ENFIELD PLANNING AND ZONING COMMISSION
REGULAR LIVE MEETING
MINUTES
THURSDAY OCTOBER 14, 2021 – 7:00 PM
ENFIELD TOWN HALL - COUNCIL CHAMBERS
820 ENFIELD STREET - ENFIELD, CT

Call to Order & Pledge of Allegiance
Chairman Nelson called the meeting to order at 7:02 PM.

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

Also present was Laurie Whitten, Director of Development Services.

Chairman Nelson seated Alternate Commissioner Correia.

Approval of Minutes

a. September 23, 2021 – Regular Meeting

Motion: Commissioner DeGray made a motion, seconded by Commissioner Higley, to approve the minutes of the September 23, 2021 Regular Meeting.

Commissioner DeGray stated that she only received every other page of the minutes. The Commission agreed to vote on the minutes since they were all able to read them online.

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

Votes: 7-0-0

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

Old Public Hearings

a. **PH# 3017MA** – 1297 Enfield Street – Zone change request from HR-33 to SDD; Felician Sisters of North America Real Estate Trust, Owner; The Community Builders, Applicant; Map 46/Lot 2; HR-33 Zone. **TABLED**

Chairman Nelson stated that this Public Hearing is tabled until the next meeting.

New Public Hearings

a. **PH# 3013** – 51 Enfield Street – Special Use Permit application to convert a non-conforming use to a less intensive non-conforming use for a car wash and motor vehicle detailing facility; Diane Pagano, Owner/Applicant; Map 35/Lot 206; BL Zone. **TABLED**

Ms. Whitten stated that this Public Hearing will be tabled until the next meeting.

b. **PH# 3018MA** – 190 Elm Street – Zone change request from BL to BG; 466 Spring Street LLC, Owner; Noble Energy Real Estate Holdings LLC, Applicant; Map 64/Lot 90 & 91; BL Zone.

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

Michael Frisbie and Kevin Solli addressed the Commission. Ms. Whitten stated that they need to take a five minute recess in order to get the PowerPoint presentation going.

Motion: Commissioner Nelson made a motion, seconded by Commissioner DeGray, to take a five minute recess.

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

Votes: 7-0-0

The meeting resumed at 7:12 PM.

Mr. Solli provided an aerial photograph of the property and went over the dimensions and existing conditions. He stated that a gas station is a grandfathered use and they are requesting a zone change from BL to BG as additional uses are permitted in BG including a gasoline fueling facility. Mr. Solli stated that the use is grandfathered and can continue, but they would like to improve upon the existing site facilities, so they are requesting the zone change. He stated that their proposed project will be an improvement to the current conditions.

Mr. Solli explained how the proposed use is in harmony with the area and consistent with the Plan of Conservation & Development (POCD).

Commissioner Correia stated that the other Noble gas station in East Windsor is very clean and nice, and stated that Enfield does offer a lot of retail already. Mr. Solli utilized the drawing on the screen to illustrate what the facility will look like. He stated that there will be a convenience store, coffee shop, sandwich shop, and ice cream shop as well as a car wash on the property. He stated that there will be extensive outdoor areas for outdoor dining, and they plan to create a nice environment for the community.

Chairman Nelson asked if it is an automated car wash; Mr. Frisbie stated that it will be an express car wash model. He stated that it will look similar to the facility in East Windsor but will be larger and better. Mr. Frisbie stated that there will be an electric charging station and an outdoor fire pit.

Chairman Nelson stated that the inside of the East Windsor store is immaculate and he likes this plan.

Commissioner Alaimo stated that this has been a long time coming and he supports it.

Chairman Nelson asked three times if anyone in the public 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 7-0-0 vote.

Votes: 7-0-0

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to approve PH#3018MA.

Chairman Nelson asked if the applicant has to come back for the actual building, to which Ms. Whitten replied that they will.

