

**BRISTOL ZONING BOARD OF APPEALS
MINUTES
REGULAR MEETING OF MONDAY, APRIL 7, 2026**

By: Chairman Rafaniello

Time: 6:00 P.M.

Place: City Hall
111 North Main St.
Council Chambers
First Floor

ROLL CALL:

MEMBERS		PRESENT	ABSENT
REGULAR MEMBERS:	Jerald Rafaniello (Chairman)	X	
	David Pecevich (Vice Chairman and Acting Secretary)	X	
	Rory Ghio (Secretary)		X
	Alfred Radke, III	X	
	Liza Salgado-Sirko	X	
ALTERNATE MEMBERS:	Jonathan Lukaszewicz		X
	Joseph Kelaita	X	
	Mathew Biadun	X	
STAFF:	Robert M. Flanagan, AICP, City Planner	X	
	Brandon Peate, ZEO	X	

Per the order of Chairman Rafaniello, the meeting was called to order at 6:00 P.M.

Chairman Rafaniello reminded the Board the next Regular Meeting of the Zoning Board of Appeals is Tuesday, May 5, 2026.

1. Call to Order
2. Pledge of Allegiance
3. Public Hearings
 - a. Application #3828 – Request for variances from Article II, Section 7.1.C. and Section 7.1.F. of the Zoning Regulations: 1. to reduce the 40' ft. minimum front yard to 24.1' ft. and 2. to reduce the 40' ft. minimum rear yard to 29.1' ft. for the construction of a single-family home with an attached two-car garage at the corner of Witches Rock Road and Donovan Court; Map 8, Lot 18; R-25 (Single-Family Residential) zone; Alan Morelli, applicant; Quality Contracting, LLC, owner.

Chairman Rafaniello designated regular Commissioners Radke, Pecevich and Rafaniello with alternate Commissioners Kelaita and Biadun to vote on Application #3828. Chairman Rafaniello indicated that Commissioner Salgado-Sirko recused herself from voting on Application #3828 to avoid a conflict of interest.

Alan Morelli, 17 Jacqueline Dr., Wolcott, representing the applicant, explained the property was approved previously to construct a house but there was a lot of work to be done on the rock piles and ledge. Mr. Morelli said he would like to propose the driveway on Witches Rock Rd. versus Donovan Court for improved site lines. The applicant would like to hammer near the driveway versus the prior plan. Mr. Morelli would like to set the house on the higher elevation. Mr. Morelli indicated there was an existing well on the site.

Staff inquiries: The applicant commented he would be constructing the house.

Board inquiries: Mr. Morelli explained the building would be constructed towards the rear of the lot because of all the rock on the site. The applicant said if the previous plan is constructed, the driveway would be very short with a steeper slope.

Mr. Morelli added that the house would require a large retaining wall and the whole back yard would have to be rock hammered. The applicant verified he purchased the property knowing about the prior Variance. Mr. Morelli verified he would only hammer the right side of the lot near the garage that would be at grade level with the construction of the house.

Mr. Morelli noted the materials on site may be used for the construction. The applicant noted the house would be slab on grade. Mr. Morelli said this plan would not have as much impact on the neighbors versus the previous plan. The applicant indicated the house would have to be constructed close to an existing house and there would be a lot of rock hammering.

Chairman Rafaniello preferred the improved plan to relocate the driveway away from the corner versus having the driveway closer to the street. Staff reviewed aerial photos of the lot and the neighbor's lots.

No one else spoke in favor of the application.

No one spoke against the application.

The hearing is closed.

By: Radke

Seconded: Pecevich.

For: Biadun, Radke, Kelaita, Pecevich and Rafaniello.

Against: None.

Abstain: None.

The Board commented a drive by review was done of the property and there would be a lot of rocks for the applicant to remove so there were no concerns with the request. The Board understood the hardship of the property of the corner lot, terrain and elevation of the slope. The Board preferred this plan with the driveway versus on the corner. The Board thought this was a well thought out plan. The Board commented there are huge rocks on this property. Commissioner Pecevich stated his reasons for voting against the previous plan.

