

ENFIELD PLANNING AND ZONING COMMISSION
SPECIAL MEETING
MINUTES

Thursday, August 5, 2021 – 6:30 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 6:30 PM.

Roll Call

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

Chairman Nelson seated Alternate Commissioner Grillo.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to take a ten-minute recess to allow Staff to join the meeting.

The motion passed with a 6-0-0 vote.

Votes: 6-0-0

Chairman Nelson stated that Staff liaison was caught in traffic and would arrive shortly.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to take another ten-minute recess until Staff arrives.

The motion passed with a 6-0-0 vote.

Votes: 6-0-0

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

Also present was Laurie Whitten, Director of Development Services.

Chairman Nelson seated Alternate Commissioner Grillo.

New Public Hearings

- a) **Public Hearing for Consideration of opting out of the Accessory Dwelling unit (ADU) portion of PA- No. 21-29/Substitute House Bill No. 6107**

Commissioner Szewczak read the legal notice.

Ms. Whitten provided the Commission with a description of Public Act 21-29 and stated that an opt-out provision is available. She stated that the town of Enfield allows accessory dwelling units, which are usually known as in-law apartments. Ms. Whitten provided the Commission with the definition of an in-law apartment.

Ms. Whitten stated that the proposal in the public act requires towns to allow accessory dwelling units which are more like a separate apartment than an in-law apartment. She read the description of an accessory dwelling unit according to the proposal.

Ms. Whitten stated that the Building Department does not currently require any unit size, so anyone coming in under this act would be able to have any unit size.

Ms. Whitten stated that an in-law apartment under the building code is basically just another room, while an accessory dwelling unit is actually an apartment and must fall under all of the building and fire codes.

Ms. Whitten stated that the intent of the act is to make housing more varied and affordable and to allow for social equity as far as housing. She stated that all of the lots in Thompsonville are small, and adding double dwelling units might be problematic.

Chairman Nelson asked if multi-family homes are included in this, to which Ms. Whitten replied that it is single family homes only with no lot minimums.

Commissioner Szewczak stated that regulations are in place so that the development that occurs in town is predictable and consistent. He stated that they should have to conform with all building and fire codes for safety reasons and there should be a minimum size. He stated that the lot should be adequate for the proposed housing and not every lot should be allowed to have an additional dwelling unit. Commissioner Szewczak stated that the owner does not have to live in the accessory dwelling unit, which means no one at the location is accountable.

Commissioner Alaimo stated that it is troubling that a single family residential subdivision can easily become a multifamily development with this act. He stated that it takes away the Commission's oversight.

Commissioner Petronella stated that he agrees with Commissioner Alaimo and asked if the utilities can be shared from the primary residence, to which Ms. Whitten replied that they can. He stated that the Commission will not have a say if this act goes through, and he is concerned that this will chase people out of town and negatively impact property values.

Commissioner DeGray stated that if this act is allowed, it puts a huge demand on the infrastructure of the town.

Chairman Nelson stated that he is concerned about public safety and how the new units would be numbered. He stated that this could result in every house having another driveway and he is

concerned about drainage issues. Chairman Nelson stated that the water and sewer lines cannot accommodate the additional usage.

Commissioner Grillo stated that he is concerned with the depreciation of home values if this act passes.

Commissioner Petronella stated that there are certain zoning criteria for rear lots, and this act would allow two houses on one parcel in town and it is hard to imagine this in many of the residences in town.

Commissioner Alaimo stated that there are currently lots in Thompsonville that have houses behind houses, which makes it difficult for emergency responders to find them.

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

Lorraine Creedon, 57 Cottage Road, addressed the Commission. She asked what ZP stands for, which Ms. Whitten replied that it stands for Zoning Permit. Ms. Creedon stated that she is concerned that a single family house would not have to be owner occupied. She stated that in order to opt out they need an affordable housing plan and asked if they have one.

Ms. Creedon stated that the accessory dwelling units would still have to meet the current zoning regulations and would have to be permitted and reviewed by Staff prior to approval. She stated that she is concerned about affordable housing in Enfield but this act may not be the right way to address it.

Chris D'Antonio, 18 Montano Road, addressed the Commission. He stated that he is in favor of accessory dwelling units and opposed to opting out. Mr. D'Antonio stated that he is concerned with affordable housing and that adding the flexibility of accessory dwelling units is a benefit to all. He stated that everyone should be able to live their lives without excessive overreach by neighbors or the government. Mr. D'Antonio stated that having more flexible accessory dwelling unit opportunities is not the catchall savior to affordable housing, but is also not a drastic nightmare situation. He stated that he lives in a single family neighborhood and would welcome more neighbors, and it is not his right to stop someone from living next door to him. Mr. D'Antonio stated that accessory dwelling units can be better for the environment and he is not a fan of restrictive zoning. He concluded that he is in favor of accessory dwelling units and opposed to opting out, but if they do back out he requested that they revise the zoning regulations as they pertain to accessory dwelling units.

Gretchen Pfeifer-Hall, 4 Somers Road, addressed the Commission, stating that she is in favor of opting out. She stated that Enfield already has a wide variety of affordable housing options. Ms. Pfeifer-Hall stated that they are able to opt out since they already have over 10% affordable housing. She stated that they already allow accessory apartments. She stated that parking in some neighborhoods is already a problem and this is a potential safety issue. Ms. Pfeifer-Hall concluded that the zoning regulations are fair and this bill takes away the town's right to regulate development.

