

ENFIELD PLANNING AND ZONING COMMISSION
REGULAR MEETING
DRAFT MINUTES FOR COMMISSION CONSIDERATION
THURSDAY, October 22, 2020 – 7:00 p.m.
Virtual Meeting

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 Virginia Higley, Richard Szewczak, Frank Alaimo, Ken Nelson, Charles Ladd, Linda DeGray and Alternate Commissioners Vinnie Grillo and John Petronella. Absent was Commissioner Mary Scutt.

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

Motion: Commissioner Alaimo made a motion, seconded by Commissioner Szewczak, to enter into Executive Session.

The motion passed and the Commission entered into Executive Session.

The Commission returned from Executive Session at 7:28; no decisions were made and no votes took place.

Approval of Minutes – September 24, 2020 Special Meeting

Motion: Commissioner Higley made a motion, seconded by Commissioner Alaimo, to approve the minutes of the September 24, 2020 Regular Meeting as amended.

The motion passed with an 8-0-0 vote.

Votes: 8-0-0

Public Participation

Chairman Nelson asked if anyone in the public would like to speak regarding items not on the agenda; no one came forward.

New Public Hearings

- a. **PH# 2982** – 10 Duff Drive – Application of owner and applicant Brian Embacher for an Expansion of a Non-Conforming Building under Section 3.40.1 D by constructing a 12' x 22' garage located in the front yard setback at the property located at 10 Duff Drive; Map# 068 Lot# 0009; R33 zone.

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

Chairman Nelson seated Alternate Commissioners Grillo and Petronella for the remainder of the meeting.

Brian Embacher, 10 Duff Drive, explained that his property is a star colonial that currently has a one-car garage and he would like to add a second bay that is identical to the existing one-car garage. He stated that the front setback is no longer in compliance with zoning.

Commissioner Szewczak asked if the proposed structure is just a one-story extension of the existing garage as it appears now. Mr. Embacher stated that it would be 12 feet wide with a garage door, and identical in shape to the existing one.

Commissioner Szewczak asked if he would be expanding the existing driveway and regrading. Mr. Embacher stated that the driveway is already wide enough and the land where the garage will go is already perfectly flat so there will not be grading.

Commissioner Alaimo asked why the house is nonconforming. Ms. Whitten replied that it is an R-33 zone and is only 22,000 square feet. She stated that the zoning regulations allow for a Special Permit to be granted for non-conforming additions when the parcel layout is not up to date with current zoning.

Chairman Nelson asked if this encroaches on lot coverage or setbacks other than the front yard, to which Ms. Whitten replied that it does not.

Chairman Nelson asked if the entire street is like this, to which Ms. Whitten replied that it is. Chairman Nelson stated that the Commission really needs to address this as they are costing the entire neighborhood time and money for something that has nothing to do with them.

Commissioner Szewczak stated that the Commission should tackle this issue when they re-write the regulations. Chairman Nelson requested that Staff make this a priority when the regulations get rewritten. Ms. Whitten recommended that the Commission go back to the zoning that it was when it was created.

Commissioner DeGray asked why the front yard setback was changed to 40 feet. Ms. Whitten stated that Staff will investigate the reasoning behind it.

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 motion, seconded by Commissioner Higley, to close the Public Hearing.

The motion passed with an 8-0-0 vote.

Votes: 8-0-0

Motion: Commissioner Szewczak made a motion, seconded by Commissioner Alaimo, to approve PH# 2982.

The motion passed with an 8-0-0 vote.

PH# 2982 – REFERENCED PLANS:

1/1 "Hand drawn plot plan for 10 Duff

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:

Conditions to be met prior to signing of plans:

9. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
10. The application number shall be displayed on the plans in or near the Title Block area.
11. 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.
12. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
13. 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.
14. 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:

15. 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.
16. 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.
17. 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.
18. 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.
19. A pre-construction meeting between the applicant, site contractors, project engineer and Town Staff shall be held.

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

20. 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.
21. 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.
22. 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.
23. 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.

Votes: 8-0-0

- b. **PH# 2985** - 95 Raffia Road -- Application of Owner and applicant George Raffia & Sons, Inc. for Expansion of a Non- Conforming Use under Section 3.40.1 D by installing a non-conforming sign at property located at 95 Raffia Road in the BL zone Map# 067 Lot# 0424.

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

Alexandra Thompson stated that the plaza was built back in the 1950s and they are looking to add a sign for the unit for the barbershop.

