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Shela M Bailey

ENFIELD PLANNING AND ZONING COMMISSION
LIVE REGULAR MEETING
MINUTES
THURSDAY May 11, 2023 – 7:00 PM
ENFIELD TOWN HALL - COUNCIL CHAMBERS
820 ENFIELD STREET - ENFIELD, CT

Call to Order & Pledge of Allegiance

Roll Call

Commissioner Petronella took the roll and present were Commissioners Lewis Fiore, Virginia Higley, John Petronella, Kenneth Hilinski, Kiran Majmudar, Linda DeGray and Alternate Commissioner Nicles Lefakis and Christian D'Antonio. Absent was Alternate Commissioner Vinnie Grillo.

Also present were Laurie Whitten, Director of Planning, Matt Davis, Assistant Planner, and Rebecca Jones, Recording Secretary.

Approval of Minutes

- a. April 27, 2023

Motion to amend the April 27, 2023 regular meeting minutes made by Commissioner DeGray; seconded by Commissioner Higley.

Commissioner DeGray asked for a revision on Page 6 to change references of an affidavit to e-mail.

Motion to approve the April 27, 2023 minutes as amended made by Commissioner Higley; seconded by Commissioner DeGray an approved by a 7-0-0 vote. Commissioner Alaimo watched the meeting on YouTube and felt so qualified to vote.

Town Attorney Report

None.

Public Communication

None.

Bond Release(s)

None.

Presentation

None.

Continued Hearings

- a. **PH# 3065ZA- 113 Brainard Road**-Application for a zone change from R-33 to BR; Fast Track Realty, LLC, Applicant; John Ferreira, Owner; Map 36/Lot 237; R-33 Zone

Attorney Landolina was present on behalf of the applicant. Attorney Landolina gave a brief review of the public hearing thus far. An opinion was issued by the Town Attorney regarding allowing conditions on a zone change. It is Attorney Cerrato's opinion that this is not proper. Attorney Landolina opined that the concerns of the Commission

can be allayed by setting an effective date closer to the applicant's due diligence deadline of November 30, 2023. Commissioner DeGray asked Ms. Whitten clarifying questions related to Attorney Cerrato's response. Ms. Whitten confirmed that the owner of the property cannot file the approved map on his own and would have to reapply as his own applicant to re-request such a zone change.

Public hearing was opened for comment. No one spoke for or against the application.

Commissioner Majmudar confirmed that setting an effective date for the future is not considered a condition of approval. Both Ms. Whitten and Attorney Landolina confirmed that the effective date can be for any time in the future. Attorney Landolina further noted that if the special permit application isn't filed by November 30th, 2023 then the map will not be filed and it will never become effective.

Motion to close the public hearing made by Commissioner DeGray; seconded by Commissioner Higley and approved by a unanimous vote of 7-0-0.

Chairman Fiore read a statement he prepared summarizing his opinion on this filing. He opined this application is the proverbial 'cart before the horse' scenario. The zone change application must stand on its own merits. He laid out four different potential scenarios that could occur going forward. He expressed concerns about predetermination. Commissioner DeGray expressed concern as she felt this application sets a precedent. Commissioner Majmudar opined that this is key for economic development in Enfield and agreed with the staff reasons for approval. Commissioner Alaimo confirmed with Ms. Whitten if ART meetings are occurring related to the sports complex. Chairman Fiore asked commissioners not to consider any potential plans related to this applicant and to focus on solely the rezone before them. Commissioner Hilinski shared his reasoning for approval, which included economic development and repurposing of the Bright Meadow complex. At Chairman Fiore's request, Ms. Whitten shared the allowed uses for BR zone be shared.

Motion to approve PH 3065ZA with the effective date of November 30, 2023 made by Commissioner Petronella; seconded by Commissioner Hilinski and approved by a roll call vote of 4-3-0.

- b. **PH# 3063 – 25 Hazard Ave-** Application for a site plan modification and freestanding canopies; Chick-fil-A, INC., and Paramount Commons at Enfield, LLC, Applicants; Paramount Commons at Enfield, LLC, Owner; Map 45/Lot 8; BR Zone. **Tabled**

New Public Hearings.

