

ENFIELD PLANNING AND ZONING COMMISSION
REGULAR MEETING
MINUTES
Thursday, July 22, 2021 – 7:00 p.m.
ENFIELD TOWN HALL - COUNCIL CHAMBERS
820 ENFIELD STREET - ENFIELD, CT

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

Also present were Laurie Whitten, Director of Development Services and Ricardo Rachele, Zoning Enforcement Officer.

Chairman Nelson seated Alternate Commissioner Grillo.

Approval of Minutes

- a. July 8, 2021 – Regular Meeting

Motion: Commissioner DeGray made a motion, seconded by Commissioner Higley, to approve the minutes of the July 8, 2021 Regular Meeting.

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

Votes: 7-0-0

Public Participation

Chairman Nelson stated that there is no one in the audience.

Zoning Enforcement Report

- a. 148 Enfield Street

- b. 44 Marion Place

Mr. Rachele stated that 44 Marion Place started in the late winter of 2019 and involves a second driveway that was put in place without approval as well as a garage that was built without permits in the front yard setback. Mr. Rachele stated that multiple vans and other equipment were kept on the property. He described the citation process and stated that the owner refuses to take further action so he is requesting that they move it to the Town Attorney's office.

Mr. Rachele stated that the complaint regarding 148 Elm Street came from neighbors due to the digging up of the asphalt. He stated that the owner is no longer following the approved site plan and refuses to submit a new one. Mr. Rachele stated that they went through the process and had a hearing at which the business owner was asked to submit site plans but he still refuses to do so. He stated

that there used to be a sidewalk there and now it is gone. Mr. Rachele stated that pedestrians now have to walk through the parking lot, so it has become a safety issue as well.

Chairman Nelson stated that Mr. Rachele has full consensus from the Commission to move forward to the Town Attorney's office with both properties.

Bond Release(s)

- a. **PH# 2954/SPR# 1804** – 481 Taylor Road (Hazardville Water Company) – Bond release request for the Erosion & Sedimentation Control Bond in the amount of \$4,800.00, the Site Restoration Bond in the amount of \$97,600.00, and the Landscaping Bond in the amount of \$3,140.00.

Mr. Rachele explained that the Erosion & Sedimentation bond is still in effect and the Landscaping Bond was put up by the landscaping company. He stated that they can release the performance bond but the other two bonds are still in place for Erosion & Sedimentation and Landscaping. Mr. Rachele stated that the Landscaping bond must be held for another year and went on to describe the companies that the bonds are going to.

Chairman Nelson questioned why the motion is written the way it is since they are still holding the Erosion & Sedimentation and Landscaping bonds. Discussion took place as to how best to word the motion.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to approve the release of the site performance bond in the amount of \$105,540 as it pertains to PH# 2954/SPR# 1804. He added that the performance bond is equated to the site restoration bond only.

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

Votes: 7-0-0

- b. **PH# 2925** – 65 Hazard Avenue (Family Ford) – Bond release request for the Erosion & Sedimentation Control Bond in the amount of \$5,700.00 and the Site Restoration Bond in the amount of \$203,200.00.

Mr. Rachele stated that the landscaping is not complete yet so they are still retaining that bond. Chairman Nelson asked if the landscaping and erosion & sedimentation go hand in hand since there may be erosion without the landscaping being completed. Mr. Rachele stated that they have to put in some trees and other things in the rear area where there is a detention pond and they have not completed it yet.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to approve the release of the Erosion & Sedimentation Control Bond in the amount of \$5,700.00 and the Site Restoration Bond in the amount of \$203,200.00.

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

Votes: 7-0-0

New Business

- a. **SPR# 1868** – 1 Prior Road – Site Plan Review application for modifications to the Enfield Twin Rinks building in order to accommodate a window associated with the existing snack bar to allow snack purchase from outside; The Hillebrecht Group LLC, owner; Keith Hillebrecht, applicant; Map 68/Lot 92; R-33 Zone.

Ms. Whitten stated that the applicants are not present but she did not receive any word from them that they would not be coming.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to table SPR# 1868 until the next regular meeting on September 9, 2021.

Commissioner Alaimo stated that the Health Department did not comment so he would like to see comments from them at the next meeting.

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

Votes: 7-0-0

Commissioner's Correspondence

Commissioner DeGray stated that according to the Patch there is a large sign on the side of a house on Elm Street that says "You Lying SOB" and before that there was another sign saying "Leave Us Alone." Mr. Rachele stated that there have been no complaints to their office. The Commission discussed the location of the house.

Commissioner Alaimo stated that a condition on the Jersey Mike's building was for sidewalks and he has not seen those yet. He stated that there are Opening Soon signs and he does not want to see them lose their CO due to missing sidewalks.

Commissioner Grillo stated that he thinks they may be waiting to finish the whole development. Mr. Rachele stated that the interiors are not nearly complete yet. Chairman Nelson stated that they will not get their site bonds back if they do not have the sidewalks in.

Commissioner Alaimo asked if the study is continuing on the wetlands in the industrial park. Ms. Whitten stated that they are beginning conversations on it but it will not happen overnight. Commissioner Alaimo asked if the Mobile Station and the land behind it will be included, to which Ms. Whitten replied that they most likely will.

Chairman Nelson went over various construction projects that had started in town including Winstanley, the senior housing on Hazard Ave, the storage container place and AAA. He stated that it is nice to see things happening and thanked Staff for their hard work.

Director of Development Services Report

Ms. Whitten stated that Public Act 21-29 requires towns to accept accessory dwelling units as a by right use unless they opt out.

Commissioner Szewczak suggested that they add this topic to the agenda.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to add discussion for PA- No.21-29/Substitute House Bill No. 6107 to the agenda under Other Business.

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

Votes: 7-0-0

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to go back to Other Business.

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

Votes: 7-0-0

Other Business

Ms. Whitten stated that Public Act 21-29 requires towns to allow accessory dwelling units in all single family parcels. She stated that the town has the right to opt out but they will have to have a Public Hearing. She provided the Commission with a summary of what is allowed now versus what this act will allow.

Commissioner Petronella asked if the purpose of the law is to promote affordable housing. Ms. Whitten stated that it is to promote more various types of housing.

Chairman Nelson stated that the Town Council cannot start their process until the Commission is done, so the Commission should have a Public Hearing in September. Commissioner Alaimo stated that it is a two-thirds vote, according to the Town Attorney. Chairman Nelson stated that they have until January to opt out or they will automatically be opted in

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to set a Public Hearing to review PA- No.21-29/Substitute House Bill No. 6107.

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

Votes: 7-0-0

Commissioner Szewczak asked for more clarification on Item C, to which Ms. Whitten replied that she will get that.

Chairman Nelson stated that he would rather allow the town to make the decision than the state. Discussion took place regarding how this act came to be with Ms. Whitten concluding that she will move forward with setting the Public Hearing.

Director of Development Services Report

Ms. Whitten stated that Assistant Town Planner Jennifer Pacacha has given her notice so they will be looking for another Assistant Town Planner. Chairman Nelson stated that the Commission wishes Ms. Pacacha the best and thanked her for her hard work.

Ms. Whitten stated that she had been working on the Rails to Trails project. She stated that there are still community gardens available and concluded that the farmer's market is in operation on Sundays and doing well.

Commissioner Alaimo stated that Yankee Gas had purchased the house on North River Street and is going to demolish it, which will open up the whole area down there.

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,

Richard Szewczak, Secretary