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Shida M Bailey

ENFIELD PLANNING AND ZONING COMMISSION
REGULAR MEETING
MINUTES
THURSDAY JULY 13, 2023 – 7:00 PM
ENFIELD TOWN HALL - COUNCIL CHAMBERS
820 ENFIELD STREET - ENFIELD, CT

Call to Order & Pledge of Allegiance

Roll Call

Commissioner DeGray took the roll and present were Commissioners Lewis Fiore, Virginia Higley, Linda DeGray, Kenneth Hilinski, Francis Alaimo, Kiran Majmudar, and Alternate Commissioners Christian D'Antonio and Nicles Lefakis. Absent was Commissioner John Petronella and Alternate Commissioner Vinnie Grillo.

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

Also present were Laurie Whitten, Town Planner, Matt Davis (via Zoom), Assistant Planner, and Rebecca Jones, Recording Secretary.

1. Approval of Minutes

a. June 22, 2023

Motion to approve June 22, 2023 regular meeting minutes made by Commissioner Higley; seconded by Commissioner Hilinski and approved by a unanimous vote of 7-0-0.

Commissioner DeGray felt confident in voting on the minutes as she viewed the meeting on YouTube.

Town Attorney Report

Commissioners are still in receipt of the June 22, 2023 report.

Public Communication

None.

Bond Release(s)

None.

Motion to move Old Business: FLD #45 to after continued hearings made by Commissioner Higley; seconded by Commissioner DeGray and approved by a 7-0-0 vote.

Presentation(s)

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.

Applicant representatives were present for discussion. Special permit criteria was discussed and it is the applicant's opinion that a special permit application is appropriate for this scope of work as opposed to a site plan application. The previous application from 2014 was reviewed and compared to the current application. The most recent staff memo was addressed. The proposed wall revisions were detailed. Applicant representatives sought out the original wall vendor for the current wall and the wall along Hazard Avenue. A similar wall vendor was able to confirm there is a geogrid behind the wall and what to look for on site. Other recommendations were given related to the geogrid and wall height requirements. A map showing the geogrid and its effect on the drive through lane was shared.

A letter requested by commissioners regarding the health of the trees was provided and reviewed. A bond for landscaping can be put in place. The goal is to maintain uniformity and it is consistent with the site plan standards. Took time to find the correct architect for the current wall and the existing wall along Hazard. They did give feedback about what to look for on site. Other recommendations given were related to the geogrid and height requirements. Chairman Fiore confirmed that the scope of work will not be over the lease line, which it is not. He also confirmed that the light pole near the drive through will also be relocated.

The landscape architect shared her findings. Current landscape photos were shared. Many of the ornamental trees on the property are nearing the end of their lives. The proposed changes will incorporate red knockout roses, junipers and reed grasses. Other perennial flowers will be added.

Mr. Davis shared his thoughts on the application and would like to speak with Donald Nunes again about proposed changes. It is his opinion that this can be wrapped up within the month. He sought guidance from the commissioners regarding the landscaping plan.

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

Commissioner D'Antonio asked about the relocated bike parking. Commissioner Alaimo confirmed this is not a site plan application. Mr. Davis explained that the reason there is such an emphasis on the landscaping in terms of the special permit is because its impacts on the landscaping are directly related to the scope of work associated with the additional canopy and additional drive through. Per the Town regulations, every special permit requires a site plan associated with it. Chairman Fiore asked the commissioners if everyone agrees that the landscaping plan provided is sufficient. He further explained the conditions are not available for the commissioners to vote on tonight because staff did not have the information from the applicant due to late submittals. He gave options for the next best course of action. The landscaping plan submitted has not been changed since the initial filing in March but it is staff's opinion that they were unable to properly evaluate that in the context of the larger scope. Since they are now able to do that, they will review the information recently submitted and prepare the draft conditions to be voted on at the next meeting.

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

Motion to table PH# 3063 – 25 Hazard Ave made by Commissioner Higley; seconded by Commissioner DeGray and approved by a roll call vote of 6-0-0.

- b. PH #3071 – 210 Moody Rd – Application for a re-subdivision; Top Knot, LLC Applicant/Owner Map 100/ Lot 11; I-1 Zone – Continued to July 27, 2023**

Old 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.**

Motion to take FLD# 45 – 25 Hazard Ave made by Commissioner DeGray; seconded by Commissioner Lefakis and approved by a unanimous vote of 7-0-0.

Applicant representatives were present for discussion. All the work involved will be higher than the elevation of the drive through lane. There have been no further changes since the last hearing. Town staff shared a memo recommending approval.

Motion to approve FLD# 45 – 25 Hazard Ave made by Commissioner DeGray; seconded by Commissioner Lefakis and approved by a roll call vote of 7-0-0.

New Public Hearings.