Chairman Nelson asked if this will put them over the amount of signage allowed on the property. Ms. Whitten stated that they have not done the final calculations but Staff will make sure that is not the case.

Ms. Whitten explained that this plaza was put in prior to any roof sign regulations and it is only non-conforming in regards to the roof signs. She stated that the applicant is just trying to keep it consistent.

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 an 8-0-0 vote.

Votes: 8-0-0

Motion: Commissioner Szewczak made a motion, seconded by Commissioner Alaimo, to approve PH# 2985.

The motion passed with an 8-0-0 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:

Conditions to be met prior to signing of plans:

9. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
10. The application number shall be displayed on the plans in or near the Title Block area.
11. 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.
12. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
13. 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.
14. 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:

15. 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.
16. 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.

17. 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.
18. 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.
19. A pre-construction meeting between the applicant, site contractors, project engineer and Town Staff shall be held.

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

20. 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.
21. 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.
22. 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.
23. 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.

Votes: 8-0-0

- c. **PH# 2986** -Application of Michael J. Bonanno, Esq. representing applicant 359 Hazard Ave, LLC for a text amendment amending Section 8.70 to reduce the minimum lot size from 1 acre to .5 acres; to add language to enable the rehabilitation and/or adaptive reuse of existing buildings located within the Hazardville Design District; and to establish specific criteria to accomplish same.

Michael Bonanno of Tavano, McCuin & Bonanno, LLC addressed the Commission on behalf of the applicant along with property owner Constantinos Constantinou and architect Art Hall. He stated that they were before the Commission in June with a similar application to change the zoning text regarding Section 8.70. He stated that they are looking to adapt this historic property in order to be able to re-use it in some meaningful way, which requires the regulations to be amended. Mr. Bonanno went over the changes to the regulations including minimum lot size and lot/bulk requirements.

Mr. Bonanno went over some changes from the last application that had been made after listening to the Commission and working closely with Staff. He stated that they eliminated the proposed change to the language regarding home occupations and they reduced the proposed number of units from twelve to ten. Mr. Bonanno noted that this specific application is for nine two-bedroom units so this can be dropped down to nine from ten. Mr. Bonanno went on to state that they had

eliminated some discretionary language pertaining to characteristics and landscaping, and Staff added some landscaping and buffer language.

Mr. Bonanno stated that there is more parking now available due to the reduction in units. He stated that they are proposing two parking spaces per unit, so this proposal for nine units results in eighteen parking spaces with nine spaces left open.

Mr. Bonanno stated that they have eliminated the possibility of having two dwelling units in the basement and instead would have 2,000 square feet (SF) available for storage. He stated that there will also be a medical office as the office space has been increased to about 900 SF, but these offices will only be used for telemedicine.

Mr. Bonanno reminded the Commission that this property was the old Hazardville grammar school and there is parking in the back and a park across the street which residents can use.

Mr. Bonanno stated that the major requests are dropping the proposed size of the property from one acre to half an acre, density and unit size. He stated that they looked within the Hazardville Overlay District to see how many parcels would be impacted by this and it came down to six properties. He stated that the other parcels aside from this one are existing old houses that had been converted to commercial use.

Mr. Bonanno stated that they did not include the Hazardville Institute in their analysis as it is owned by the town and therefore exempt from any regulations.

Mr. Bonanno stated that they are proposing ten dwelling units per half acre with the caveat that they can drop this down to nine units if the Commission prefers. He stated that the properties with this density are isolated so applicants would be coming before the Commission via Special Permit.

Mr. Bonanno stated that this is an adaptive re-use of an old school and they cannot change the masonry walls. He stated that they do not want to destroy any part of the building with historical significance so they are stuck with the physical layout of the building. Mr. Bonanno stated that the units are about 850 SF per unit, they have plenty of parking and there is a park across the street.

Mr. Bonanno cited Bigelow Commons as an example, stating that it was also an adaptive re-use for multi-family and the density is about 14 units per half acre. He stated that many historical buildings throughout the state have been readapted in similar fashions, and they are usually stuck in smaller sized parcels and in the center of town. Mr. Bonanno stated that there are other similar parcels in Enfield including St. Adalbert's.

Mr. Bonanno stated that the current regulations do not allow his client to make any meaningful use of the building, so they have no alternative but to change the regulations. He requested that if there are any additional modifications from the Commission, they continue the Public Hearing rather than close it.