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

Votes: 7-0-0

New Business

a. **SPR# 1870** – 101 North Street – Site Plan Modification Application to allow pavement within 10 feet of the front property line for track racing; Chris Marcy, Applicant; 101 North, LLC Owner; Map 93/Lot 21; I-1 Zone.

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

Chairman Nelson seated Alternate Commissioner Correia.

Ms. Whitten stated that the applicant is not present.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to table SPR# 1870.

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

Votes: 7-0-0

b. **8-24 Referral** – Sale of town owned property located at 110 High Street.

Ms. Whitten stated that they already have a buyer and they already have an application for a daycare. Chairman Nelson asked if the town still occupies this property, to which Ms. Whitten replied that they are moving to Alcorn.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to forward a positive referral to the Town Council for the sale of the property at 110 High Street as it will add value to the business section in that section of town.

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

Votes: 7-0-0

c. **8-24 Referral** – Sale of town owned property located at 52 Prospect Street.

Ms. Whitten stated that they do not currently have a buyer and they did approve the regulation for someone to come in with a similar or less intensive use.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to forward a positive referral to the Town Council for the sale of the property at 52 Prospect Street as it will add value to the business section in that section of town.

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

Votes: 7-0-0

d. **8-24 Referral** – Purchase of gym and associated land located at 90 Alden Street.

The Commission discussed the location of the property. Ms. Whitten stated that it was St. Adalbert's school, and had been turned into apartments with an attached gym. She stated that when they purchase the gym it will be restored with rock walls, a basketball court and stage. She stated that it will all tie into Higgins Park and will contain changing rooms for the anticipated swimming pool.

Chairman Nelson asked if this will be accessible from the town hall and not Alden Avenue, to which Ms. Whitten replied that it will only be accessible from the town hall. She stated that all parking will be at the town hall and there is also talk of purchasing the Enfield Express property, which will allow more parking. Chairman Nelson stated that he though they already bought that property, to which Ms. Whitten replied that they are leasing it.

Motion: Commissioner Szewczak made a motion, seconded by Commissioner DeGray, to forward a positive referral to the Town Council for the purchase of the gym and associated land at 90 Alden Avenue as it will add recreational property and entertainment for the town residents.

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

Votes: 7-0-0

Chairman Nelson thanked the Town Council for adding so much entertainment for children throughout town.

e. **Informal discussion** on 4.70.6 MFHD with SFDU

Commissioner Petronella recused himself.

Chairman Nelson seated Alternate Commissioner Majmudar.

Attorney Paul Smith and Frank Troiano addressed the Commission. Mr. Smith stated that the LLC owns about 20 acres on the corner of Brainard Road and George Washington Road, which was previously approved for age restricted residential development under the SRD zone. He stated that the market has changed and age restricted housing is limiting in terms of financing and development. Mr. Smith stated that the approved units will be affordable housing and will work very well. He stated that they can do away with the SRD zone and lift the age restriction, or look at the multi-family housing development (MFHD) zone and add a single family detached dwelling unit zone.

Mr. Smith stated that it will be a planned unit development (PUD) and each unit will be a single detached unit with its own garage and parking. He stated that each unit would also have a rear yard.

Mr. Smith stated that the text amendment before the Commission tonight is for discussion purposes only and not binding. He stated that the planned project has most of the MFHD zone requirements with the exception of a few which were eliminated as they no longer work statutorily.

Mr. Smith stated that if this regulation is adopted they will apply for this development, which will be modestly priced units that will provide affordable housing for people and fit within the character of the neighborhood.

Mr. Troiano stated that the housing market is a challenge right now and there is not a lot of new housing going on right now. He stated that this is a good project that the neighborhood will like, and this is 100% residential. Mr. Troiano stated that the age restriction is what hurt this development, and the proposed project will enhance the area.

Mr. Smith stated that the internal infrastructure for the development will be private. He stated that there are similar units in town that have functioned very well for people, including Pheasant Hill. Mr. Troiano stated that they would like to get going with this in the spring.