MOTION: Move to approve Application #3828 – Request for variances from Article II, Section 7.1.C. and Section 7.1.F. of the Zoning Regulations: 1. to reduce the 40' ft. minimum front yard to 24.1' ft. and 2. to reduce the 40' ft. minimum rear yard to 29.1' ft. for the construction of a single-family home with an attached two-car garage at the corner of Witches Rock Road and Donovan Court; Map 8, Lot 18; R-25 (Single-Family Residential) zone; Alan Morelli, applicant; Quality Contracting, LLC, owner, in accordance with the plot plan and information submitted.

By: Pecevich

Seconded: Kelaita.

For: Biadun, Radke, Kelaita, Pecevich and Rafaniello.

Against: None.

Abstain: None.

The application is approved.

Commissioner Salgado-Sirko resumed her seat at this time.

Application #3829 – Request for a variance from Article III, Section 13.2 of the Zoning Regulations to reduce the minimum number of parking spaces required from 120 spaces to 52 spaces for a Fitness Club at 231 Century Drive; Assessor's Map 4, Lot 13 & 14; IP-1 (Industrial Park) zone; Bristol Boys and Girls Club Association, Inc., applicant; Tomed Enterprises, LLC, owner.

Chairman Rafaniello designated Commissioners Salgado-Sirko, Radke, Pecevich and Rafaniello with alternate Commissioners Kelaita to vote on Application #3828.

Attorney James Ziogas, 104 Bellevue Ave., representing the applicant, explained the applicant wanted to provide a new site for a gymnastics facility. Attorney Ziogas said the existing facility was small and outdated. The attorney specified there were 52 existing parking spaces needed for this use (as determined by the applicant) and the Regulations require 120 parking spaces.

Attorney Ziogas indicated the number of parking spaces were needed because the prior building use was a factory. The new use would be considered a fitness club. The attorney pointed out on the southeast side of the property there are easements and some slopes. The attorney said the property would have to be adjusted to get the additional 70 parking spaces but the additional parking would not be helpful for the proposed use. Attorney Ziogas noted this was the reason the request.

Board inquiries: The attorney said there would be up to 4 competitions per year that would use about 40 parking spaces that would be sufficient for the club. Attorney Ziogas specified the business hours of 9:00 a.m. to 7:00 p.m. Monday through Saturday. The attorney stated although difficult the property would be able to expand the parking area.

Jay Maia, Chief Executive Officer of Bristol Boys and Girls Club Association, Inc, 255 West St., representing the applicant, explained the programs were for young people ages 5 to 10 years old for about 12 people per session.

Board inquiries: Mr. Maia noted the parents are allowed to stay during sessions but most parents drop off and pick up. The chief executive officer said this was a year-round program. Mr. Maia indicated the facility had adequate lighting and safety features.

Board inquiries: Staff verified the classification was the closest category for the use of the building.

No one else spoke in favor of the application.
No one spoke against the application.

The hearing is closed.

By: Salgado-Sirko

Seconded: Pecevich.

For: Kelaita, Pecevich, Salgado-Sirko, Radke and Rafaniello.

Against: None.

Abstain: None.

The Board noted this was a good location for the facility that did not require a large amount of parking spaces such as an adult gym. The Board noted there was ample room to expand the parking if necessary. The Board commented this was a good use for the site and was a sensible request with the reduced parking. The Board expressed that the hardship was the size of the existing building and the amount of parking spaces required. The Board had a problem with fitting a proper classification for this use in the facility. The Board did not have a concern with the 52 parking spaces if the use reverted to manufacturing again with the 52 parking spaces.

MOTION: Move to approve Application #3829 – Request for a variance from Article III, Section 13.2 of the Zoning Regulations to reduce the minimum number of parking spaces required from 120 spaces to 52 spaces for a Fitness Club at 231 Century Drive; Assessor's Map 4, Lot 13 & 14; IP-1 (Industrial Park) zone; Bristol Boys and Girls Club Association, Inc., applicant; Tomed Enterprises, LLC, owner, in accordance with the plot plan and information submitted.

By: Pecevich

Seconded: Kelaita.

For: Salgado-Sirko, Radke, Kelaita, Pecevich and Rafaniello.

Against: None.

Abstain: None.

The application is approved.

Receipt of New Applications

- a. Application #3830 – Review of request for a Certificate of Approval for the sale of gasoline pursuant to C.G.S. 14-321 at 1462 Farmington Avenue; Assessor's Map 46, Lot 75-8; BG (General Business) zone; Atlantis Real Estate, LLC and AMG PUB II, LLC, applicant/owner.