- a. **PH# 3066 – 600 Enfield St-** Application for car wash, gas station and convenience store; Shiraz Choudhaky applicant; Troiano Realty Corp. owner; Map 32, Lot 8; BL Zone. **Tabled**

Old Business

New Business

- a. **FLD# 45 – 25 Hazard Ave -** Application for Flood Permit; Chick-fil-A, INC., and Paramount Commons at Enfield, LLC, Applicants; Paramount Commons at Enfield, LLC, Owner; Map 45/Lot8; BR Zone. **Tabled.**
- b. **PH# 3001 – 40 Edgewood Drive –** Request to modify condition #4 of Special Permit #3001 to extend the period required to acquire a building permit; Rachel Boulette and Daniel Cezus, Owners/Applicants; Map 53/Lot 519; R-33 Zone.

Owner Daniel Cezus was present for discussion. He is requesting a modification to Condition No. 4 of his special use permit. This will give him more time to secure a building permit for the project. He began receiving quotes

for the proposed work and when material and labor costs rose exponentially, he was forced to push the timeline back. Commissioner DeGray asked when he expects to complete the project, which will hopefully be within the year. Ms. Whitten confirmed that he can come back as many times as he wants to extend the timeline.

Motion to approve PH #3001 with the condition that applicant file a Building Permit by May 13, 2023 made by Commissioner Petronella; seconded by Commissioner DeGray and approved by a roll call vote of 7-0-0.

- c. **SPR# 1915** – Application requesting a warehouse expansion at 7 Pearson Way; Applicant Pearson Enfield Development Co, LLC, owner; Map 75. Lot 42; I-1 zone.

Applicant and applicant representative was present for discussion. The development will disturb approximately 2.6 acres to expand the building for additional warehouse space. IWWA approval was granted. This space will only be for warehouse and distribution. The site will have 49 parking spaces for approximately 36 employees. Potential additional parking spots were shared. Traffic report was reviewed, and this will have little impact on current traffic flow. Stormwater plan was shared as was snow management plan. The site will be fenced in to cut down on illegal dumping. Lighting will be wall pack lighting along 3 sides of the building. There will be no light spillage. Site plan was reviewed, which is mirroring the 1997 addition.

Commissioner Alaimo asked about the floor plan. Commissioner Petronella agreed with the applicant's choice regarding the parking plan. Chairman Fiore confirmed that the compactors will be placed on concrete pads. He also confirmed with staff that this commission does not need to specify any of the IWWA site specific conditions within their approval. The statute requires that the commissioners must consider the reports, but IWWA conditions are not enforced through this commission. Commissioner Higley noted that the Wetlands approvals were shown by the applicant on the submitted maps.

Motion to approve SPR #1915 with conditions and modifications made by Commissioner Petronella; seconded by Commissioner DeGray and approved by a roll call vote of 7-0-0.

Other Business

- a. **Discuss State mandated affordable housing plan.**

Ms. Whitten spoke with Don Poland, POCD consultant and the final draft should be completed within a week. She anticipates taking the Housing chapter of the POCD and present it for adoption.

Enforcement Reports

None.

Correspondence

Chairman Fiore has been repeatedly approached by several residents residing in the North Thompsonville area regarding the inundation of vape shops in their neighborhood. Their concerns were formalized in an e-mail addressed to Chairman Fiore requesting that the commissioners address the number of vape shops in this area. Commissioner Alaimo noted that he has heard similar concerns about vape shops. Staff proposed preliminary ideas for addressing this concern. He surveyed the commissioners regarding their thoughts on pursuing this further. After reviewing the timeline for the year, Chairman Fiore stated that this issue will likely be addressed by the new Planning and Zoning Commission to be seated in January 2024. Zoning regulations will start being reviewed mid-July. Staff will be reviewing next best steps regarding the review process.

Commissioner's Correspondence

Town of Enfield Attorneys will be holding a land use training on June 1st at 7:00pm for all land use board members. Attendance is highly recommended.

Commissioner D'Antonio asked why Brainard Gardens is being considered multi-family housing when it is a complex of single-family units. Ms. Whitten opined because it is one parcel. He noted it should be referred to as cluster housing.

Director of Planning Report

None.

Opportunities/Unresolved Issues

None.

Administrative Approval Report

None.

Receipt of applications

There will be a re-subdivision application for 161 Post Office Road.

Adjournment

Motion to adjourn made by Commissioner Higley; seconded by Commissioner DeGray and approved by a unanimous vote of 7-0-0.

The meeting was adjourned at 8:37 PM.

Prepared by: Rebecca Jones

Respectfully Submitted,

John Petronella, Secretary