Brian Blair, 39 Dartmoor, stated that he is in favor of opting out. He stated that the wording is vague and this could be radically abused. Mr. Blair stated that the town is affordable, which is why he moved to Enfield three years ago. He stated that more density is not going to be welcomed by everybody, and affordable housing can be handled in a way that still allows the Commission to do their job. Mr. Blair concluded that he strongly feels they should opt out.

Ms. Creedon stated that she is glad to hear they are at 13% affordable housing, but they still have a lot to work to do.

Ms. Whitten stated that the affordable housing plan referenced by the act is new and all of the towns will have to do that. She stated that they still need to come up with affordable housing to accommodate people who need it.

Ms. Whitten stated that the bulk and area zoning regulations will have to be met, including setbacks and coverage. She went on to state that they will be doing an affordable housing plan along with the POCD, explaining that the state requires them to show that they are promoting affordable housing every time they apply for a grant.

Ms. Whitten stated that the parking is an opt out provision but is not the subject of tonight's meeting.

Chairman Nelson stated that what they have to look at is what is not built but is approved when it comes to affordable housing. He went over the affordable housing that had been approved since he has been on the Commission, stating that almost a thousand units have been approved and have yet to be built.

Commissioner Szewczak stated that the increase in units also comes with increase in traffic and parking. He stated that there are people looking for income who do not care what happens and will not be accountable if anything happens.

Chairman Nelson asked if anyone else would like to speak.

Mr. Blair stated that the wording is ambiguous in terms of whether an accessory dwelling unit can be built if the home already takes up 30% of the lot.

Mr. D'Antonio stated that flexibility and variety of housing is also important in addition to affordability. He stated that citizens do not have a right to stop the world from changing around them and that houses should be homes rather than investment opportunities. Mr. D'Antonio stated that land is a limited resource and they do not have the right to stop development and expect their neighbors and neighborhoods to never change.

Ms. Creedon asked for clarification on what they are exempt from and why that is important. She read a portion from page 3 of the document which states that it cannot be more restrictive.

Ms. Whitten explained that in towns that do not have over 10% affordable housing, the affordable housing statute allows for the proposal of a lot of variation of what would normally be required. She

went on to state that the towns would have to accept it since it is an affordable housing application, unless they are over that 10% affordable housing.

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

Ms. Pfeifer-Hall stated that as a community they have the right to regulate orderly development of the town. She stated that real estate values go up and down and other towns that do not have zoning have very disorderly development. Ms. Pfeifer-Hall stated that zoning regulations protect property values as well as health and safety, and that they have an obligation to have enforceable zoning regulations. Ms. Pfeifer-Hall stated that the bill is all about affordable housing. She concluded that there is certainly a need for affordable housing, and that Enfield has done its share and will continue to do so.

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

Commissioner Szewczak stated that houses should be homes, and these accessory dwelling units should also be homes. He stated that there will always people who will take advantage and the accessory dwelling units will not end up being homes. Commissioner Szewczak concluded that they are trying to maintain a certain quality of life in Enfield.

Chairman Nelson asked why Mr. D'Antonio would want to move from a duplex to a single family neighborhood and then make that single family neighborhood just like the duplex was. He went on to reiterate the pressure that would be put on the infrastructure such as sewer and drainage if this passes. Chairman Nelson stated that Enfield is diverse with all kinds of housing already.

Commissioner Petronella stated that this is a fair housing act and the accessory dwelling units are not required to be affordable housing according to the document.

Chairman Nelson asked three times if anyone else in the audience would like to speak; no one came forward.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to close the Public Hearing.

The motion passed with a 6-0-0 vote.

Votes: 6-0-0

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to opt out of the accessory dwelling unit portion of PA-No. 21-29/Substitute House Bill No. 6107 and to send a referral to the Town Council requesting the same.

Commissioner Szewczak went over the reasons the Commission wants to opt out, including because the town regulations are in place to provide development that is predictable, consistent, equal, uniform, and that meets all fire and building code requirements. He stated that this regulation would create additional traffic and parking requirements and would also tax school systems and town

services. Commissioner Szewczak stated that it would decrease privacy and create stress for emergency services. He concluded that it would have an adverse effect on the citizens of Enfield.

Chairman Nelson requested that each Commissioner state a reason when they vote.

Chairman Nelson stated that he is in favor of opting out due to the fact that the infrastructure was never designed to take twice the load and this is a recipe for disaster. Commissioner DeGray stated that she is in favor of opting out due to the demand on the land and impervious coverage that this would create. Commissioner Alaimo stated that he is in favor of opting out due to the public safety issues and that this is not in harmony with the current regulations or the POCD. Commissioner Petronella stated that he is in favor of opting out due to the over-taxation of the infrastructure and the land, and also because it is a safety issue. Commissioner Grillo stated that he is in favor of opting out due to safety issues, extra cars and that it will depreciate home values. Commissioner Szewczak stated that he is in favor of opting out as all development in town should meet all building and fire codes for the safety of the inhabitants.

The motion passed with a 6-0-0 vote.

Votes: 6-0-0

Adjournment

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

The motion passed with a 6-0-0 vote.

Votes: 6-0-0

Prepared by: Elizabeth Bouley

Respectfully Submitted,

Richard Szewczak, Secretary