV); and

WHEREAS, the Commission reviewed the application at its February 16, 2017 regular meeting; and

WHEREAS, the issues raised by the Fire Marshal and the Police Traffic Officer have been addressed;

NOW THEREFORE BE IT RESOLVED

RESOLVED, the Enfield Planning and Zoning Commission hereby approves application SPR# 1658.02 for the addition of a deck and a cooler/freezer to the rear of the building with an

overhang at 108-114 Pearl Street (#112); Thompsonville Village Zone (TV) with 11 conditions.

Reference Plans

"Cover Sheet with Location Map, Code Information and List of Drawings. Enfield Pizza, 112 Pearl Street, Enfield, CT January 2017." Sheet 1 of 9; Scale: None; Prepared for Enfield Pizza, Hasan Kuruca, Applicant/Owner; Prepared by Inga Consulting Engineers. Received January 24, 2017.

"Site Plan SPR 1658. Enfield Pizza, 112 Pearl Street, Enfield, CT January 2017." Drawing 1 of 8; Scale: 1' = 20 ft; Prepared for Enfield Pizza, Hasan Kuruca, Applicant/Owner; Prepared by Inga Consulting Engineers dated August 27, 2015. Revised January 4, 2017.

"Demolition and Ceiling Plans, Code Information. Enfield Pizza, 112 Pearl Street, Enfield, CT January 2017." Drawing 2 of 8; Scale: 3/16" = 1'; Prepared for Enfield Pizza, Hasan Kuruca, Applicant/Owner; Prepared by Inga Consulting Engineers dated September 28, 2015. Revised January 4, 2017.

"Proposed Foundation and First Floor Plans. Enfield Pizza, 112 Pearl Street, Enfield, CT January 2017." Drawing 3 of 8; Scale: 1/2" = 1' and 1/4" = 1'; Prepared for Enfield Pizza, Hasan Kuruca, Applicant/Owner; Prepared by Inga Consulting Engineers dated September 28, 2015. Revised January 4, 2017.

"Existing 2nd Floor Plan and Prop. Rear Elev. Enfield Pizza, 112 Pearl Street, Enfield, CT January 2017." Drawing 4 of 8; Scale: 1/4" = 1' and 1-1/2" = 1'; Prepared for Enfield Pizza, Hasan Kuruca, Applicant/Owner; Prepared by Inga Consulting Engineers dated September 28, 2015. Revised January 4, 2017.

"Side Elevations. Enfield Pizza, 112 Pearl Street, Enfield, CT January 2017." Drawing 5 of 8; Scale: 1/4" = 1'; Prepared for Enfield Pizza, Hasan Kuruca, Applicant/Owner; Prepared by Inga Consulting Engineers dated September 28, 2015. Revised January 4, 2017.

"Electrical Layout Plan and Details. Enfield Pizza, 112 Pearl Street, Enfield, CT January 2017." Drawing 6 of 8; Scale: 3/16" = 1'; Prepared for Enfield Pizza, Hasan Kuruca, Applicant/Owner; Prepared by Inga Consulting Engineers dated September 28, 2015. Revised January 4, 2017.

"Mechanical Layout Plan and Details. Enfield Pizza, 112 Pearl Street, Enfield, CT January 2017." Drawing 7 of 8; Scale: 3/16" = 1'; Prepared for Enfield Pizza, Hasan Kuruca, Applicant/Owner; Prepared by Inga Consulting Engineers dated September 28, 2015. Revised January 4, 2017.

"Plumbing Layout Plan. Enfield Pizza, 112 Pearl Street, Enfield, CT January 2017." Drawing 8 of 8; Scale: 3/16" = 1'; Prepared for Enfield Pizza, Hasan Kuruca, Applicant/Owner;

Prepared by Inga Consulting Engineers dated September 28, 2015. Revised January 4, 2017.

This application is approved with the following conditions:

1. The compressors must be relocated to the basement, and cannot be located on the deck.
2. These conditions of approval are for the site plan modification only. All previous conditions of approval still apply.
3. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
4. The application number shall be displayed on the plans in or near the Title Block area.
5. 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.
6. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
7. 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.
8. The conditions of this approval shall be binding on the applicant, land owners, and their successors and assigns.
9. Four sets of paper plans with any required revisions incorporated shall be submitted to the Planning Department.
10. 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.
11. This project shall be constructed and maintained in accordance with the referenced plans.