Commissioner Szewczak stated that the presentation makes sense but ten units per half acre allows for two units for every tenth of an acre. He stated that they can change the regulations to nine units for half an acre, but they need to limit the maximum number of units per acre. Commissioner Szewczak stated that rather than saying ten units per acre, they should say the minimum lot size is 0.5 acres with no more than ten units for a one-acre site.

Ms. Whitten stated that this text amendment is written very specifically for the adaptive re-use of existing vacant historic buildings with no additions, which can be clarified in the regulations.

Commissioner DeGray stated that some of the properties listed on the narrative are not actually historic buildings. She stated that she is concerned that the office space use may eventually change from telemedicine, which could impact the parking. Ms. Whitten stated that they are proposing nine two-bedroom units and they have 27 spaces so there is adequate parking even if the office use needs more parking in the future. She explained that a more intensive use would require more review anyway.

Ms. Whitten stated that many of the buildings are not actually commercial historical buildings, which is a good thing as it means there are fewer possibilities of using this regulation. Commissioner DeGray stated that the text change becomes spot zoning if this is the only building in the area that comes under this text change. Ms. Whitten stated that it is not really spot zoning as the Hazardville Institute may not always be owned by the town, and they could eliminate the minimum acreage. Commissioner DeGray reiterated that this becomes spot zoning if they move forward, which is not allowed in the state. Mr. Bonanno stated that he was trying to be broad in his list of properties, but they could just remove the minimum acreage requirement which would open it up to more properties.

Commissioner Szewczak stated that tasteful screening can be done to soften areas.

Commissioner Higley asked if this application is just for the Hazardville Overlay District, to which Ms. Whitten replied that it is.

Ms. Whitten read over the proposed landscaping language, stating that it may need to be changed after legal review.

Chairman Nelson asked if the building has a sprinkler system. Mr. Hall stated that it does not at this time, but as a multi-family residence it will be required to have one.

Chairman Nelson stated that there will be quite a few people sharing common corridors and asked how residents get into their apartments if their neighbors do not want to wear a mask.

Chairman Nelson stated that this may not be the right building for what the applicant wants to do. He stated that the applicant had originally promised to fix the building, but he has not touched it and the building looks as bad as it ever did. Chairman Nelson stated that this is not the use the applicant originally proposed to the Commission and the building was not built for residential units. He stated that Bigelow is in Thompsonville, which has totally different zoning regulations. Chairman Nelson concluded that he has strong reservations about this proposed change as the building is right in the center of Hazardville.

Mr. Constantinou stated that the building is in such bad shape, it did not make sense to turn it into medical offices. He stated that he has no resources to maintain the building and was unable to sell it, and he does not have any options. Mr. Constantinou stated that he was advised by many financial institutions that apartments are the best use of historic buildings in the state of Connecticut. He stated that he does not want any rules bent or changed but would like the Commission to look into how he can save the building and make it viable.

Commissioner Alaimo stated that he would like to see something done with this building. He asked if the building could be mixed use rather than 100% residential and stated that he does not want to see the building just sit there and deteriorate. Mr. Constantinou stated that he is willing to work with the Commission and he is out of choices at this point.

Commissioner Szewczak asked if there is stairway access to the basement. Mr. Hall stated that the stairway at the left hand end of the building has a flight of stairs that goes down into the hallway that runs below the first floor hallway. Commissioner Szewczak stated that if basement access is not off the main entrance then it does not make sense to try to put retail in that lower level.

Commissioner Alaimo stated that the basement level could provide utilities and mechanicals for retail/commercial spaces on the first floor. The Commission discussed the types of retail spaces and businesses that may work best in this building. Commissioner Szewczak suggested that the regulations require some retail associated with the residential use.

Commissioner Petronella asked if this building would be exempt from handicap accessibility as there does not appear to be a grade level to access any of the units. Mr. Constantinou stated that the building will be handicap accessible and ADA requirements will be met. Commissioner Petronella stated that an elevator or addition would require him to come back before the Commission for approval and may end up taking up square footage.

Chairman Nelson asked if the windows in all of the bedrooms meet egress, to which Mr. Constantinou replied that the windows will all have to be replaced with new energy efficient windows meeting code.

Chairman Nelson asked how egress windows will be put into the building without altering the façade. Mr. Hall stated that the sprinklers remove the requirement for egress size windows, but most of the windows will meet the egress sizes anyway. Chairman Nelson stated that he would like the Building Official's and Fire Marshal's opinions on this prior to any vote taking place.

