

ENFIELD PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
**DRAFT MINUTES FOR COMMISSION CONSIDERATION**

Thursday, December 10, 2020 – 7:00 p.m.

Virtual Meeting

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**Call to Order & Pledge of Allegiance**

Chairman Nelson called the meeting to order at 7:02 PM.

**Roll Call**

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

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

Chairman Nelson seated Alternate Commissioners Grillo and Petronella for the absent Commissioners.

**Approval of Minutes**

- a. November 12, 2020 – Regular Meeting

**Motion:** Commissioner DeGray made a motion, seconded by Commissioner Higley, to approve the minutes of the November 12, 2020 Regular Meeting as amended.

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

**Votes: 7-0-0**

- b. November 16, 2020 – Special Meeting

**Motion:** Commissioner DeGray made a motion, seconded by Commissioner Higley, to approve the minutes of the November 16, 2020 Special Meeting.

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

**Votes: 7-0-0**

**Public Participation**

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

**Bond Release(s)**

Ms. Pacacha stated that the roads for the River Cliff and River Overlook subdivisions have been adopted by the town at this point, and it is customary to have a Maintenance Bond in place for at least a year after the adoption of the roads. She stated that they would like their Engineering Bond to be released so that they can file this Maintenance Bond.

Chairman Nelson asked if the Engineering Bond can be released, to which Ms. Pacacha replied that the requirements were met so it can. Chairman Nelson stated that if this bond is released there will be no bonds on the subdivision.

Commissioner Higley stated that this would set a bad precedent. Ms. Whitten stated that the only way she would be comfortable is if they could be assured they would get the money immediately. Chairman Nelson asked if they can cut them back the balance, to which Ms. Whitten replied that she is not sure.

Further discussion took place regarding whether to release the bond or refund the balance. Ms. Whitten stated that the letter just came in yesterday so Staff can investigate it further to see if they can just refund the balance.

Chairman Nelson asked who owns the subdivision once the bond is released, to which Ms. Whitten replied that Pappas does. She stated that they are selling the lots but are responsible for the bond. Ms. Whitten clarified that this is the Maintenance Bond for just the street, not the subdivision. Chairman Nelson stated that a lot of the lots are sold off now. He stated that this is how they get into trouble with subdivisions that have no bonds in place and the roads fall apart.

### **Continued Public Hearings**

- a. **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.

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

Michael Bonanno of Tavano, McCuin & Bonanno, LLC addressed the Commission along with property owner Constantinos Constantinou of Tolland and Architect Arthur Hall of Vernon, Connecticut.

Mr. Bonanno stated that they are here for a zone text change application amending Section 8.70 in order to adaptively re-use the property at 359 Hazard Avenue. He stated that they would like to amend the regulations as they exist so that applicants can re-use historic properties that would otherwise be blighted and not used to their full potential.

Mr. Bonanno stated that they have proposed some revisions that will address the concerns of the Commission from the last meeting. He stated that Town Attorney Mark Cerrato had reviewed the proposed change in the regulations.

Mr. Bonanno stated that this property is not ideal for mixed retail use due to signage and parking issues. He went on to state that this text change is not spot zoning as their proposed text change will

benefit more than their own property and is also in conformance with the Plan of Conservation & Development (POCD). He stated that this is the adaptive re-use of historical buildings and is not creating a disturbance in the neighborhood. Mr. Bonanno stated that Attorney Cerrato did not have any concerns with spot zoning when he went over the proposed changes.

Mr. Bonanno stated that one change they made was to eliminate the minimum acreage requirement of one acre, which he said would open up the applicability of this section to other parcels and reduces any concerns about spot zoning.

Mr. Bonanno stated that they increased the minimum square footage for studio apartments, and that they are proposing a change to the regulations to have ten dwelling units per half acre.

Mr. Bonanno stated that they have no problems with any of the changes proposed by Attorney Cerrato.

Commissioner Szewczak stated that he does not support the elimination of lot size. He stated that he does not agree with the ten units per half acre, as this would allow for 20 units on an acre and that is too much. Commissioner Szewczak stated that they need to limit how much can be put on a developed area. He stated that a minimum lot size should be a half-acre and the maximum density for units should be ten units for any lot that is one acre or less.

Mr. Bonanno stated that they added language such that an applicant cannot make additions or alterations to the building footprint unless it is related to access.

Commissioner Szewczak stated that he is concerned that in the future this text change for Hazardville will be applied to other areas in town, so the Commission must look at the entire town. Mr. Bonanno stated that they are fine with ten units per acre with a half-acre minimum. Additional discussion took place regarding minimum lot size and maximum unit density.