Mr. Smith stated that they designed this so it will fit on less acreage but maintain the necessary scale for these units to function properly in terms of maintenance and longevity. Mr. Troiano stated that they changed very little from the previous application.

Mr. Smith stated that the density is two units per acre, which is R44.

Dana Steele of J.R. Russo & Associates entered the meeting.

Chairman Nelson stated that he knew this was coming and the over 55 is done as the market has been flooded. He stated that any approved over 55 single family subdivisions that are unbuilt should be able to switch over to a regular PUD.

Chairman Nelson asked who will be responsible for maintaining the yard and property. Mr. Troiano stated that most likely the association will be responsible.

Chairman Nelson stated that he would like to see the association maintain the grounds and that the units should have public water and sewers.

Chairman Nelson asked if the applicant will be building these himself, to which Mr. Troiano replied that they will hire someone to come in and build.

Chairman Nelson stated that there are two dwellings per developable acre in this plan, which is R44. He asked why there are two dwellings per unit and not four. Mr. Troiano stated that they went by the layout they had before. Mr. Steele stated that if they go with four instead of two then they end up with duplexes. He stated that three would give them a little more flexibility. Chairman Nelson asked if they can maintain 20 feet between each dwelling if they do three detached single-family units per acre rather than two. Discussion took place regarding density and size in terms of the proposed exclusive use areas.

Chairman Nelson asked what will be offered in terms of amenities. Mr. Steele stated that there will be a water feature, benches, and community gardens. Chairman Nelson asked if the dilapidated house on Brainerd Road is part of this, to which Mr. Troiano replied that it is and they will be taking it down.

Chairman Nelson asked if there are minimum/maximum floor areas, to which Mr. Smith replied that this is no longer something they like to see under the new state statute. He stated that the state says this should be a function of the building code and not zoning. Ms. Whitten explained that they opted out of the accessory dwelling units but this section was not something that they could opt out of. Extensive discussion took place regarding the Public Act and whether a minimum must be included on the plans.

Commissioner DeGray stated that two dwellings per developable acre is a good size, but they also have to think of other areas that may be larger. She stated that if they go for a third house per developable acre it may get too crowded.

Commissioner Higley asked if the Public Act also entails the maximum bedrooms per dwelling unit. Mr. Smith stated that it does not touch bedrooms at all but there are limitations on parking requirements. Commissioner Higley stated that she would like to see a limit on the maximum number of bedrooms. Discussion took place regarding how many bedrooms should be allowed, with the Commission ultimately agreeing that three bedrooms is allowable.

Commissioner Alaimo asked if the 2007 approval was renewed every five years, to which Mr. Troiano replied that it was not.

Chairman Nelson asked why the applicant cannot come back before the Commission without the age restricted application. Ms. Whitten stated that this would be a subdivision and a text amendment is required.

Mr. Steele stated that they are proposing making it part of the MFHD zone, which means it needs a zone change before it is approved. He stated that the Commission has a lot more control in this format.

Commissioner Majmudar stated that the square footage is going to be driven more by changes in technology and working environments. He stated that he would like to have a broader picture of what this zone change does to other similar parcels in town so they are not creating a situation of isolated development.

The Commission discussed whether they are all ok with the text amendment, ultimately agreeing that they are all in support of it.

Commissioner's Correspondence
Chairman Nelson asked how they are making out with the farm breweries. Ms. Whitten stated that she has it on her list for the next meeting for the Commission to decide which way they want to go.

Director of Development Services Report

a. PA 21-29 Parking opt out by Town Council

Ms. Whitten stated that they did opt out of the ADU's through the Town Council so that is official. She stated that they have a new Assistant Town Planner starting on Monday and went over some of his credentials. Commissioner DeGray stated that people are no longer going to school to be Sanitarians and asked if this is the case for Planning. Ms. Whitten replied that no colleges in Connecticut have an accredited Planning curriculum with the exception of Yale, and most Planners are getting older and starting to retire. She stated that COVID is also a factor as people do not want to work in municipalities and have to go to meetings or the office.

