

**BRISTOL PLANNING COMMISSION
MINUTES
REGULAR MEETING OF MONDAY SEPTEMBER 26, 2022**

CALL TO ORDER:

By: Chairman Veits

Time: 7:01 P.M.

Place: Board of Education
129 Church Street, Auditorium**ROLL CALL:**

MEMBERS	NAME	PRESENT	ABSENT
REGULAR MEMBERS:			
	Chairman William Veits (Chairman)	X	
	Commissioner John Soares (Vice Chairman)	X	
	Jon Pose, (Acting Secretary)	X	
	Tracey Bacchus		X
	Jeff Hayden	X	
ALTERNATE MEMBERS:			
	Kenneth Rasmussen-Tuller	X	
	Christopher Nardi	X	
	Anthony Lorenzetti	X	
STAFF:			
	Robert M. Flanagan, AICP, City Planner	X	
	Nancy Levesque, P.E., City Engineer	X	

PLEDGE OF ALLEGIANCE:

Chairman Veits reminded the Commission the next Regular Meeting of the Planning Commission is Monday, October 24, 2022. The October regular meeting will take place at the Board of Education (BOE) Auditorium located at 129 Church Street.

PUBLIC PARTICIPATION:

There was no public participation.

ADMINISTRATIVE MATTERS:

- Minutes from the July 18, 2022, Meeting

Chairman Veits designated regular Commissioners Pose, Hayden and Veits to vote on the July 18, 2022, special minutes. He also designated alternate Commissioner Rasmussen-Tuller to vote on the July 18, 2022, special minutes in place of Commissioner Bacchus with his absence this evening.

MOTION: Move to approve the minutes of the July 18, 2022, special meeting.

By: Pose

Seconded: Rasmussen-Tuller.

For: Rasmussen-Tuller, Pose, Hayden and Veits.

Against: None.

Abstain: None.

Chairman Veits designated regular Commissioners Soares, Pose, Hayden and Veits as voting Commissioners this evening. Also, he designated alternate Commissioner Lorenzetti as a voting member this evening in place of Commissioner Bacchus with his absence this evening. In addition, he designated Commissioner Pose as Acting Secretary this evening.

RECEIPT OF NEW APPLICATIONS:

There was no receipt of new applications.

PUBLIC HEARINGS:

There were no public hearings.

OLD BUSINESS:

1. Application #324 – Bristol Crossing Subdivision – Street Acceptance Memo for Phase 2 – Corbin Ridge: Assessor's Map 9, Lots 12, 13 & 26 through 42 (19 lots); Sachem Capital Realty, LLC; owner/applicant.

The Commission acknowledged receipt of the following items in their electronic packets: a memorandum dated January 12, 2022, from Nancy Levesque, P.E., City Engineer, to the Planning Commission and the Board of Public Works, regarding street acceptance – portion of Corbin Ridge; a letter dated August 3, 2022 (attached map), from Attorney Franklin Pilicy to the Planning Commission, regarding Application #324, Bristol Crossing Subdivision, Proposed Agreement, Outstanding Detention Pond Issue, and Planning Commission Recommendation for Acceptance of Road as Public Highway; and reference material dated from July 18, 2022.

Mr. Flanagan explained there was a phasing plan with Phase II being Corbin Ridge and Phase III was Tevin's Way. A bond for Phase III was in place for \$583,000. There will need to be significant blasting to remove ledge from Phase 3 prior to development of the property. Phase II Corbin Ridge was part of the Commission request this evening for acceptance.

Mr. Flanagan inquiries: Ms. Levesque stated that the Storm Water Trust bond was \$64,000. The one-year maintenance bond was \$9,600 for any issues for the road that may occur. This week a building permit was issued for a lot near the removed cul-de-sac (lower corner of Phase II.)

Ms. Levesque explained the Public Works Department was comfortable with the street acceptance as proposed. The Storm Water Trust had reviewed the funds and deposited the check. If the Storm Water Trust accepted the pond, then it was received. There was one outstanding item of the soil scientist consultant of the plantings in the basin, which was submitted last month.

Commission inquires: Ms. Levesque explained everything was inspected by the Engineering Department, they submitted an as built, and compaction tested. There were some dents in the curb, but otherwise everything was in good shape.

