

ENFIELD PLANNING AND ZONING COMMISSION
LIVE REGULAR MEETING
MINUTES
THURSDAY MAY 25, 2023 – 7:00 PM
ENFIELD TOWN HALL - COUNCIL CHAMBERS
820 ENFIELD STREET - ENFIELD, CT

RECEIVED
ENFIELD TOWN CLERK
2023 MAY 30 AM 10:31
Shela M Bailey

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, Francis Alaimo, Kiran Majmudar, Linda DeGray and Alternate Commissioner Christian D'Antonio. Absent was Alternate Commissioners Nicles Lefakis and Vinnie Grillo.

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

Approval of Minutes

- a. May 11, 2023

Motion to approve May 11, 2023 regular meeting minutes made by Commissioner Higley; seconded by Commissioner DeGray and approved by a roll call vote of 7-0-0.

Town Attorney Report

Chairman confirmed receipt of the May 25, 2023 report.

Public Communication

None.

Bond Release(s)

None.

Presentations

None.

Continued Hearings

- a. **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 until 6/8/2023**

New Public Hearings

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

Commissioner Petronella read the legal notice into the record. Property owner, applicant and applicant representatives were present for discussion. Project site is 1.31 acres in the BL zone and will be the same use and purpose as in the past. There are several lawful 2 non-conformities on this site. There is no direct impact to the

wetlands, but Grape Brook is in an upland review area and wetlands permit was received in March 2023. ART meetings with Town of Enfield staff have been positive and plans have been revised because of these meetings.

Site plan was reviewed. The convenience store will replace the self-service vacuum area. They plan to renovate the canopy and add five new pump locations, creating a potential for 10 cars to fuel at one time. The flow of traffic will be counterclockwise and allow for a 'bail out' lane for emergency vehicle access. Parking for convenience store customers was reviewed. The sidewalk on Enfield Street will be repaired, set back and will install the appropriate DOT approved handicapped ramps. A new drainage system will be installed. There is a well on the property, for which the appropriate state license has been received. The plan is to use the well for water at the car wash, which is connected to the sewer in the street. Landscaping plans were reviewed.

Convenience store details were shared. There will be a handicapped accessible bathroom. Parking access was reviewed. The car wash will be painted over to match the utility building on the property. The utility building may either be a site manager's office, a maintenance building or a combination of both. Site specific maintenance equipment will be stored in the space. Impervious surface will be reduced.

Paul Tanner, hydrogeologist was introduced for comment. The site is sitting on a sand wedge. There is clay at about 20 feet, which is the base level of Grape Brook. Mr. Tanner explained that old tanks were removed a few years ago and there is a small expanse of soil that has a petroleum odor. There is no layer of petroleum. This is common of older gas stations as former generations of tanks have migrated over time. There is an area on the site that will be a designated soil management area. When the earth is opened for the infrastructure, soils with odor or staining or indication of hydrocarbon are managed appropriately. Additional soil tests will be conducted as well as a well impact survey. Data will be received to confirm water resource areas are protected.

Commissioner Hilinski asked for clarification regarding the self-service vacuums. He also asked about the possibility of future environmental issues on site. The site is heavily monitored and regulated by DEEP and soil scientists are required to be on site during construction. Chairman Fiore asked about significant changes made since receiving staff opinion regarding phasing of the project. Commissioner Majmudar also echoed Commissioner Hilinski's concern about ground contamination. There will be a pre-construction meeting with staff followed by monthly updates via email.

Commissioner Petronella confirmed that all DEEP requirements will be met before construction begins. He noted that the elevations on the plans should reflect the dimensions of the stone wall. He also asked about site delivery plan. He confirmed it will not be a 24/7 operation. Commissioner Alaimo confirmed that all potentially contaminated soil will be mitigated. Commissioner Higley asked about state regulated parking in the right of way. She also asked if staff comments have been addressed.

Public hearing was open to the public for comment. No one spoke for or against this application.

Commissioner D'Antonio asked what specifically dictates the applicant's sidewalk and landscaping design. The landscaping acts as a snow shelf and the State will not allow for any landscaping between the curb and the sidewalk. Chairman Fiore confirmed there is no traffic study. He also asked for staff opinion regarding the overlay zone. Mr. Davis explained that the site is lawfully non-conforming and if the applicant is attempting to make the site less non-conforming, then they are moving in the right direction. He further opined that it would be more difficult to impose rigid standards in terms of the overlay district on such a site.

Mr. Davis answered staff questions. He wants to ensure that the use is clarified and on record so when the approval is granted, other departments will know what to expect. Staff comments of May 5th can be addressed with small revisions to the plans. He opined it is not staff's role to usurp the Commission's authority, which is

why a draft motion was not prepared. Staff anticipates adding a number of conditions specifically as it related to construction process to ensure proper management and monitoring. Mr. Troiano provided clarifications to specific commissioners' concerns.