- a. **PH# 3069 – 9 Manning Rd** – Application to allow a commercial vehicle in R33 Zone; Christopher Latocki, Applicant/Owner; Map 34/Lot 8; R33 Zone

Commissioner DeGray read the legal notice into the record. The applicant and/or applicant representative were not present for discussion. Mr. Davis explained that in recent communications with Mr. Latocki, he has learned that the commercial vehicle will be stored elsewhere and that he would like to withdraw this application.

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

- b. **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

Commissioner DeGray read the legal notice into the record. Applicant representatives were present for discussion. Zoning regulations state that only one curb cut is allowed per property in the BP zone. The construction entrance is still being used. Reasons for approving an additional curb cut were shared, including the frontage requirement. A proposed plan was shared with the commissioners. The additional curb cut would allow delivery vehicles to use a completely separate entrance than that of the patients and employees.

Commissioner Hilinski asked about the volume of industrial deliveries, which will be increasing as the surgical center grows. Most deliveries will be via FedEx or UPS. Tractor trailer traffic throughout the campus will be minimal. Commissioner Higley asked how Trinity Health will prevent patients from using the service entrance as it will cut out 2 lights on Hazard Avenue. Signage will be appropriately provided. Chairman Fiore confirmed that the temporary entrance on Middle Road will be solely used as an emergency vehicle entrance. Commissioner Alaimo confirmed this application is solely for a text change. Commissioner DeGray asked about the right turn only entrance. Chairman Fiore shared his opinions regarding this application. He would like to see the campus operational before any text change comes before the Commission. He further opined that this will not decrease any traffic. He would also like to make this less site specific and address the town on a global level.

The proposed map was reviewed in further detail including the pathways of both patients and truck traffic. Commissioner Fiore asked the applicants if there is an alternative plan should this text amendment not be granted. Commissioner D'Antonio shared his thoughts about effective traffic flow. Commissioner Majmudar made recommendations to make the text amendment less site specific. Ms. Whitten opined that most applicable sites will never need this amendment.

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

Chairman Fiore asked the commissioners if hearing should be closed or left open for the applicant to work with staff to make this less site specific. Mr. Davis opined that very little will get done over the next few weeks as this will need several different conversations and discussion.

Motion to table PH# 3070ZA and continue the public hearing made by Commissioner Higley; seconded by Commissioner DeGray and approved by a show of hands vote of 6-1-0.

- c. **PH # 3072 – 117 North St** - Application for home occupation, truck parking and earth material storage; Joseph Liquore, Applicant/Owner; Map 93/Lot 15; I-1 Zone.

Applicant representative was present for discussion. A brief history regarding this property was shared with the commissioners. The proposed site plan was shared. Town staff inspected the site prior to the meeting and there were several violations related to the filing presented in March. Further, it is the Town's opinion that these violations make this application incomplete. It is the applicant representative's opinion that these violations are temporary and proposed to continue the public hearing to allow the applicant time to rectify the situation.

Commissioner DeGray asked about a potential timeframe for completion of violation correction. Based on the prior application, there is an 18-month window for full reclamation and restoration. Ms. Whitten shared a written opinion she prepared.

Motion to take a five minute recess made by Commissioner Majmudar; seconded by Commissioner Higley and approved by a unanimous vote of 7-0-0.

It is Ms. Whitten's opinion that based on the current activities on site, there is a clear violation of the stipulated judgement rendering this application incomplete. Commissioner Higley asked staff about next steps should this be denied. It is her opinion that they will likely go back to court. Commissioner Alaimo asked for an executive session to discuss this application with the Town attorney. Mr. Davis recommended leaving the application open and have staff meet with the Town attorney about best next steps. Commissioner Hilinski asked staff to do an analysis if executive session on this application would be appropriate.

Commissioner Higley made a motion, seconded by Commissioner Higley to table PH # 3072 – 117 North St and continue the public hearing.

Motion to table PH #3072 – 117 North Street and keep the public hearing open made by Commissioner Higley; seconded by Commissioner Alaimo and approved by a unanimous vote of 7-0-0.

New Business

- a. **SPR #1918 – 161 Post Office Road** – Application for retail development; Garrett Homes, LLC, applicant and Mitchell Wojnar, owner; Map 68 Lot 232; BL Zone.

Applicant representatives were present for discussion. Updates to the staff report requests and findings were discussed. A bond will be provided. Staff are awaiting Engineering Department comments although there are minimal anticipated issues. Site plan was shared. The parcel subdivisions were shown. Due to this subdivision process, the new parcel will be 161 Raffia Road and the current 161 Post Office Road will be 231 Post Office Road. Chairman Fiore confirmed this will be referred to as SPR #1918- 161 Post Office Road for the duration. Current utilities were discussed.

