

**BRISTOL ZONING COMMISSION
MINUTES
REGULAR MEETING OF MONDAY DECEMBER 12, 2022**

CALL TO ORDER:

By: Chairman Provenzano

Time: 7:00 P.M.

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

MEMBERS	NAME	PRESENT	ABSENT
REGULAR MEMBERS:	Chair Provenzano (Chairman)	X	
	David White (Vice Chairman)	X	
	Richard Harlow	X	
	Thomas Marra (Secretary)	X	
	Marc Gagnon	X	
ALTERNATE MEMBERS:	Aileen Abrams (arrived 7:08 P.M.)	X	
	Richard Goodwin	X	
	Robert M. Flanagan, AICP, City Planner	X	
	Andrew Armstrong, Assistant City Planner	X	
STAFF:	Edward Spyros, Zoning Enforcement Officer	X	

Chair Provenzano called the meeting to order at 7:01 P.M.

PLEDGE OF ALLEGIANCE:

Chair Provenzano reminded the Commission the next regular meeting was January 23, 2023.

ADMINISTRATIVE MATTERS:

1. Approval of Minutes – November 14, 2022

Chair Provenzano designated regular Commissioners White, Marra, Harlow and Goodwin, to vote on the November 14, 2022, regular minutes.

MOTION: Move to approve the minutes of the November 14, 2022, regular meeting.

By: White

Seconded: Marra.

For: White, Marra, Harlow and Goodwin.

Against: None.

Abstained: None.

2. Zoning Enforcement Officer's Report

The Commission acknowledged receipt of the following items in their electronic packets: the Zoning Enforcement Officer's Report for November 2022, dated December 1, 2022.

Mr. Spyros reviewed the Zoning Enforcement Officer's report with the Commission. He explained there was a substantial increase in building permits from 2021.

RECEIPT OF NEW APPLICATIONS:

1. Application #2451 – Special Permit to convert a three-family dwelling to a four-family dwelling at 110 West Street; Assessor's Map 29, Lot 122; BG (General Business) zone; Jeremy Berube, applicant.

Chair Provenzano designated regular Commissioners White, Marra, Harlow, Gagnon and Provenzano to vote on Application #2451.

MOTION: Move to schedule Applications #2451, Special Permit to convert a three-family dwelling to a four-family dwelling at 110 West Street; Assessor's Map 29, Lot 122; BG (General Business) zone; Jeremy Berube, applicant, be scheduled for a Public Hearing at the next Regular Meeting of the Zoning Commission on: January 23, 2023.

By: White

Seconded: Marra.

For: White, Marra, Harlow, Gagnon and Provenzano.

Against: None.

Abstained: None.

The application is scheduled for public hearing.

2. Application #2452 – Revision to an Approved Site Plan for 1) motor vehicle repair and service facility and 2) the display or sale of new or fully operable motor vehicles at 88 and 96-98 East Main Street; Assessor's Map 41, Lot 36-1 and 37; BG (General Business) zone; Blasius of Bristol, LLC, applicant.

Chair Provenzano designated regular Commissioners White, Marra, Harlow, Gagnon and Provenzano to vote on Application #2452.

Staff explained at November's meeting it was requested that the applicant go through the Commission to file a Site Plan application in addition to this Special Permit application. There is a motion to move Application #2452 under New Business.

The Commission agreed to move Application #2452 under New Business this evening.

MOTION: move that Application #2452 be moved to New Business on tonight's agenda so that the Commission can review the application later in this meeting.

By: White

Seconded: Marra.

For: White, Marra, Harlow, Gagnon and Provenzano.

Against: None.

Abstained: None.

The application is moved to new business.

Commissioner Abrams arrived at this time 7:08 P.M.

Chair Provenzano designated regular Commissioners White, Marra, Harlow, Gagnon and Provenzano as voting members this evening.

3. Application #2453 – Special Permit for 1) housing for the elderly and 2) accessory parking structure at Map 20, Lot 92-A; Assessor's Map 20, Lot 92-A; R-15 (Single-Family Residential) zone; D'Amato Realty, LLC, applicant.
4. Application #2454 – Site Plan for 1) housing for the elderly and 2) accessory parking structure at Lot 92-A; Assessor's Map 20, Lot 92-A; R-15 (Single-Family Residential) zone; D'Amato Realty, LLC, applicant.