Chairman Nelson asked if the Hazardville Design district includes any of the side streets such as School Street or Maple Street. He stated that there are a lot of larger old homes in the area that are on lots larger than a half-acre that would fit into this category, as it does not exclude residential houses. Mr. Bonanno stated that their proposed language does specify non-residential buildings.

Commissioner Higley read through existing wording in the regulations which she stated allows for anything you want in the Hazardville Development District. She stated that she does not think this is a good idea.

Ms. Whitten stated that they decided to get rid of the minimum acreage as it would disqualify the Hazardville Institute, which is on 0.12 acres. Chairman Nelson asked how many acres the Hazardville Hotel is on, to which Ms. Whitten replied that she would have to look into it.

Commissioner Alaimo asked if all of the recommendations and concerns of Attorney Cerrato have been met. Ms. Pacacha stated that the updated version came in after 5 pm so she has not had a chance to look. Commissioner Alaimo stated that he would like to ensure that they have met the Town Attorney's concerns.

Mr. Bonanno stated for the record that they accept all of the Town Attorney's concerns and suggestions.

Discussion took place regarding the term "underutilized" with the Commission deciding that they need to come up with a definition for it.

Commissioner DeGray stated that she has an issue reducing the square footage to 800 SF for a two-bedroom when that is not allowed anywhere else in town.

Ms. Whitten stated that the Hazardville Hotel is on 0.28 acres.

Chairman Nelson asked how the larger homes along Hazard Avenue do not fit into this, to which Ms. Whitten replied that they are residential. Chairman Nelson stated that if a property has more than five units it is classified commercial and is no longer residential. He stated that a lot of the houses along Hazard Avenue have large lots and he would like to look into this.

Ms. Whitten stated that this is an adaptive re-use of a building that has been vacant and will remain vacant if this does not pass. She stated that the density should not be an issue, and this is what will work for the market and economic development.

Ms. Whitten suggested that they could say only those three properties are eligible, to which Chairman Nelson replied that this is spot zoning and against the regulations.

Mr. Bonanno stated that this use in this specific district is in harmony with the POCD. Chairman Nelson stated that this project does not benefit anyone but the owner, to which Mr. Bonanno replied that it benefits the town by providing housing and adaptively reusing a potentially blighted property.

Commissioner Alaimo stated that if they do not find a way to move this forward, they chance a blighted building.

Commissioner Szewczak stated that he would like to see the adaptive re-use take place, but the density should be limited. He stated that the Hazardville Institute Conservancy has a lease for another 60 years so he is not too concerned about the Hazardville Institute building being converted to residential units. Commissioner Szewczak concluded that they need to take into consideration the entire town, but they do need to allow for some adaptive re-use.

Chairman Nelson pointed out that there are other areas in town where this could be applied, and they cannot allow it in Hazardville but refuse it elsewhere. Ms. Whitten stated that if it is going to reuse a historic structure then it is a good thing. She stated that the town is currently in the process of obtaining grants to destroy the Strand and the Lamagna Center, and that area will eventually be a new TOD development. Ms. Whitten stated that the site has limited parking and is not well suited to retail, but the proposed use will work for the building and preserve it.

Commissioner DeGray stated that she is concerned about reducing the sizes of the units, and that they still need a definition for underutilized. She stated that if this verbiage only fits one building, it

is spot zoning. Commissioner DeGray stated that they need to know what other parcels on Hazard Avenue in the historical area have five units or more. She concluded that she is concerned with changes that the Commission has not seen yet being sent to the Planning Office at 5:00.

Mr. Constantinou stated that he will try to answer all of the Commission's questions and concerns so they can move forward.

Mr. Bonanno suggested they come up with some language to prevent multi-family residential buildings from being converted.

Chairman Nelson stated that commercial properties are more than five units, so somehow the definition would have to be clear that it would not include those properties. He stated that other towns that come back and thrive put business on the lower floor and residential above. He stated that he would have no problem putting residential above with businesses on the first floor, which would bring the charm back to Hazardville. Ms. Whitten stated that signage and parking are an issue for having retail in this building.

Chairman Nelson stated that parking in Hazardville and Thompsonville is mostly on the roads, and the goal is to get people out and walking around. He stated that taking all of the businesses out of Hazardville will turn it into another Thompsonville, to which Ms. Whitten replied that there are only three buildings to which this section of the regulations will be applicable. Chairman Nelson stated that he does not understand why this is not spot zoning.

Commissioner Szewczak stated that some minor modifications could allow for some potential retail in the basement. Discussion took place regarding what types of businesses could be located in the basement of the building. Mr. Constantinou asked for guidance from the Commission on how to proceed.

Commissioner Alaimo stated that he has no problem with on-street parking for Hazardville and Thompsonville.

Chairman Nelson asked if anyone in the public would like to speak.