A 10,700 sq ft single story retail facility slab on grid is being proposed. Impervious coverage is at about 33%. Average daily parking will be around 8 to 10 at peak hours with 20 occurring only during busy holiday seasons. There has been a request made to town staff to reduce the number of required parking spaces. 36 parking spaces

are proposed and are well within the limits. Chairman Fiore asked for the maximum square footage of the other similarly sized buildings. He also asked about the traffic study, which was included in the master packets. Public safety officials had no comment related to traffic. Stormwater management system was discussed. Lighting plan was reviewed and includes 3 pole lights and several wall packs. Landscaping details were shared, which all meet zoning requirements.

Building elevations and signage were detailed. The highest point of the building is approximately 20 feet. Mr. Davis confirmed for Chairman Fiore that there must be a certain percentage of EV spaces. Chairman Fiore also asked about potentially fencing in the property. The survey confirms that there is a fence currently on the side that abuts the school property. He also made note that this use is permitted as of right. It is in the BL zoning district and was zoned as such several years ago. The applicant has the ability by right to create a new commercial area in this location. Commissioner Hilinski confirmed that there will be one to two tractor trailers per week. Box truck items will bring in most of the food related items. Delivery for larger vehicles will be aimed to be at off-peak hours. Commissioner Alaimo asked about the fire protection system. Sprinklers are not required for mercantile buildings under 12,000 sq ft. A tenant has not yet been locked in per the applicant.

Commissioner D'Antonio asked about the accessibility for pedestrians. He also asked about the radius of the right turn exit as he felt it is quite wide. The building currently is not tied to the sidewalk and commissioners agree that it should be installed as requested. The most challenging turning movement will be the right in and right out. Commissioner D'Antonio opined that this is also the reason why the applicant far exceeded the setback in order to make space for incoming and outgoing truck traffic. The applicant confirmed that the trucks will need the extra space. Commissioner Majmudar asked how this will affect the traffic flow near JFK. Commissioners discussed impervious coverage reduction and proposed parking.

Motion to table SPR #1918 – 161 Post Office Road made by Commissioner Hilinski; seconded by Commissioner Majmudar and approved by a unanimous vote of 7-0-0.

Motion to extend the meeting past 11:00pm but no later than 12:00am made by Commissioner Majmudar; seconded by Commissioner Higley and approved by a unanimous vote of 7-0-0.

- b. SPR #1921 - 4 Niblick Road Application for a bottle redemption center; Mihir Patel, Applicant; Peerless Rentals, LLC, Owner; Map 55/Lot 91; IP Zone**

Commissioner DeGray read the legal notice into the record. Applicant and applicant representative were present for discussion. This application is for a bottle redemption center to approximately 10,000 sqft of the building. There will be no construction and is a change of use. Line striping will be repainted and handicapped signing will be fixed. There will be a dumpster pad outside will be rolled out for pick up. Health Department comments were reviewed. Commissioner Higley asked if it would be open to the public, which it will. Pest control was recommended by the Health Department. Chairman Fiore asked if a condition could be included that would require regular maintenance of the property by a local pest control company. The applicant agreed though Mr. Davis noted it is not usually required for special permit applications. Commissioner Alaimo opined it was a good use of the industrial park.

Motion to add an additional site-specific condition #12A to acquire the services of a pest control company for routine pest management of the facility made by Chairman Fiore; seconded by Commissioner Higley and approved by a unanimous vote of 7-0-0.

Motion to approve SPR #1921 - 4 Niblick Road made by Commissioner DeGray; seconded by Commissioner Hilinski and approved by a roll call vote of 7-0-0.

- c. **SPR # 1917 – 40 Oliver Road** – Application for a special event; Renee Scharoff, Applicant; Claire M. Scharoff, Sarah Parlos, Renee Scharoff, Tamara Scharoff and Nathan Scharoff owners; Map 47, Lot 37, I-1 Zone

Commissioner DeGray read the legal notice into the record. Applicant was not present for discussion. Chairman Fiore shared a statement prepared by Town staff listing reasons for denial.

Motion to approve SPR # 1917 – 40 Oliver Road made by Commissioner DeGray; seconded by Commissioner Higley and denied by a roll call vote of 7-0-0.

Other Business

None.

Enforcement Reports

None.

Correspondence

None.

Commissioner's Correspondence

Commissioner Alaimo asked about mall property including the dispensary. Ms. Whitten confirmed that the dispensary just received approval and should be moving forward shortly.

Director of Planning Report

Ms. Whitten shared the receipt of applications.

Opportunities/Unresolved Issues

Zoning regulations have been reviewed in an initial meeting with town staff and the Chairman. Ms. Whitten feels like the "low-hanging fruit" can be taken care of piecemeal per meeting. Chairman Fiore reminded commissioners that these will still require public hearings.

Administrative Approval Report

None.

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 10:45 PM.

Prepared by: Rebecca Jones

Respectfully Submitted,

John Petronella, Secretary