Call to Order & Pledge of Allegiance
Chairman Nelson called the meeting to order at 7:00 PM.

Roll Call
Commissioner Szewczak took the roll and present were Commissioners Charles Ladd, Richard Szewczak, Virginia Higley, Ken Nelson, Frank Alaimo, Linda DeGray and Alternate Commissioners Vinnie Grillo and John Petronella. Absent were Commissioners Mary Scutt and Alternate Commissioner Dane Thorogood.

Chairman Nelson seated Alternate Commissioner Petronella.

Also present were Laurie Whitten, Director of Development Services; Jennifer Pacacha, Assistant Town Planner and Elizabeth Bouley, Recording Secretary.

Approval of Minutes – April 9, 2020 Regular Meeting

Motion: Commissioner Ladd made a motion, seconded by Commissioner Alaimo, to approve the minutes of April 9, 2020 as amended.

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

Votes: 7-0-0

New Business

Public Hearing(s)
   a. PH# 2968 – 1283 Enfield Street – Special Permit application to convert a two-family home to a three-family home; Our Town Investments, LLC., owner/applicant; Map 46/Lot 12; HR-33 Zone.

Commissioner Szewczak took the roll and present were Commissioners Charles Ladd, Richard Szewczak, Virginia Higley, Ken Nelson, Frank Alaimo, Linda DeGray and Alternate Commissioners Vinnie Grillo and John Petronella. Absent were Commissioners Mary Scutt and Alternate Commissioner Dane Thorogood.

Chris Marszalek, 15 South Road, provided the Commission with an overview of the project. He stated that he would like to convert the two-family dwelling to a three-family by sub-dividing the lower level into two units with their own entrances. He stated that their plan meets all fire codes.

Commissioner Szewczak asked if the sewer pipe had been repaired or replaced. Mr. Marszalek replied that it had not because he is waiting for it to be approved so he can do all of the plumbing at
once. Commissioner Szewczak stated that this should be a condition of approval since the Fire Marshal had some reservations and he wanted to make sure both the Building Official and Fire Marshal will be satisfied.

Chairman Nelson stated that the Fire Marshal and Building Official are very involved in the process. Mr. Marszalek stated that he plans to accommodate all of the concerns of the Fire Marshal and Building Official.

At Commissioner Ladd’s request, Mr. Marszalek explained where the two second floor exits are located.

Mr. Marszalek stated that he will be able to accommodate all of the parking as well. Chairman Nelson asked if the garage parking spaces are being used as part of the planned parking, to which Mr. Marszalek replied that one of the spaces is being used by a tenant. Chairman Nelson asked if that tenant will be able to move in and out of the garage freely, to which Mr. Marszalek replied that they will.

Chairman Nelson asked three times if anyone in the public would like to speak; no one came forward.

**Motion:** Commissioner Higley made a motion, seconded by Commissioner DeGray, to close the Public Hearing.

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

**Votes: 7-0-0**

**Motion:** Commissioner Szewczak made motion, seconded by Commissioner DeGray, to approve PH# 2968 with additional conditions that the sewer be rectified and repaired as required and the code requirements for the State and Fire Marshal be addressed during the construction phase.

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

**General Conditions:**

1. 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.
2. This approval does not include signage permits.
3. There is to be no exterior sheet metal venting pipes visible from the street.
4. Exterior mechanicals and electricals are to be boxed and screened.
5. This project shall be constructed and maintained in accordance with the referenced plans.
6. 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.
7. All construction authorized by this approval shall be completed within five (5) years or this approval shall be considered null and void, unless an extension is granted by the Commission.
8. 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.

**Site Specific Conditions:**

9. Sewer is to be rectified and repaired as required.
10. All code requirements for the State and the Fire Marshal will be addressed during the construction phase.