MOTION: Move to recommend to the City Council approval of the street acceptance of Corbin Ridge, described as, fifty feet in width and running from the westerly line of Old Orchard Road in a westerly and southerly direction approximately 1,600 feet to the existing accepted Corbin Ridge, as a public highway and to be so named.

Corbin Ridge is part of Subdivision Application #324 (Bristol Crossing Subdivision - formerly known as Cedar Hill -) in the R-25/OSD Residential zone; Sachem Capital Realty, LLC, applicants.

The acceptance of this portion of Corbin Ridge is based on a memo dated January 12, 2022, from the City Engineer stating that the street, storm drainage, sanitary sewers, water systems and all other improvements required by the Commission have been completed in conformance with the Subdivision Regulations of the City of Bristol.

Also, to authorize City Staff to release any subdivision bonds associated with Phase 2 Corbin Ridge.

Sachem Capital Realty, LLC has made a contribution in the amount of \$64,000 to the Stormwater Trust for the detention area located within the subdivision.

The applicant is required to post and maintain a maintenance bond in the amount of fifteen percent of the roadway construction cost (\$9,600) for a period of one year from the date of acceptance by the City Council.

By: Pose

Seconded: Soares.

For: Soares, Pose, Hayden, Lorenzetti and Veits.

Against: None.

Abstain: None.

The application is recommended for approval to the City Council referral.

NEW BUSINESS:

2. Application #432 – Site Plan for landscape contractors and building services at Lot 7-1 Terryville Road; Assessor's Map 67, Lot 7-1; I (General Industrial) zone; Regis Letourneau, applicant.

The Commission acknowledged receipt of the following items in their electronic packets: the second set of Site Plan Review Committee comments dated September 6, 2022; an Inland Wetlands Commission approval letter dated August 3, 2022 (wetlands boundary change); an Inland Wetlands Commission approval letter dated August 3, 2022 (inland wetlands); an Inland Wetlands Commission approval letter dated August 3, 2022 (inland wetlands/attached stipulations); a drainage report, entitled "Drainage Report, Lot 7-1 Terryville Road, Bristol, CT 06010, dated June 20, 2022, Hyperlink for Plan: Prepared By: R.R. Hiltbrand Engineers & Surveyors, LLC 575 North Main Street Bristol, CT 06010."

The following persons representing the applicant, reviewed the application with the Commission: Attorney James Ziogas, 104 Bellevue Ave. and Robert Hiltbrand, P.E., 575 North Main St.

Attorney Ziogas explained this was a Site Plan for a permitted use for building services and a contractor's yard, which did not require a public hearing. The types of businesses that would be located at this facility were electricians, plumbers and similar trades of that nature. There would be two 3,500 sq. ft. buildings constructed (2 units each) on the east and west sides of the property.

The units would have garage doors and entry doors towards the parking area; each with a small office and bathroom facility; and City sewer and water services. The parking requirements are 14 spaces; there are 15 spaces and 1 handicapped space proposed. The Site Plan complied with the setbacks and bulk requirements. The applicant received an Inland Wetlands Commission approval (08-01-22.) The applicants has addressed the Staff comments. The property is located on a State highway and the curb cut is located on Terryville Rd. that required a State encroachment permit.

Mr. Hiltbrand reviewed the drainage system for the property. The property was an existing sand and gravel worksite to process firewood. At this point the applicant would like to develop these units. There is existing water and sewer on the site. A water line goes through the site to the Swedish Social Club, which affected how the property is developed, which they had to either leave in place or be relocated.

Commission inquiries, respectively: Attorney Ziogas reviewed the 14 required parking spaces; also, the proposed parking spaces. Mr. Flanagan explained the gravel storage area was one of the Staff comments.

Attorney Ziogas explained this was a contractor's yard so the parking needed was minimal. There are two units per building (total 3,500 sq. ft.) or 1,750 sq. ft. each building. There were 2 garage doors per unit and an entry door for each unit towards the parking area, which would allow truck to back up to the doors. Generally speaking, there would be no customers parking on the property.