Commissioner's Correspondence

Commissioner Scutt stated that she attended the Revitalization Commission meeting last Thursday and they discussed the Transit Oriented Design Master Plan for the proposed train station in Thompsonville. She stated that she would like to distribute that to the Planning and Zoning Commission. Discussion also took place regarding the proposed Tax Increment Financing Zones.

Director of Planning Report

Mr. O'Brien reported on the following upcoming applications:

1654 King Street – the special use permit application for the approval of the existing uses on site was withdrawn because there were issues pertaining to the split zoning on the property. The applicant is in the process of preparing a new application for a zone

change, which will have to be sent to the Capital Region Council of Governments for review.

54 Hazard Avenue – Smashburgers Restaurant has filed another special use permit application for a patio liquor permit, which is separate from the liquor permit for inside the restaurant.

2 Enfield Street – Pride Limited Partnerships has submitted a zoning text change application, which hasn't fully been reviewed yet. The proposed text change will also need to be sent to CROCOG and be scheduled for a public hearing.

25 Bacon Road – Most of the top of the high bay building has been cut off. There is a large mound of steel located behind the buildings. They also put in an application for the installation of a utility corridor to service the high bay building. This can be considered a minor site improvement, which I was authorized to approve administratively. Unless anyone has any objections, I will approve it administratively.

247 Hazard Ave – the application for a nail salon in Galaxy Plaza is soon to be completed.

100 Elm Street – Party City is moving into the mall. They took out a demolition permit and also wanted to add windows. They are looking to combine three store spaces into one. They received their demolition permit, but were also told they need to come before the Planning and Zoning Commission for the additional windows.

Connecticut Mulch – they have requested that their bonds be released. The Planning Office can't recommend approval at this time because the trees that were required on the approved plans continually die in the place they are planted. Planning Staff members are trying to work with them to address the issues.

230 Shaker Road – there is an application for an approximate 10,000SF new addition to an existing building. The company that owns the building is Presstek, LLC. The application is on the IWWA agenda for this coming Tuesday night.

O'Reilly Auto Parts – they have purchased the Webster Bank building in Scitico Plaza and would like to demolish it and build an auto parts store. They were advised that the Planning and Zoning Commission has been working on Scitico Design District Overlay regulations for the past year.

WPCA – the WPCA would like to rearrange and construct new buildings at the Water Pollution Control Plant. They will need to go to the IWWA first. No applications have been received yet.

Kohl's – the owners of Kohl's Plaza have provided examples of pylon signs in other shopping centers that they own for our review.

St. Adalbert's Church – they would like to split a few pieces of property that the Church owns on the other side of the street so they can sell the property for development.

Lots 69 and 70 Hazard Avenue – concept plans have been reviewed for two lots located behind the Country Diner.

11 Enfield Street – an ART was held for a proposed coffee shop. The property owners are now working with the Health Department on their plans.

The Villages Subdivision on Simon Road – they have filed documentation for the Planning Staff to review.

3 Pearson Way – Allied Rehabilitation would like to rearrange their parking lots and circulation. They have provided preliminary plans for Planning Staff to review.

549 Hazard Ave – there is a pending application for a Martial Arts studio.

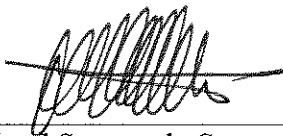
Shaker Heights – a new developer is looking develop the second half of Shaker Heights. There are still 18 lots to be developed. The developer has provided sketches of new designs for the houses and would like more flexibility in the design of the homes. The Shaker Heights Association has approved the designs already, but they are not professionally drawn with signatures and seals.

Adjournment

Alternate Commissioner DeGray made a motion, seconded by Commissioner Scutt, to adjourn. The motion passed with a 7-0-0 vote. The meeting was adjourned at 8:38PM.

Prepared By: Jennifer Pacacha

Respectfully Submitted,



Richard Szewczak, Secretary