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

11. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
12. The application number shall be displayed on the plans in or near the Title Block area.
13. A copy of the approval letter and conditions shall be incorporated into the final plans submitted for signature, preferably located on the cover sheet or first sheet of the plan set.
14. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
15. 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.
16. 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:**

17. Two 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.
18. 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 applicant. Such certificate must be filed within 120 days of approval by Commission. Proof of such filing shall be in the file prior to the issuance of any permits.
19. 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.

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

20. 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.
21. 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.

**Note:** The Conditions of Approvals do not take the place of other requirements found in the Town Codes, Regulations, and Application Instructions.

**Votes: 7-0-0**

b. **PH# 2970** – 34 Maple Street – Special Permit application to convert a two-family home to a three-family home; 34 Maple Enfield, LLC., owner; Chris Marszalek, applicant; Map 83/Lot 246; R-33 Zone.

Commissioner Szewczak took the roll and present were Commissioners Charles Ladd, Richard Szewczak, Virginia Higley, Ken Nelson, Frank Alaimo, Linda DeGray and Alternate Commissioners Vinnie Grillo and John Petronella. Absent were Commissioners Mary Scutt and Alternate Commissioner Dane Thorogood.

Chris Marszalek, 15 South Road, provided the Commission with a synopsis of his plan. He stated that he has a two-family dwelling and would like to split the lower level into two more units. Mr. Marszalek stated that the sewer line will be inspected and repaired if needed upon approval of the application. He described how the parking will be divided among tenants.

Commissioner Ladd stated that he only sees one exit for the third apartment on the second floor, to which Mr. Marszalek replied that this is how the building was when he recently purchased it. Commissioner Ladd stated that this could be a problem with the Fire Department.

Chairman Nelson asked if the windows are egress, to which Mr. Marszalek replied that they are. He went on to state that he is not doing anything with the third unit so was not planning on making any changes to the egress.

Mr. Marszalek stated that the third unit on the second floor has always had its own entrance on the other side of the building. Commissioner Szewczak asked for clarification on how the two first floor units get to the second floor. Mr. Marszalek explained that the stairs on the back of the house are interior stairs, and the back unit was added onto the first floor with an upstairs at some point and is not accessible from the other first floor unit.

Mr. Marszalek stated that he will be adding a foyer in the first-floor entrance which would separate the units. He stated that there is also a two-family house on the rear of the lot, which has been there since the 1950s. Ms. Pacacha stated that it was grandfathered in, and there are a lot of non-conforming properties in the Hazardville area like this.

Chairman Nelson stated that this addition is adding a fifth unit to this property since there are currently four family residences on the property. Mr. Marszalek stated that it is not a four-family but rather is two two-family residences.
Chairman Nelson stated that it is still one property even though there are two separate buildings. Mr. Marszalek stated that he was under the impression that it would still be considered two two-family dwellings.

Commissioner Alaimo stated that the parcels may have been separate when the two structures were built.

Commissioner Szewczak stated that this section of the regulations should only be used once and he is not comfortable with the property turning into a five-unit lot as it could spiral out of control.

Chairman Nelson stated that the property will be appraised as a commercial property once it becomes a fifth unit. He stated that it may not be worth doing if the applicant has to put in a fire suppression system. Mr. Marszalek stated that he would do some additional research with the Building Department and Fire Department and get something in writing.

Commissioner Alaimo asked if both dwellings have the same address, to which Mr. Marszalek replied that they all have separate numbers.

Commissioner Ladd asked if the Commission should obtain legal counsel to see what the courts would think, to which Ms. Whitten replied that Staff would discuss it and come to a conclusion.

Chairman Nelson asked three times if anyone in the public would like to speak; no one came forward.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner Ladd, to postpone the PH# 2970 until the next meeting on May 14, 2020.

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

Votes: 7-0-0

c. PH# 2969 – Zoning Text Amendment Application to Section 5.70.3 to allow personal services as a use within the Limited Office Overlay Zone; John Improta, applicant.

Commissioner Szewczak took the roll and present were Commissioners Charles Ladd, Richard Szewczak, Virginia Higley, Ken Nelson, Frank Alaimo, Linda DeGray and Alternate Commissioners Vinnie Grillo and John Petronella. Absent were Commissioners Mary Scutt and Alternate Commissioner Dane Thorogood.