MOTION: move that Application #432 – Site Plan for landscape contractors and building services at Lot 7-1 Terryville Road; Assessor's Map 67, Lot 7-1; I (General Industrial) zone; Regis Letourneau, applicant, be approved with the following stipulations:

1. The Site Plan shall not be signed off until all remaining staff comments have been addressed and the plan revised accordingly.
2. All site improvements which have not been satisfactorily completed by the time a Certificate of Occupancy is applied for shall be bonded in accordance with Section XI.A.16. of the Zoning Regulations. The performance bond shall be posted by the applicant with the City before the Certificate of Occupancy is issued.

By: Lorenzetti

Seconded: Soares.

For: Soares, Pose, Hayden, Lorenzetti and Veits.

Against: None.

Abstain: None.

The application is approved with stipulations.

ADD UNDER NEW BUSINESS:

MOTION: move to add under New Business #5 – Application #413 – Laurentide Glen Subdivision – Bonding discussion for Phase's 1, 2, 3 & 4.

By: Pose

Seconded: Soares

For: Soares, Pose, Hayden, Lorenzetti and Veits.

Against: None.

Abstain: None.

Mr. Flanagan explained the Attorney Mark Ziogas had contacted him this morning to add this request to the agenda to review this with some correspondence, which the Chairman may entertain.

The item was added to the agenda.

Attorney Mark Ziogas, 88 Valley St., representing the applicant, explained the request was to seek final approval for Phase 4 of the Laurentide Glen Subdivision. The first three phases have a Final Approval. Phase I and II are finished, but there may be some small items remaining. Phases I, II and III and all sold, so the applicant is moving on to Phase IV.

Ms. Levesque and the applicant's engineer and developer, Gino Troiano, have worked on the new bonding amount. There is a \$454,250 bond in place. Based on the work finished in the previous three phases, and work to be done for Phase IV, there is an excess in bonding.

Ms. Levesque explained earlier today she forwarded a spreadsheet to Mr. Flanagan that stated she agreed with the calculations Mr. Troiano provided. Attorney Ziogas explained the request was to approve Phase IV. The applicant needs the approval to start issuing building permits for Phase IV. The applicant would keep the bond already in place and add Phase IV on to the existing bond.

Mr. Flanagan explained the new bond amount was \$428,950; the existing bond was \$454,250. He prepared a draft motion, if they agreed, with each item and the new amount for Phase IV. Phases I, II and III were previously accepted as final. The request was for acceptance of final for Phase IV, which the bond amount was \$256,450. The bond description was generic, so he agreed to Attorney Ziogas description.

MOTION: move that Application #413 – the request by the applicant for Application #413 – Laurentide Glen Subdivision – for a replacement of bonding for Phases 1, 2 & 3 and the acceptance of bonding for Phase 4 which are being held to guarantee the completion of public improvements for the following:

Phase 1 (12 lots – Pequabuck Street), Phase 2 (11 Lots – Wiegert Way), Phase 3 (20 Lots –Stellas Way and Gino Drive) and Phase 4 (19 Lots –Pequabuck Street and Gino Drive) – Trademark Acquisitions, LLC, Arcadia Group, LLC and Arcadia Acres LLC, applicants/owners be approved with the following limits:

The current bond amount for Phase 1 is: \$127,075

The bond amount for Phase 1 remains at \$127,075 – as recommended by the City Engineer.

The current bond amount for Phase 2 is: \$42,500

The revised bond amount for Phase 2 recommended by the City Engineer will be: \$17,825.

The bond amount for Phase 3 as recommended by the City Engineer will be: \$284,625.

The revised bond amount for Phase 3 recommended by the City Engineer will be: \$27,600.

The proposed bond amount for Phase 4 as recommended by the City Engineer is: \$256,450.

The new bond amounts for Phases 1, 2, 3 and 4 as recommended by the City Engineer will be:
\$428,950

An Irrevocable Letter of Credit # 5700794077 was issued by NBT Bank of Norwich, New York on March 18, 2022, in the amount of \$454,250 and will be in effect until at least March 18, 2023.

Phases 1, 2, 3 & 4 will be now be Final Approvals.

Phases 5 & 6 will remain as Conditional Approvals with an expiration date of: October 24, 2023.