Mr. Hall stated that in alteration work the windows are allowed to be the tilt takeout type in order to achieve the required area so the sizes of the windows would easily handle egress requirements. Mr. Hall reiterated that he does not believe it is required because of the sprinklers that would be required.

Chairman Nelson asked if this building would have to go before the Historic Commission to replace the windows. Mr. Constantinou stated that they will have a historic expert come by to take measurements and approve the windows prior to installation, which he stated is a huge expense. Chairman Nelson stated that expense is not under the purview of the Commission.

Commissioner Alaimo asked about the condition of the roof of the building. Mr. Constantinou stated that there are leaks and the flooring is getting damaged. He stated that the building needs a new roof, new windows and everything else.

Ms. Pacacha stated that this application is for the text amendment, so whatever use he proposes will still have to come before the Commission and most likely an ART will be held. She stated that Staff would get all Department comments ahead of time and those plans would come before the Commission at a future date.

Ms. Pacacha stated that this building is not in the Historic District locally, and she is not sure if it is on the state or national historic lists.

Mr. Bonanno stated that his client has been trying to make this work and is not disingenuous. He stated that he would like to take the blame if it was presented that way.

Ms. Whitten read through the specific text amendment wording. She stated that adding multi-use as a possible development is a good idea but she is not sure if the Commission will want to require it. She stated that making more retail within this building will require more parking and there will be issues with signage.

Ms. Whitten stated that they need to find out about the spot zoning and talk more about the landscaping as well as language to add for mixed use. She suggested that the Commission table the application so Staff and the applicant can work out more wording for the next meeting.

Chairman Nelson asked what Ms. Whitten meant regarding the signage, to which Ms. Whitten replied that retail businesses will want signage outside the front door and there is no front door for this building.

Commissioner DeGray stated that they will need signage to promote the apartments in the future, and she is glad they will be looking at the spot zoning.

Chairman Nelson asked if anyone in the public would like to speak in favor or against the application.

Karen LaPlante, 166 North Maple Street, addressed the Commission. She stated that she has been involved in the Hazardville Institute and she would not like to see either of these buildings torn down. Ms. LaPlante stated that the Commission needs to start looking at adaptive reuse of these buildings and she thinks it is a great application. She stated that the longer the Commission puts the developer off, the harder it will be to rehabilitate the building and it will end up being torn down.

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

Motion: Commissioner Szewczak made a motion, seconded by Commissioner Petronella, to table PH# 2896 until the next meeting.

The motion passed with an 8-0-0 vote.

Votes: 8-0-0

Motion: Commissioner Szewczak made a motion, seconded by Commissioner Petronella, to add to the agenda a 90-day extension request for the Public Hearing and flood application for 55 Cottage Road.

The motion passed with an 8-0-0 vote.

Votes: 8-0-0

New Business

- a. **PH2930.02** – Application of Benjamin Wheeler, representing Enfield Housing Authority for a modification of a site plan approval to include elevation changes and slight building modifications at Enfield Manor located at Enfield Terrace in the HR-33 Zone, Map 19, Lot 235 – **WITHDRAWN**

Commissioner DeGray asked if the Commission had anything in writing. Ms. Whitten read an email from Daniel Jameson with Design Professionals into the record. She stated that it is a withdrawal just of the modifications rather than the entire project.

- b. **Appointment of PZC Liaison to Economic Development Commission.** Commissioner Richard Szewczak's commission expired on 12/31/2019 - Three year term

Commissioner Szewczak stated that he would like to continue as the liaison. The Commission appointed him as liaison to the Economic Development Commission.

Other Business

Discussion regarding proposed Lake Overlay District text amendment language

Ms. Pacacha stated that Staff has calculated the data to include Crescent Lake rather than just Shaker Pines Lake. She stated that there are a total of 150 properties on the two lakes and the addition of Crescent Lake did not change the overall numbers much. Ms. Pacacha stated that Staff still proposes the same change in lot coverage to allow a 3% increase over 20% for properties that are 10,500 SF or lower.

Commissioner DeGray stated that they are only talking about the properties that actually touch the lake. She stated that she has issues with increasing the coverage only for the people who live on the lake and not for the people who live across the street.