Mr. Flanagan explained he spoke with the Chair this afternoon and discussed that Jennings Road was not in the description but would be placed on the next legal notice and agenda for the January meeting.

MOTION: move that Application #2453 & 2454 be scheduled for a Public Hearing at the next Regular Meeting of the Zoning Commission on: January 23, 2023.

By: White

Seconded: Harlow.

For: White, Marra, Harlow, Gagnon and Provenzano.

Against: None.

Abstained: None.

The Application #2453 and #2454 are scheduled for public hearings.

Mr. Flanagan explained because of the holidays in January their meeting was on January 23, 2023.

5. Application #2455 – Special Permit for housing for the elderly at Map 45, Lot 62 and 355 Camp Street; Assessor's Map 45, Lot 62 & 66; R-15 (Single Family Residential) zone; Franklin Park Realty, LLC, applicant.

Mr. Flanagan explained Staff recommended that Application #2455 be scheduled for a Public Hearing at the February 13, 2023 meeting.

MOTION: move that Application #2455 be scheduled for a Public Hearing at the February Regular Meeting of the Zoning Commission on: February 13, 2022.

By: White

Seconded: Harlow.

For: White, Marra, Harlow, Gagnon and Provenzano.

Against: None.

Abstained: None.

The application is scheduled for public hearing.

6. Application #2456 – Revision to an Approved Site Plan for child daycare center and housing for the elderly at 291 Burlington Ave.; Assessor's Map 20, Lot 92; R-15 (Single-Family Residential) zone; D'Amato Realty, LLC, applicant.

Staff recommends Application #2456 be scheduled for the January 23, 2023, regular meeting, under New Business. 10 parking spaces were being relocated to the new vacant property. The approved Site Plan was from 2015 and they are requesting revision to the approved Site Plan that does not require a public hearing.

MOTION: move that Application #2456 be moved to New Business on the January 23, 2023, agenda so that the Commission can review the application at that meeting.

By: White

Seconded: Harlow.

For: White, Marra, Harlow, Gagnon and Provenzano.

Against: None.

Abstained: None.

The application is scheduled for New Business at the January 23, 2023, regular meeting.

PUBLIC HEARINGS

7. Application #2447 – Special Permit amendment for 1) motor vehicle repair and service facility and 2) the display or sale of new or fully operable motor vehicles at 96-98 East Main Street; Assessor's Map 41, Lot 36-1; BG (General Business) zone; Blasius of Bristol, LLC, applicant.

The Commission acknowledged receipt of the following items in their electronic packets: a page with links to the items for litigation undated, entitled City of Bristol v. 96 East Main Street, LLC, 1. Deposition – 6/17/22, 2. Superior Court – 8/20/21; 3. App. 2392 – 3/26/21, 4. App. 2393 – 3/26/21, 5. Agenda – 3/26/21, 6. Letters – 3/26/21, and 7. Minutes – 3/26/21; a page undated with a portion of the Zoning Regulations of the "13. Non-Compliance with Special Permit and 14. Amendments or Modifications"; a copy of the IWWC Application #1980, Approved: May 2, 2022; and Inland Wetlands Commission reference materials dated from March 23, 2022, to December 2, 2021.

Staff spoke previously with some of the Commissioners on this application. The Special Permit and Site Plan approvals from 2021 were represented by Attorney Alfred Morrocco. Though, the applicant never adhered to the approved plan and there were no calls for a final inspection. The Chairman of the Zoning Board of Appeals (ZBA) had reported an excess of vehicles after their approved location application with the ZBA. There was non-compliance for which the City took the applicant to court. The Corporation Counsel's Office wanted this property in compliance. This evening there is a new Special Permit and Site Plan. The non-compliance is for an unapproved excess of 35 parked vehicles for which the Commission has the right to revoke a Special Permit. There were only supposed to be 28 vehicles and the proposed request is for 56 vehicles.

Chair Provenzano explained the Commission would review the Special Permit under public hearings and then review the Site Plan under new business.

