

ENFIELD PLANNING AND ZONING COMMISSION
LIVE REGULAR MEETING
MINUTES

THURSDAY APRIL 27, 2023 – 7:00 PM
ENFIELD TOWN HALL - COUNCIL CHAMBERS
820 ENFIELD STREET - ENFIELD, CT

RECEIVED
ENFIELD TOWN CLERK

2023 MAY -5 AM 9:17

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

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

Chairman Fiore seated Commissioner Lefakis in Commissioner Alaimo's absence.

Approval of Minutes

- a. April 13, 2023

Motion to approve the April 13, 2023 regular meeting minutes made by Commissioner Higley; seconded by Commissioner DeGray and approved by a unanimous vote of 7-0-0.

Town Attorney Report

Chairman Fiore confirmed receipt of the Town Attorney's Report of April 24, 2023.

Motion to move 'New Business' Item C to be Item B under 'Presentations' made by Commissioner Higley; seconded by Commissioner DeGray and approved by a unanimous vote of 7-0-0.

Motion to add Item B under 'Other Business' to amend PZC in-house rules made by Commissioner DeGray; Commissioner Higley and approved by a unanimous vote of 7-0-0.

Public Communication

None.

Bond Release(s)

- a. PH# 2952 – CT Organics – 18 Mullen Road – Landscape and Erosion & Sediment Control Bond Release Request

Staff reviewed comments and support the release.

Motion to approve PH #2592 bond release made by Commissioner Petronella; seconded by Commissioner Lefakis and approved by a roll call vote of 7-0-0.

Presentation

a. Review and Act on proposed FY 2023/2024 Capital Improvement Plan.

Town Manager Ellen Zoppo-Sassu was present for discussion. A cover memo and working spreadsheet was shared with the commissioners prior to the meeting. CIP schedule is proposed and has not gone through Town Council yet. Ms. Zoppo-Sassu shared details from within the working spreadsheet. It is an ambitious list and aims to catch up on preventative maintenance. ARPA funds were used to frontload some of the projects. There will be cuts to the list during budget season.

Commissioner DeGray asked about the proposed police cruiser upgrade. Upgrades to police cruisers are always put on the CIP list as they are constantly being used with all 3 shifts. The request was 14 and it has gone down to 10 with some possible movement on that number. Chairman Fiore confirmed that the generator at the Annex is from the original facility. He also asked about track and turf replacement at the Annex. Ms. Zoppo-Sassu noted that is beyond the repair schedule but in an environment of needs vs wants, it is unclear if the repair will take place. Bathroom upgrades at Town Hall were discussed. Commissioner Majmudar asked about this list being available on ClearGov. Commissioner Petronella asked for an explanation regarding EPD street camera project. Ms. Zoppo-Sassu noted that the cameras are used for crime prevention and traffic control.

Motion to accept CIP presentation made by Commissioner Lefakis; seconded by Commissioner Hilinski and approved by a unanimous vote of 7-0-0.

Ms. Zoppo-Sassu noted that as the list is revised, a copy will be forwarded to the commissioners to use as a communication tool to track projects. The Town of Enfield is aggressively pursuing grants so some projects may move off this list and be funded elsewhere.

- b. CGS 8-24 – 810 Enfield St – Request of the Enfield Town Council for a report pursuant to CGS 8-24 regarding proposed purchase of property known as 810 Enfield Street; Map 29/Lot 1; Robert + Cheryl Alaimo, Owners; BG Zone.**

An opportunity arose to purchase 810 Enfield Street and the Town Council decided to make this investment. The goal is create a campus between Town Hall, Enfield Express, Higgins Park and this building to draw people to Thompsonville and create a gathering hub. With several town buildings nearing capacity, this property will serve as a breathing room. Ms. Zoppo-Sassu also noted that the Probate Court currently on the 3rd floor has no space for gathering before and after hearings and the adjacent regional towns that use this court have been approached about the possible move. The current property owners are willing to meet the terms of the sale and the closing can be within the next few weeks if the CGS is approved this evening. Chairman Fiore attested to the storage constraints that Town Hall currently is facing.

Motion to make a positive referral regarding CGS 8-24 – 810 Enfield Street made by Commissioner Petronella; seconded by Commissioner Higley and approved by a roll call vote of 7-0-0.

New Public Hearings.

- a. PH# 3060ZA- 242, 274, & 284 Brainard Road-** Application for a zone change from R-44 to MFHD; Washington Associates of Enfield, LLC, Applicant; Anthony Troiano Jr + Petronella, Washington Associates of Enfield, LLC, Owners; Map 77/Lots 68 & 67, and Map 62/Lot 319; R-44 Zones.

Commissioner Petronella read the legal notice into the record. Commissioner Petronella recused himself from this application and the proceeding application. In his absence, Commissioner DeGray was seated as Secretary.

Applicant and applicant representatives were present for discussion. The parcel is currently zoned as R-44 parcel with SRD (senior residential development) approval. Prior approval was received in 2005 for elderly apartment units. The applicant is currently requesting 42 single family detached housing units. Applicant also previously applied for a text amendment change, which was approved in November 2021.