Commissioner Szewczak agreed, stating that the Commission needs to look at all of the zones that are somewhat similar in nature and find something consistent for the entire town. He stated that they should start dealing with round numbers that can be carried from zone to zone so there is consistency throughout the zones. Commissioner Szewczak stated that he agrees with passing the lake text amendment as both lake districts are about the same, so they should do it for the lake districts and the neighbors across the street and keep things consistent.

Chairman Nelson stated that the people abutting the lake are hindered by the wetlands and restricted area, so their front yards are useless. He stated that he does not agree with spot zoning, but this is specifically for the abutters of the two lakes.

Chairman Nelson asked if it is possible to build 25% on 11,000 SF or less without encroaching on the setbacks. Ms. Pacacha stated that the regulations currently allow the setbacks to be changed by no more than what the average of the block face is. She stated that Staff has been counting the block faces five properties to the north and south of the property in question and taking the average of those, but there can be small properties right next to large properties in the lake district. Ms. Pacacha stated that ultimately residents of the lake district end up having to conform to the current regulations which is ten-foot side yards and 35-foot front and rear yards, and even greater than that if they have a property that is conforming and 33,000 SF.

Commissioner Alaimo stated that they should think about people across the street, as some of those lots are also have the same restrictions as the people on the lake.

Chairman Nelson asked what the current restricted area is on wetlands, to which Commissioner Higley replied that it is 150 feet. Chairman Nelson stated that there is a huge difference for the property owners abutting the lake and their neighbors across the street.

Chairman Nelson stated that Staff has gotten the Commission everything they have asked for and both lakes have the hardship due to the restricted area. He stated that the PZC and Wetlands Commissions need to work together on issues like this.

Commissioner Higley stated that there are also escarpment issues on several of these properties so there is a double challenge in front of them.

Randy Daigle stated that if they were to go up to 23 or 25% they cannot go toward the lake and will have to go to the street side, which has a 35-foot setback. He stated that if this is reduced to 30 feet, then they will be allowed to put a garage on the street side.

Commissioner DeGray asked if the side yards would still stay ten feet from both sides with this text change, to which Ms. Pacacha replied that they would.

Chairman Nelson stated that he is ready to move on this. Commissioner Szewczak stated that addressing the rear yard setback would require more studying but he is otherwise ready to move forward.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner Higley, that they proceed with the text change amendment for the Lake Overlay District as discussed.

The motion passed with an 8-0-0 vote.

Votes: 8-0-0

Discussion on Farm breweries and wineries

Ms. Whitten stated that the Commission had been requested to consider wineries and breweries at farms. She asked the Commission's thoughts on hours of operation, parking, tasting rooms, food trucks and other issues associated with wineries and breweries.

Chairman Nelson stated that it should be regulated by the amount of acreage so that the bigger the farm, the bigger the venue you can do.

Commissioner Alaimo stated that the wine should be made onsite rather than brought in from elsewhere. He stated that they should promote their farms and it should be a family friendly venue.

Commissioner Szewczak stated that it should be dependent upon acreage and what they can accommodate.

Commissioner DeGray stated that it should be based on the size of the winery itself and the wine should not be imported from elsewhere.

Commissioner Grillo stated that farm breweries and wineries should have the same rules and regulations as other breweries and wineries.

Chairman Nelson stated that it has to be size specific so they will need to come up with a formula for how many cars are allowed based on acreage. He stated that he would be very happy to see something like this in Enfield.

Discussion of Winters Farmers and Craft Market in Industrial Zones

Ms. Whitten stated that the Commission did not think this was a very good idea when it came before them in the past. She stated that the owner of the old Hallmark on Manning Road went to the neighborhood and received very good responses about it.

Ms. Whitten explained that it would be on the weekend and would be more of a craft market than a farmer's market. She stated that it would be very limited in time frame and the neighborhood would rather see this there than have more trucks coming up and down the street. Ms. Whitten stated that this is the wave of the future and is adaptive reuse of things that are not filling up anymore.

Chairman Nelson stated that his biggest concern is the road that it is on and the addition of weekend traffic. He stated that he would want a Public Hearing with a physical mailing to every neighbor on the street in order to move forward. He stated that this is not limiting the weekday traffic, but rather is just using the same space on weekends for something different.

Commissioner Higley stated that she has a hard time believing the neighbors would want this. She stated that she has no problem with a Winter Farmer's Market in Industrial zones, but she has a problem with it at this location due to the traffic the neighbors already endure during the week. Commissioner Higley pointed out that if there are crafts, there will be box trucks going down there.