John Improta, 215 Southeast 15th Place, Cape Coral, Florida addressed the Commission with a brief synopsis of what he would like to do. Mr. Improta stated that he would like to move his tattoo studio across the street from where it is currently located.

Commissioner Higley stated that this is the Overlay District so the applicant would have to keep the dwelling the same and have specific hours. Ms. Pacacha explained that this is a text amendment application to add personal services to the list of allowed uses in the Limited Office Overlay zone. Commissioner Higley stated that she thought the Limited Office Overlay zone was just on Elm
Street, to which Chairman Nelson replied that it is a portion of state roads which does include some of Route 5, Elm Street and Hazard Avenue.

Commissioner DeGray asked how many people will be employed and what hours they will be working. Ms. Pacacha stated that this application is just for the text amendment and does not include approval for the tattoo shop yet.

Commissioner DeGray stated that she is concerned about the erratic hours in a residential area. Mr. Improta stated that the shop is surrounded by businesses that are open very sporadic hours, and he is moving the business away from a location that is much closer to a residential living area.

Chairman Nelson asked if the applicant would still have to come before the Commission for a Special Permit if this application is approved. Ms. Pacacha explained that he would because it is still a Residential Zone and would have to come under the Limited Office Overlays, which requires a Special Permit. Ms. Whitten stated that he will still have to follow the special standards and requirements in the Overlay Zone as written because there is no proposal to change that.

Commissioner DeGray stated that the business hours are listed between 8 am and 8 pm, so this will have to be followed. Mr. Improta stated that his current business hours are 10 am to 10 pm, which is in line with the gym across the street and the whole plaza in that area.

Chairman Nelson asked if the gym is in the Overlay District, to which Ms. Pacacha replied that the plaza is zoned Business Local, not Residential.

Commissioner Higley stated that the Commission has to be mindful that if they allow a business to be open until 10 pm in a Limited Overlay District through Special Permit, it will invite other businesses to want to do the same.

Chairman Nelson asked what is currently behind the location that the applicant is looking to move to. Mr. Improta stated that directly behind is an open lot with some parking. He described some of the other nearby businesses, stating that the area is very business-oriented and he is respectful of the other businesses and residents. Mr. Improta stated that night business is only done by appointment and day business is walk-in.

Ms. Pacacha stated that changing the zone would be spot zoning which is why they went with the text change for Limited Office. The Commission looked at a map overview of the area to determine the various districts in the area.

Ms. Pacacha stated that it is already a use in that area so the text amendment would make many of the properties in the area more conforming to regulations.

Commissioner Alaimo asked what business was in there before this proposal, to which Mr. Improta replied that it was an accountant and has been vacant and for sale for a few years. Commissioner Alaimo stated that he agrees with Chairman Nelson that the hair salon would also take evening appointments.
Commissioner Szewczak stated that all they are trying to do today is add personal services to the list, and the other issues of the Overlay District can be discussed at a different date. Chairman Nelson stated that he is comfortable with this due to the Special Permit requirement.

Chairman Nelson asked three times if anyone in the audience would like to speak in favor or against the application; no one came forward.

**Motion:** Commissioner DeGray made a motion, seconded by Commissioner Higley, to close PH #2969.

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

**Votes:** 7-0-0

**Motion:** Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to approve PH #2969.

Chairman Nelson stated that he would like it written very clearly in the regulations that this is by Special Permit only. Ms. Pacacha stated that all of the uses in the Limited Office Overlay District already require a Special Permit in the regulations.

The motion passed with a 6-1-0 roll call vote with Commissioner Higley voting against.

**Votes:** 6-1-0

- **XZA# 20-05** – Zoning Text Amendment Application to Section 2.30 to remove the last sentence regarding attics from the Finished Floor Area definition; Town of Enfield, applicant.