Chairman Rafaniello explained all the Commissioners may participate in the discussion since this was not a formal public hearing.

Attorney Amy Souchuns of McDermid, Reynolds and Glissmann, P.C., 42 Cherry St., Milford, representing the applicant, gave a history of the review done with the City Planner and the Corporation Counsel's Office. Attorney Souchuns said the applicant wanted to bring the request to the Board as a discussion item this evening. The attorney indicated the legislative history on this matter has created a mess in the statutes. Attorney Souchuns stated that this property has been used as a gasoline station, automotive repair since 1966. The attorney noted the facility was turned into a convenience store in the early 1990's.

Attorney Souchuns understood that the ZBA has not had one of these applications in 10 years. Attorney Souchuns noted in 2003 there were changes on how the ZBA handled Certification of Approvals. The attorney said that automotive repair is under a different statute; gasoline stations are under Statute 14-321.

Attorney Souchuns said that the request that would be before the Board was to make the records clear that this location can be used for a gas station. Attorney Souchuns added that the second request to modernize the station. Attorney Souchuns briefly reviewed the 1966 Zone Change application that was approved with a stipulation for a 60' foot buffer. The imposition of a buffer at the time was not legal. The attorney confirmed that next month, when there is a public hearing, an updated plan will be reviewed that removes the 60' foot buffer.

Attorney Wyland Dale Clift, City Hall, 111 North Main St., Office of Corporation Counsel, provided an overview of the Zone Change that was approved in 1966 with the 60 ft. buffer. Attorney Clift said the buffer was found to be illegal by the State Supreme Court. Attorney Clift noted that the ZBA had the authority over auto repair garages. Attorney Clift's view was that the ZBA had the authority to impose the 60 ft. buffer in 1966.

The current property owner does not want the 60' buffer and wants to know how to remove it. Attorney Clift felt that the current ZBA has the authority to modify/remove the buffer. To complicate matters, the attorney verified that the prior location approvals were for an auto repair facility, but the applicant does not want an auto repair facility.

Attorney Clift added currently, the Chief Building Official/ZEO issue administrative location approvals but the ZBA has the authority to determine the appropriateness of a location for gas stations with factors that had been previously included in the statutes, but were eliminated by the Legislature. The attorney said the only guidance he could offer was that the ZBA had the discretion to determine the factors to consider to determine gasoline stations approvals.

Board inquiries: Attorney Clift noted that the applicant should have been aware of the buffer on the property because it was recorded on the Land Records. Attorney Souchuns indicated the owner has owned the property for 3 years.

Attorney Souchuns agreed the issue of the suitability on the property would be the concern for the ZBA. The attorney indicated when the Legislature was fixing the Statute it was supposed to repeal and replace but it only repealed and did not replace. Attorney Souchuns noted the property had an existing septic system.

The Board made the representatives aware that the safety was a concern on this corner lot including the delivery trucks. Attorney Souchuns verified the representatives would return next month for a properly noticed public hearing to discuss the location approval.

Staff understood the Board will set a public hearing on this request for the May 5, 2026 meeting. The City Planner had the information necessary for the application and to schedule the Public Hearing.

5. Approval of Minutes

a. Regular Meeting — March 3, 2026

Chairman Rafaniello designated regular Commissioners Salgado-Sirko, Radke, Pecevich and Rafaniello with alternate Commissioner Kelaite to vote on the March 3, 2026, regular minutes.

MOTION: Move to approve the minutes of the March 3, 2026, regular meeting, as amended.

By: Salgado-Sirko

Seconded: Pecevich.

For: Kelaita, Radke, Pecevich, Salgado-Sirko and Rafaniello.
Against: None.
Abstain: None.
b. Communications

There were no communications.

6. Adjournment

Chairman Rafaniello designated regular Commissioners Salgado-Sirko, Radke, Pecevich and Rafaniello with alternate Commissioner Biadun to vote on the adjournment.

MOTION: Move to adjourn at 6:45 P.M.

By: NAME

Seconded: NAME.

For: Biadun, Radke, Pecevich, Salgado-Sirko and Rafaniello.
Against: None.
Abstain: None.

This meeting was recorded.

Respectfully submitted,

Nancy King
Recording Secretary

Jerald A. Rafaniello, Chairman

David Pecevich, Acting Secretary
FOR: Rory Ghio, Secretary