Chairman Nelson stated that if the neighbors support this then he will entertain it, so he wants to hold a Public Hearing. Commissioner Higley stated that this is among the areas she has in mind for regulation changes.

Commissioner DeGray stated that there are currently empty commercial spaces to hold craft fairs so she does not see a reason to allow this change in the Industrial Zone, especially on this street. She stated that there will be box trucks and people coming from out of state and the traffic will increase.

Commissioner Szewczak stated that unless the public is informed and in support of this, he would have serious concerns about moving forward with it.

Discussion on creating new POCD Steering Committee

Ms. Whitten stated that she will be sending out a memo to the various Commissions regarding appointing members to the Steering Committee. Chairman Nelson suggested they appoint two members from each Commission and go from there. Commissioner Szewczak stated that the Chair of the PZC should be on the POCD Steering Committee.

Chairman Nelson stated that he has no problem being on the Committee, but Commissioner Szewczak should remain on it as well. Ms. Whitten stated that she will be sending a letter out to

all of the Boards and Commissions as well as the Town Council to get people signed up, and then they can begin speaking to others they would like to include.

Chairman Nelson requested that the Commissions should appoint someone who is knowledgeable and somewhat experienced in order to make progress.

Discussion regarding PZC workshop with Consultant

Don Poland addressed the Commission in order to introduce them to the four documents in preparation for the workshop. He reviewed the four documents, which he had previously emailed to the Commission. Mr. Poland went over his role and the procedures involved in updating the regulations. He requested that the Commission familiarize themselves with the documents prior to the workshop.

Commissioner Alaimo asked if the workshop will be the session where the Commissioners can provide input on things they want looked at. Mr. Poland stated that there are two projects going simultaneously: the POCD update project and the Zoning Regulation update project. He stated that the workshop coming up should focus more on zoning and uses.

Ms. Whitten stated that the Commission needs to schedule a Special Meeting for this. Discussion took place regarding when a Special Meeting can be held, with the Commission ultimately deciding to have a meeting on November 16, 2020 at 6:00 p.m.

Commissioner DeGray asked if they would be meeting virtually or in chambers, to which Chairman Nelson replied that the Commission cannot meet in person as their meetings are public and they cannot allow the entire public at this time due to COVID-19. Ms. Whitten stated that it will not be changing for a while.

Commissioner's Correspondence

Commissioner Alaimo stated that he did not get the drawings from the master packet.

Administrative Approval Report

- a. **SPR# 1829.02** – Application of Regency Centers c/o Michael Lai representing owner Equity One (Northeast Portfolio) LLC for a modification to previously approved site plan to include an additional 425sf of building addition at 10 Hazard Avenue, Map 56. Lot 22 in the BR district (aka Burlington Coat Factory)

Ms. Whitten stated that this is the Burlington Coat Factory which the Commission saw already. She stated that they are adding an additional 425 SF to the rear of the building for a utility room. She stated that the change is very minor per the Fire Department and ends up being a better layout.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner Higley, to allow for administrative approval of SPR# 1829.02.

The motion passed with an 8-0-0 vote.

Votes: 8-0-0

- b. **SPR #1840** -Application of owner Anthony Troiano & Sons, Inc. for phase 2 site improvements inclusive of small mixing tanks, distribution lines renovated truck fueling facility located at 188 Moody Rd, in the I -1 zone

Ms. Whitten utilized an aerial photograph to illustrate where the new machinery and tanks will be added.

Motion: Commissioner Higley made a motion, seconded by Commissioner DeGray, to allow for administrative approval of SPR #1840.

The motion passed with an 80-0 vote.

Votes: 8-0-0

Applications to be Received

- a. **SPR #1842** – Application of AAA Club Alliance, Inc. and owner Paramount Realty Services, Inc for a site plan approval for the construction of a new 10, 197 sf building and associated site improvements located at 25 Hazard Ave., in the BR zone Map45, Lot 08

Ms. Whitten stated that the new application has a much better layout and they will be taking out about an acre of pavement. She stated that overall it is a much better plan.

Commissioner Alaimo asked if the application was a modification, to which Ms. Whitten replied that for all intents and purposes it is a new application. Commissioner Alaimo asked if the applicant will be losing their original approval, to which Ms. Whitten replied that it will be replaced.

Adjournment

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

The motion passed with an 8-0-0 vote.

Votes: 8-0-0

Prepared by: Elizabeth Bouley

Respectfully Submitted,

Richard Szewczak, Secretary