The area consists of 3 parcels on 21 acres, which are all currently zoned R44 except for the plaza on the corner of Brainard and Washington Road. This development will meet the current market needs for affordable single-family dwellings. If the zone change is granted, it will be limited to this development type only. It doesn't extend to condominiums or apartment dwellings. The parcel also does not meet the lot size for apartments.

Commissioner DeGray asked about the reported drop in traffic. The traffic engineer noted there may have been a shift in character of traffic (i.e. personal vehicles to tractor trailers) but the drop in data was not significant. Chairman Fiore requested some clarification from staff on the analytical framework portion of the application.

The public hearing was opened for comment.

Dr. Stacy Olivera, 286 Brainard Road, is having a hard time understanding this project. She bought her property because of the surrounding land. The land is an avenue for residents to reset in nature and this project will hinder that.

Chairman Fiore noted that land conservation is being addressed both through the POCD and by the Conservation Commission. The applicant asked about effective dates.

Motion to close the public hearing made by Commissioner Higley; seconded by Commissioner Majmudar and approved by a unanimous vote of 6-0-0.

Motion to approve PH# 3060ZA- 242, 274, & 284 Brainard Road made by Commissioner DeGray; seconded by Commissioner Hilinski and approved by a roll call vote of 6-0-0.

Effective date was set for June 1, 2023.

- b. PH# 3061- 242, 274, & 284 Brainard Road-** Application for a multi-family housing development; Washington Associates of Enfield, LLC, Applicant; Anthony Troiano Jr + Petronella, Washington Associates of Enfield, LLC, Owners; Map 77/Lots 68 & 67, and Map 62/Lot 319; R-44

Commissioner DeGray read the legal notice into the record. Applicant and applicant representatives were present for discussion. The site plan was shared. Traffic engineer confirmed driveways give adequate sight lines and are lined with the existing intersection for Debbie Lane. This project is within an aquifer protection area. It does not require regulation, but the applicant did notify Connecticut Water who has jurisdiction. All comments made by Connecticut Water were addressed. Stormwater is divided into two watersheds.

Wetlands approval has been received for appropriate areas on the site. DEEP provided a list of potential rare wildlife and applicant has environmental experts reviewing the land to ensure all rare plants and wildlife are preserved or transplanted where appropriate. DEEP approval steps were discussed.

MFHD zone requires specific amenities, including walking trails. There is an existing walking trail along the ridge of the western end of the southerly boundary and they plan to maintain it. The walking trail will connect to the existing sidewalk system. A seating area is proposed off the walking trail within the complex. Sidewalks will be

installed along Brainard Road and George Washington Road that will loop in to the walking trail. Zoning requirements were reviewed. Floor plans for the units were discussed. There will be a homeowner's association.

Commissioner Lefakis asked about the isolated wetland area. Commissioner DeGray asked about the wetlands that fall within the backyards of 4 units. She also asked about accessory buildings and snow removal.

The public hearing was opened for comment.

Mary Ann Turner, 7 Meadow Road, spoke for the first time. Mrs Turner lives behind a Plan of Residential Development (PRD) and shared some of the issues she has faced since the development was built in 1993. She made recommendations regarding the buffer. Mrs. Turner made a comment about the walking trail and noted that residents of the complex are not going to want outside neighbors walking through their complex. She expressed concern that the roads may not be to specifications. She will be reaching out to the ZEO to discuss further concerns and share documents she has collected. She advised the Commission to set strong conditions and to be careful what they agree to. Homeowners' associations have turnover and conditions may not carry over without some type of deed restriction.

Dr. Stacy Olivera, 286 Brainard Road, asked for clarification as to what will be bordering her property as the map shows open space. She remarked that preservation of walking trail is a nice gesture but asked if neighboring residents will have access as well.

Mary Ann Turner, 7 Meadow Road, spoke again. Builder has a great project but do not walk down the same road as 1993. Neighbors will be harmed, and this commission needs to have a broader scope. She remarked that just because it is written in the minutes does not mean it can be upheld as a condition.

Applicant provided response regarding homeowners' association and enforcement of conditions. There was further discussion about satisfaction of the buffer requirements. The walking trail will be privately owned along with sidewalks and road. Commissioner Higley asked about on-site property management, which there will be none. Management direction will be provided per Mr. Troiano. He will work with Dr. Olivera to discuss plantings abutting her property. Ms. Whitten shared comments from Engineering.

Motion to close the public hearing made by Commissioner Higley; seconded by Commissioner Lefakis and approved by a unanimous vote of 6-0-0.

Motion to approve PH# 3061- 242, 274, & 284 Brainard Road made by Commissioner DeGray; seconded by Commissioner Lefakis.

Commissioner DeGray requested removing all mention of accessory buildings. She expressed concern about clutter being visible on Washington Road and Brainard Road. Commissioner Hilinski proposed accessory building be allowed only with homeowners' association approval.

Motion to remove Condition 12 made by Commissioner DeGray.