Ms. Pacacha stated that the Commission had requested this text amendment to remove the last sentence in Section 2.30 regarding attics. Chairman Nelson stated that this should have been done thirty years ago.

Chairman Nelson asked three times if anyone in the public would like to speak in favor or against the application; no one came forward.

**Motion:** Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to close the Public Hearing.

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

**Votes:** 7-0-0

**Motion:** Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to approve XZA# 20-05.
The motion passed with a 7-0-0 roll call vote.

**Votes: 7-0-0**

**Site Plan Review(s)**

a. **SPR# 1808** – 100 Print Shop Road – Site Plan Review application for a new parking lot with associated drainage and access from Cybulski Road; PPF WE 100 Print Shop Road, LLC., owner; Winstanley Construction Management, LLC., applicant; Map 99/Lot 15; I-1 Zone.

Valerie Ferro, Good Earth Advisors, addressed the Commission along with John Wagenblatt and Richard Reynolds of LRC Group. Ms. Ferro provided the Commission with an overview of the project intent and physical features of the parcel. She stated that the additional parking will accommodate some flexibility in scheduling for Lego, and it only pertains to cars and employees rather than trucks or unloading.

Mr. Wagenblatt utilized an aerial image of the parcel to illustrate the features of the existing and proposed parking lot and sidewalks/walkways. He stated that they will be increasing the handicapped parking by adding two spaces to the existing handicap parking at the northwest corner of the parking lot. Mr. Wagenblatt went over the details of the proposed parking, sidewalks and landscaping.

Mr. Reynolds described the existing conditions on the property, stating that an existing barn and well will be removed. He went over the various planned site improvements and described the stormwater management plan and erosion control plan.

Ms. Ferro stated that the sitewide lighting is full cutoff LED.

Mr. Reynolds utilized the site plan to illustrate the wetland boundary and erosion and sedimentation control measures to be taken once the site is disturbed.

Chairman Nelson asked what the maintenance plan is for the stormwater, to which Mr. Reynolds replied that there is a maintenance schedule.

Commissioner Szewczak asked how oils will be collected from the runoff in the detention basin. Ms. Ferro stated that they will see the adherence of oil and other particulates in the gravel strip. Mr. Reynolds stated that the crushed stone filter strip is designed to slow the flow going into the stormwater management area.

Commissioner Szewczak asked how they will clean undesirable materials that have collected in the detention basin. Mr. Reynolds stated that they do need maintenance and on the detail sheet there is a maintenance schedule and they plan to clean it out accordingly. Commissioner Szewczak reiterated that attention must be paid to this.
Chairman Nelson stated that a stormwater basin has a sump in it which can be vacuumed out. He asked how to maintain a three-foot trench full of stone without digging out all the stone. Ms. Ferro and Mr. Reynolds described in detail how the proposed stormwater is going to be handled.

Ms. Pacacha went over the Staff comments from various departments for the record. Ms. Pacacha stated that the Police and Building Departments were both concerned with the amount of handicapped parking, which had been addressed. She stated that neighboring property owners were concerned about traffic, and that she directed them to the traffic memo on the PZC website.

Commissioner Szewczak stated that they are always trying to minimize the amount of asphalt they are putting down in town, and asked if the applicant will be utilizing all of the additional parking. Ms. Ferro stated that Lego has requested this for over a year and a half and they do need it.

Chairman Nelson stated that the applicant’s company is very reputable and he trusts that they will maintain the stormwater and protect the environment.

Commissioner Szewczak asked if there are vernal pools onsite, to which Ms. Ferro replied that they have had a number of wetlands scientists onsite through all seasons and they have never seen any evidence of vernal pools.

Ms. Whitten requested that people state their names when they make motions and seconds.