Chris D'Antonio, 18 Montano Road, addressed the Commission to support the text amendment. He stated that this is a good opportunity to re-use existing buildings and increase housing supply.

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

Commissioner DeGray asked if the Commission can proceed if there are text changes received today that the Commission has not seen yet.

Commissioner Szewczak stated that they have expressed some concerns for Staff to address. He stated that the applicant would like a list of the Commission's concerns so his team can address them and come to the next meeting with a modified text change.

Chairman Nelson stated that maintaining the mixed use follows the POCD and keeps things uniform along Hazard Avenue. He stated that he has no issue with on-street parking or the square footage of the apartments. Chairman Nelson concluded that he does not see a full residential building being in line with the POCD, but he does want to save the building.

Commissioner Petronella stated that he has no issue with the apartments as 99% of old schools are turned into apartments. He stated that the applicant will have difficulty trying to do commercial due to ADA requirements. Commissioner Petronella stated that he has no issue with the proposed square footage of the units either.

Commissioner Grillo stated that the applicant wants to work with the Commission and they need to work with him as well.

Chairman Nelson stated that it is empty space now, so they should not limit the applicant being able to put in his office or something like that. He reiterated that the mixed use is maintaining the POCD.

Commissioner DeGray stated that if the applicant can meet the mixed use requirement it would be great. She stated that if the applicant comes back with the changes he has heard tonight, then she has no problem with the plan. Commissioner DeGray stated that they need to do something with that building before it falls down.

**Motion:** Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to continue PH #2986 to the next meeting on January 14, 2021.

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

**Votes: 7-0-0**

**Motion:** Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to add the appointment of the Capitol Region Council of Government (CRCOG) representative to the agenda.

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

**Votes: 7-0-0**

Chairman Nelson asked who the current CRCOG representatives are, to which Ms. Pacacha replied that they are Commissioners Higley and Scutt.

Commissioner Higley stated that she did not get the schedule last time around and did not go to any of the meetings. Commissioner Alaimo asked what it entails, to which Commissioner Higley replied that they meet every other month. Ms. Whitten stated that the meetings are usually held in West Hartford but are currently virtual.

Chairman Nelson suggested that Commissioners Alaimo and Higley should be the CRCOG representatives. Discussion took place regarding how best to get the meeting schedule to the Commissioners.

The Commission appointed Commissioners Alaimo and Higley as CRCOG representatives.

### **Other Business**

#### **a. Adoption of the 2021-2022 Calendar Meeting Dates**

The Commission discussed the December 23, 2021 meeting for PZC, ultimately deciding to remove it from the calendar.

**Motion:** Commissioner DeGray made a motion, seconded by Commissioner Higley, to accept the 2021-2022 PZC schedule as amended.

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

#### **Votes: 7-0-0**

Chairman Nelson requested that the December 23, 2021 Aquifer Protection Agency meeting also be removed from the calendar. Commissioner Petronella asked if the Aquifer Protection Agency meeting starts at 6:30, to which Commissioner Higley replied that it does.

**Motion:** Commissioner DeGray made a motion, seconded by Commissioner Higley, to accept the 2021-2022 Aquifer Protection Agency schedule as amended.

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

#### **Votes: 7-0-0**

### **Commissioner's Correspondence**

Commissioner Alaimo stated that Commissioner Ladd was not seeking re-appointment and he would like to wish him well and say goodbye. He stated that Commissioner Ladd should receive some sort of recognition. Ms. Pacacha stated that they will give him his nameplate.

### **Town Planner Report**

Ms. Whitten stated that the DOT is on board to get the train station in Enfield, and they are currently looking at design. She stated that Staff will be meeting with them the first week of January.

Ms. Whitten stated that the POCD survey will be out next week. She went on to state that Don Poland sent in his review of the first three chapters of the regulations and Staff will get that to the Commissioners soon.

Chairman Nelson asked what will be done with the casket building, to which Ms. Whitten replied that someone wants to restore it and make it mixed use.

Commissioner Alaimo asked if the Commission can go around town in one of the town buses with Mr. Poland in the spring, to which Ms. Whitten replied that they can after COVID.

Commissioner Alaimo asked what restaurant group purchased the Friendly's corporation out of bankruptcy, to which Ms. Whitten replied that she does not know.

**Administrative Approval Report**

Ms. Pacacha stated that there are currently no administrative approvals, but things should pick back up starting in January.

**Opportunities/Unresolved Issues**

Commissioner Higley asked if Chairman Nelson's address is correct on the contact list, to which Chairman Nelson replied that it is not. He stated that Staff will correct it and also asked that they correct his email address.

**Adjournment**

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

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

**Votes: 7-0-0**

Prepared by: Elizabeth Bouley

Respectfully Submitted,

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Richard Szewczak, Secretary