By: Hayden

Seconded: Soares.

For: Soares, Pose, Hayden, Lorenzetti and Veits.

Against: None.

Abstain: None.

MOTION: move that the item for Phase 3 be amended to "the current bond amount" for Phase 3 as recommended by the City Engineer will be: \$284,625."

By: Lorenzetti

Seconded: Soares.

For: Soares, Pose, Hayden, Lorenzetti and Veits.

Against: None.

Abstain: None.

The application is approved with stipulations.

ZONING COMMISSION REFERRALS:

3. Application AZR #22-1 – Proposed amendments to Sections VI.B.3.z. & VI.E.3.o. of the Zoning Regulations to correct references to Section V.A.9. Adaptive re-use of existing non-residential principal buildings; initiated by the Bristol Zoning Commission.

The Commission acknowledged receipt of the following items in their electronic packets: a memorandum dated September 6, 2022, from the Bristol Zoning Commission to the Bristol Planning Commission, regarding the Referral of Proposed Amendment to the Zoning Regulations; a copy of the draft Zoning Regulations entitled "AZR22-1: Proposed Amendments of the Bristol Zoning Regulations, Bristol Zoning Commission, Draft for Public Hearing: 10-17-22"; a copy of the Background Information On Current Text 2022 Regulation, Current Text – V.A.9. and associated reference material.

Mr. Flanagan explained this request was to correct a previous amendment approved six years ago to the Zoning Regulation that did not have the correct references in a different parts of the Regulations. The original list of reuses was reordered. Therefore, because of these, the list was not correct. There is a property owner that wanted to utilize this Regulation and that is when the error was discovered.

Mr. Flanagan reviewed the existing text and the proposed text, which needs the references to Sections a & j corrected in the BG zone and also and in the BHC RT 72 Corridor Business zone. The Zoning Commission believes in adaptive reuse and there are a lot of buildings that may benefit from this Regulation. He suggested the Commission approve the referral to the Zoning Commission.

MOTION: to send a positive referral to the Zoning Commission for Application AZR #22-1 – Proposed amendments to Sections VI.B.3.z. & VI.E.3.o. of the Zoning Regulations to correct references to Section V.A.9. Adaptive re-use of existing non-residential principal buildings; initiated by the Bristol Zoning Commission because the Planning Commission finds that the text amendment, as presented, would be consistent with the goals and policies of the 2015 Plan of Conservation and Development, amended to April 1, 2018, and specifically:

Section 8.3.1.4. – Policies:

Encourage the adaptive reuse of existing buildings and the redevelopment of underutilized sites.

By: Soares

Seconded: Pose.

For: Soares, Pose, Hayden, Lorenzetti and Veits.

Against: None.

Abstain: None.

The CT General Statute 8-24 Referral is recommended for approval.

CITY COUNCIL AND OTHER REFERRALS:

There were no City Council and other referrals.

STAFF REPORTS:

The Commission acknowledged receipt of the following items in their electronic packets: the Monthly Subdivision Status report. Ms. Levesque explained Bristol Crossings Subdivision the roadway was approved earlier in this meeting for Phase II, but Phase III will be there a while.

With respect to the Ridgeview Subdivision, the City Engineer received a call from the contractor today to remove the old cul-de-sac, install drainage, and closing the Bristol side of the subdivision.

The Laurentide Glen Subdivision which was discussed this evening and Phase IV would be starting.

The Pine and Mitchell St. Subdivision has no status, but the State reiterated an encroachment permit would not be issued yet.

The Redstone Hill Road Subdivision, Phase I and II, Phase I was finished, but Phase II had to place a bond soon.

Perkins Meadow and Meadowview Farm Subdivision, addresses were assigned to the property, but there were no roadway improvements proposed. Some building permits may be filed soon.

COMMUNICATIONS:

There were no communications.

ADJOURNMENT:

Motion was made by Commissioner Lorenzetti to adjourn.

Motion seconded by Commissioner Soares.

Motion carried 5-0.

The meeting adjourned at 7:46 P.M.

These minutes represent the proceedings of the meeting.
This meeting was taped.

Respectfully submitted,
Nancy King

Jon Pose
Acting Secretary
City Planning Commission