**Motion:** Commissioner Alaimo made a motion, seconded by Commissioner Ladd, to approve SPR# 1808.

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

**General Conditions:**

1. 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.
2. This approval does not include signage permits.
3. There is to be no exterior sheet metal venting pipes visible from the street.
4. Exterior mechanicals and electricals are to be boxed and screened.
5. This project shall be constructed and maintained in accordance with the referenced plans.
6. 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.
7. All construction authorized by this approval shall be completed within five (5) years or this approval shall be considered null and void, unless an extension is granted by the Commission.
8. 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.
Site Specific Conditions:

9. No light may be allowed to leave the property. All outdoor lighting must be extinguished ½ hour after the close of business.
10. Accessible parking compliance calculations must be added to the final plans to meet the concerns of the Traffic Safety Officer and the Building Official.

Conditions to be met prior to signing of plans:

11. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
12. The application number shall be displayed on the plans in or near the Title Block area.
13. A copy of the approval letter and conditions shall be incorporated into the final plans submitted for signature, preferably located on the cover sheet or first sheet of the plan set.
14. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
15. 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.
16. 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:

17. Two 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.
18. 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.
19. 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 and the Director of Planning.
20. The applicant shall post a Landscaping Bond to the Town, in an amount and format determined by the Director of Planning.
21. A pre-construction meeting between the applicant, site contractors, project engineer and Town Staff shall be held.
22. 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:

23. 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.
24. 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.

25. 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.

26. 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.

**Note:** The Conditions of Approvals do not take the place of other requirements found in the Town Codes, Regulations, and Application Instructions.

**SPR# 1808 – REFERENCED PLANS:**


2/10 “Topographic Survey” – Scale: 1” = 30’

3/10 “Demolition Plan” – Scale: 1” = 20’

4/10 “Overall Site Plan” – Scale: 1” = 100’

5/10 “Site Plan” – Scale: 1” = 20’

6/10 “Grading and Drainage Plan” – Scale: 1” = 20’

7/10 “Erosion Control Plan” – Scale: 1” = 20’

8/10 “Detail Sheet” – Scale: None

9/10 “Landscape Plan” – Scale: 1” = 20’

10/10 “Lighting Plan” – Scale: 1” = 20’

**Votes: 7-0-0**
Other Business
  a. Review of Bylaws – *(Awaiting Review)*

Ms. Pacacha stated that they still have not heard back from the Town Attorney. Chairman Nelson stated that they will hold off on this until they hear back from the Town Attorney.

  b. General Discussion of Regulations and Procedures – Review of Request for Proposals for Plan of Conservation & Development and Zoning Regulation Updates

Ms. Whitten stated that there were some issues with the COVID situation so the standards and insurance changed a little, but they should have it approved and ready to move forward by tomorrow.

Chairman Nelson asked if there was any talk of doing a 12-month extension on this due to the budgets this year. Ms. Whitten stated that the money was already allocated and is included in this year’s budget. She stated that they could probably get an extension on the POCD if they need it.

Town Planner Report
Ms. Whitten stated that Staff has been working really hard on getting the meetings up and running and successful.

Chairman Nelson asked if the interviews had been done yet for the new Assistant Town Planner, to which Ms. Whitten replied that they will be doing interviews tomorrow and have four good candidates.

Applications to be Received
Ms. Pacacha stated that there are two applications which just came in for review.

Opportunities/Unresolved Issues
  a. Discussion – Combining Planning & Zoning Commission and the Inland Wetlands & Watercourses Agency

Ms. Whitten stated that the Wetlands Commission is not in favor of the combination of the Commissions. She stated that she is worried the Commission will have too much on their plates. Ms. Whitten stated that it had not been before the Town Council yet as they are not taking any additions to their agenda except for budget items.

Adjournment

Motion: Commissioner DeGray made a motion, seconded by Commissioner Alaimo, to adjourn.

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

Votes: 7-0-0
Prepared by: Elizabeth Bouley

Respectfully Submitted,

____________________________
Richard Szewczak, Secretary

Note: The next Regular Meeting is May 14, 2020. All materials are available for review on the Enfield Planning & Zoning Commission website: https://www.enfield-ct.gov/707/Planning-Zoning-Commission

Ken Nelson, Jr., Chairman; Richard Szewczak, Secretary