Motion to add "MFHD may not contain accessory buildings or uses" to Condition made by Commissioner Lefakis; second by Commissioner DeGray and approved by a 4-2-0 vote.

Chairman Fiore recommended a change to Condition 11.

Motion to Item 11 be reworded to read “Solid waste removal and recycling services shall be decided by the HOA” made by Chairman Fiore; seconded by Commissioner Lefakis and approved by a 4-2-0 vote.

Motion to approve PH# 3061- 242, 274, & 284 Brainard Road with amended condition of Numbers 11 and 12 and the 31 conditions made by Commissioner DeGray; seconded by Commissioner Higley and approved by a roll call vote of 6-0-0.

Commissioner Petronella joined the meeting at 9:59pm.

Motion to extend meeting until midnight made by Commissioner Higley; seconded by Commissioner DeGray and approved by a unanimous vote of 7-0-0.

- c. PH# 3064 – 561 Hazard Ave – Special Permit Application and Appeal pursuant to Section 10.30.2, proposed 48 sq ft pylon sign in BL Zone; CT Sign Service, Applicant; O’Reilly Automotive Stores, Inc; Owner; Map 110/Lot 387; BL Zone.**

Commissioner Petronella read the legal notice into the record. Applicant representatives were present for discussion. Sign approval was not included in original application. There will be no entrance from Hazard Ave to the store. O’Reilly’s does not have signage on the main shopping center sign. There will be signage on the building.

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

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

Motion to approve PH# 3064 – 561 Hazard Ave made by Commissioner Petronella; seconded by Commissioner Hilinski and denied by 1-6-0 vote.

- d. 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.**

Commissioner Petronella read the legal notice into the record. Applicant representatives were present for discussion. This application is for a site plan modification and free-standing canopy installation. Existing conditions were reviewed. Proposed modifications were discussed. Proposed plantings were detailed. There will be a change to the Paramount parking lot as well. Commissioner Hilinski asked about team member safety.

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

Old Public 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.**

Motion to take PH# 3065ZA off the table made by Commissioner DeGray; seconded by Commissioner Hilinski and approved by a unanimous vote of 7-0-0.

Applicant and applicant representative were present for discussion. Attorney Landolina reviewed what was discussed at the prior public hearing and the documents submitted for the record. The current homeowners submitted an affidavit stating that they have no interest in using the rezoned area should the All Sports Village project fail. Attorney Landolina noted that the minimum requirement for BR zone is 5 acres. Standing alone, the parcel in question would never qualify for development. Thus, the current property owner couldn't do anything with the rezoning. A2 boundary survey will be done with a note stating it is to be merged with property at 100 Bright Meadow Blvd. That would become part of the approval and will be on the zone change map. Connecticut Zoning and Land Use Practice booklet was shared with the commissioners. Per this document, courts have allowed commissions to put conditions on zone change applications.

Chairman Fiore asked Attorney Landolina to provide an opinion so that the commissioners can review and discuss questions at the next meeting. Chairman Fiore reviewed the information received at the April 13th meeting and explained that the affidavit from the homeowners will not hold up in court. The A2 boundary survey will hold up in court per Attorney Landolina and the homeowner has no right to file it. Chairman Fiore upheld his decision that he wanted a written opinion from Attorney Landolina and a continuance for 2 weeks will allow commissioners to review and discuss. Commissioner DeGray asked for clarification about the effective date.

Motion to table PH# 3065ZA- 113 Brainard Road made by Chairman Fiore; seconded by Commissioner Petronella and approved by 6-1-0 vote.

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 to May 11, 2023.

- 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.

Application will be heard at the May 11, 2023 meeting.

Old Business

None.

Other Business

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

This was placed on the agenda as a placeholder. Enfield is one of twenty towns without an affordable housing plan on file. Commissioners will discuss in greater detail at the next meeting.

- b. **In-House Rules**

Chairman Fiore noted that the order of the agenda should be amended so old public hearings come before new public hearings.

Motion to change Item 10 on the agenda in the bylaws from 'Continued public hearings' to 'Old public hearings' made by Commissioner Higley; seconded by Commissioner DeGray and approved by a unanimous vote of 7-0-0.

Enforcement Reports

None.

Correspondence

None.

Commissioner's Correspondence

Email received by commissioners regarding an open item. Chairman Fiore reminded the public to refrain from sending commissioners emails about open public hearings. All communication regarding open items should go through staff. It is against the law for commissioners to comment on those types of communication.

Director of Planning Report

Ms. Whitten has been attending the National Planning Conference virtually.

Opportunities/Unresolved Issues

Per Chairman Fiore, POCD needs to be posted on the Town of Enfield website by April 30th, 2023. Ms. Whitten has reached out to Don Poland.

Administrative Approval Report

None.

Receipt of applications

- a. **SPR # 1916 – 175 Freshwater Blvd** – Application for electric converter upgrade & silo expansion; Eppendorf Holding, Inc., Applicant/Owner; Map 56/Lot 23; IP Zone.

This application will likely an administrative approval.

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 11:25 PM.

Prepared by: Rebecca Jones

Respectfully Submitted,

John Petronella, Secretary