Chairman Nelson asked what the parking opt-out is, to which Ms. Whitten replied that they may need to re-review Pubic Act 21-29 because there is also a parking opt-out. She stated that she needs to double check the details of the Public Act but there are a number of things the Commission needs to address within this act. The Commission discussed when the acts go into effect and when they can get this issue onto the agenda as the upcoming agenda is already substantial and includes the Felician Sisters.

Chairman Nelson stated that the Town Attorney recommends that the Commission do not attend any fundraisers or events by the Felician Sisters. Ms. Whitten stated that it could be interpreted as ex parte communication.

Chairman Nelson asked how much Ms. Whitten has dissected the Public Act, to which Ms. Whitten replied most of it. She went on to state that there is very little they can opt out of but the parking is one of them. Chairman Nelson stated that they should have opted out of everything when they sent this to the Town Council. Ms. Whitten stated that she tried and was told that they need to focus on the ADUs.

Commissioner Alaimo asked what the time constraint is on this one, to which Chairman Nelson replied that it is already in effect. Ms. Whitten stated that she can send the Public Act out to the Commissioners again if they cannot find the one she already sent. Chairman Nelson stated that they can do a Special Meeting if need be. He stated that if they did not opt out by October 5, 2021, these regulations supersede the town regulations until January 1, 2023 at which point it becomes permanent.

Ms. Whitten stated that she does not think they need a Special Meeting for this, and they just need to find time to discuss it.

Motion: Commissioner Higley made a motion, seconded by Commissioner DeGray, to have a five minute recess.

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

Votes: 7-0-0

The meeting resumed after a five minute recess.

Ms. Whitten went over the new process for filing the minutes, stating that there is no need for the Commission to sign them and any changes to the minutes will be reflected in the next set of minutes.

Ms. Whitten requested that the Commission keep their packets if something is tabled.

Administrative Approval Report

b. **SPR# 1873** – 604 Enfield Street – Site Plan Modification application to allow a Pizza kitchen and seating area in the existing Odin's Axe throwing establishment; Square Peg Pizzeria, Applicant; Enfield Retail Properties, Owner; Map 32/Lot 7; BL Zone

Ms. Whitten stated that they already have beer and wine so this will be a nice addition.

Applications to be Received

Ms. Whitten went over the following applications to be received:

a. **XSU# 21-09** – 117 Post Office Rd – Special Permit application to install one modular classroom on the westerly side of the existing basketball courts; Town of Enfield, Owner/Applicant; Map 54/Lot 6; R-33 Zone.
b. **SPR# 1872** – 109 Elm St – Site Plan Review application to demolish existing office building and construct a new 3,200 sq ft car wash facility. AAA Club Alliance Inc., Owner; Western Ma EEN, LLC, Applicant; Map 43/Lot 7; BG Zone.
c. **SPR# 1873** – 604 Enfield Street – Site Plan Modification application to allow a Pizza kitchen and seating area in the existing Odin's Axe throwing establishment; Square Peg Pizzeria, Applicant; Enfield Retail Properties, Owner; Map 32/Lot 7; BL Zone.
d. **PH # 3019** – 110 High Street- Special Use Permit application to establish a daycare facility; William and Melissa Adams, Applicants; Town of Enfield, Owner; Map 25/Lot 75; R-33 Zone.
e. **SPR# 1874** – 75 Freshwater Boulevard - ADA improvements at Costco.

Ms. Whitten stated that the ADA improvements at Costco may be able to be done as an administrative approval.

Opportunities/Unresolved Issues
Commissioner DeGray stated that she will not be present at the next meeting.

Commissioner Alaimo asked if they had gone over all of the administrative approvals as he had additional ones in his packet. Ms. Whitten read over the administrative approvals that had been approved.

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