Motion to table PH # 3066 – 600 Enfield Street made by Commissioner Hilinski; seconded by Commissioner Alaimo and approved by a unanimous vote of 7-0-0.

b. PH# 3067 – 161 Post Office Rd – Application for re-subdivision; Garrett Homes, LLC, Applicant; Mitchell Wojnar, Owner; Map 68/Lot 232; BL Zone

Commissioner Petronella read the legal notice into the record. Applicant and applicant representatives were present for discussion. This application is considered a re-subdivision as the original subdivision was approved in 2004 for two lots. The current applicant is requesting the re-subdivision as it will create a new lot out of the area that has already been subdivided. At the time of initial approval, there was a requirement that the open space requirement be met by deeding over 1.42 acres of open space to the Town of Enfield. As time passed, the transfer of the open space was never made. Through the owner, an offer was made to the Town Council in February 2023 and was not accepted. It is open space by virtue but is not deeded as such to the Town nor is there a conservation restriction on it that would ensure that it is noted as being open space in compliance with the Town's regulations. A draft conservation restriction was included with the submittal that has been signed by the owner and is being held in escrow pending the approval of the new subdivision.

A new lot of approximately 12.7 acres is being proposed and includes an option to put a conservation restriction on the other remaining land. Site plan was reviewed. There is an unnamed stream and a bordering wetland. There are escarpment slopes and soil piles. All frontage and setback requirements have been met.

Staff comments were addressed by the applicant. Revised site plan maps were provided detailing alternative plans for the open space. The alternative would exclude the wetlands area and limit the number of escarpments on the space. A narrative was provided by the applicant that details most of the utilities available for both Raffia and Post Office Road. Record information from Hazardville Water was obtained that confirms a water main on Raffia Road but does not extend on Post Office Road. The frontage along Post Office Road does not have water or sewer. Stormwater management plan was discussed. Plans were revised to show dirt driveway and additional utilities per staff requests. Town Engineer opined that sidewalks should be installed on the Raffia Road frontage and a detailed cross section should be added to the plan.

Mr. Davis asked the applicant if the Commission is bound by the 2005 subdivision approval with respect to the manner the open space is dealt with in this application. He further asked if the Commission could propose their own alternatives to the open space. Ms. Whitten asked the applicant if the town drainage structures will be included in the open space. Attorney Pearson noted that there is a recorded easement that gives the Town the right to drain through part of the area. There was no map included with the recorded easement, but the applicant concluded that the area is likely to the northerly corner.

The public hearing was open for comment. No one spoke for or against this application.

Chairman Fiore proposed that this application be continued so that the commissioners can review new material and the applicant can work with staff on remaining loose ends.

Motion to table PH # 3067 – 161 Post Office Road made by Commissioner Higley; seconded by Commissioner DeGray and approved by a unanimous vote of 7-0-0.

Motion to take a 5-minute break made by Commissioner Higley; seconded by Commissioner DeGray and approved by a unanimous vote of 7-0-0.

Old Business

None.

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 until 6/8/2023**

Other Business

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

Chapter 5 of the 2023 POCD will be adopted as Enfield's affordable housing plan. After approval, it will be added as an appendix to the POCD for adoption on May 30, 2023.

Motion to approve the Enfield Affordable and Fair Housing Plan per CGS 8-30j with effective date of May 30, 2023.

Chairman Fiore read reasons for approval. An effective date was set for May 30, 2023.

- b. **Discuss controlling Vape/Smoke shops**

Commissioners agreed to discuss this during zoning regulations review.

Enforcement Reports

Chairman Fiore mentioned that the ZBA upheld the Cease-and-Desist Order for Jimmy's Pub. Owner appealed to the courts and there is a stay. Things will remain as is until court case is resolved.

Correspondence

Commissioners were reminded of the upcoming land use training.

Commissioner's Correspondence

Commissioner Alaimo noted that the landscaping at the new dispensary and Raising Kane's is very overgrown and looks blighted. He also asked about the requirement of bollards specifically at the new car wash on Elm Street.

Director of Planning Report

Next steps for the zoning regulations review will be a staff meeting within the next few weeks.

Opportunities/Unresolved Issues

None.

Administrative Approval Report

None.

Receipt of applications

- a. **PH# 3070ZA – 140-148 Hazard Ave** – Application to amend Section 5.50.1 regarding driveways in the BP Zone; Trinity Health of New England – Johnson Memorial Hospital, Applicant/Owner; Map 65/Lot 90; BP Zone
- b. **PH# 3069 – 9 Manning Rd** – Application to allow a commercial vehicle in R33 Zone; Christopher Latocki, Applicant/Owner; Map 34/Lot 8; R33 Zone
- c. **SPR# 1917 – 40 Oliver Rd** – Application for outdoor event; Renee Scharoff, Applicant: Claire, Renee, Nathan, Tamarce Scharoff & Sarah Parlos, Owners, Map 47/Lot 37; I-1 Zone

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 9:31 PM.

Prepared by: Rebecca Jones

Respectfully Submitted,

John Petronella, Secretary