Attorney Alfred Morrocco, 200 Summer St., representing the applicant, explained the applicant thought he complied and was doing the correct process to relocate the detention basin. But, he and the City informed the applicant he was in compliance with the original site plan. He and the applicant met with the Corporation Counsel Office and the Mayor's Office regarding the concern. The St. Joseph Polish Society had approved an easement for the detention basin (on the original site plan) to be relocated to the south. Then the applicant revised the plan to place more vehicles on the property. The applicant cleaned up the property and made improvements to the area, building, drainage and property.

The applicant should have applied for applications and then done the improvements and inspections though he stated he did not do this intentionally. He explained Nancy Levesque, P.E., City Engineer, had additional requirements for the lease of an easement to protect the IW area and storm water runoff maintenance into the proper facility.

Commission inquiries: Attorney Morrocco explained there were two IW applications filed with the IW Commission. The second IW permit Site Plan (March 2022) had increased impervious surface for vehicles and the detention basin. The IW Commission had concerns with the impacts on the IW areas and the impervious surface and stormwater going into the bioswale but not the site plan. The IW area debris was cleaned up from the prior owners. The impervious area was extended for more vehicles, but the detention was in this area. The fence was constructed for esthetics, privacy, security and a buffer for the St. Josephs Polish Society. The lease was obtained and then the easement took a while to obtain. If approved this evening, the amounts of vehicles would go from 28 to 56 vehicles. The applicant would not go into compliance again.

Commission inquiries: Lorenc Pergjoni, 96 East Main St., explained there was no work remaining to be finished. But, they have to finish the work from the IW Commission approval they just received recently. During business hours there are about 6 vehicles on the property including customers and they processed about 90 vehicles a month. The vehicles sold are brought from a different location to this location.

The Chair summarized the Special Permit with the vehicles going from 28 to 56 with the IW Commission approval with updates to become compliant.

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

Closed by: White

Seconded by: Marra.

For: White, Marra, Harlow, Gagnon and Provenzano.
Against: None.
Abstained: None.

The application is closed.

Commissioner Marra commented the work was finished and Staff had no remaining comments pending Site Plan review, if the file remains open. He recommended to close the public hearing and vote to approve the application. The Chair noted if this property is brought to the attention of the Commission again, the Commission would likely revoke the Special Permit. But the Commission wants to do business.

MOTION: Move to approve Application #2447 – Special Permit amendment for 1) motor vehicle repair and service facility and 2) the display or sale of new or fully operable motor vehicles at 96-98 East Main Street; Assessor's Map 41, Lot 36-1; BG (General Business) zone; Blasius of Bristol, LLC, applicant, with the following stipulations:

1. No repair work shall be done outside the building at any time.
2. No more than fifty-six motor vehicles shall be displayed at any time; such cars shall be kept on the lot as depicted on the Site Plan dated 1/25/22, with a last revision date of 6/27/2022.
3. No body work or painting shall be done on premises.
4. There shall be no more than five full-time employees.
5. The hours of operation shall be Monday through Thursday 9:00 AM to 7:00 PM; Friday 9:00 AM to 6:00 PM and Saturday 9:00 AM to 5:00 PM; there shall be no operations on Sunday.
6. Outside storage shall be limited to whole vehicles; such vehicles shall be kept in the southerly and easterly portion of the property as depicted on the Site Plan associated with this application.
7. The Commission shall conduct a review of the Special Permit one year from the date of issuance.

By: White

Seconded: Marra.

For: White, Marra, Harlow, Gagnon and Provenzano.
Against: None.
Abstained: None.

The application is approved with stipulations.

8. Application #2448 – Special Permit for a motor vehicle repair and service facility at 735 Farmington Avenue; Assessor's Map 53, Lot 12; BG (General Business) zone; EOC Development, LLC, applicant.
9. Application #2449 – Site Plan for a motor vehicle repair and service facility at 735 Farmington Avenue; Assessor's Map 53, Lot 12; BG (General Business) zone; EOC Development, LLC, applicant.

The Commission acknowledged receipt of the following items in their electronic packets: a report dated October 31, 2022, entitled "Stormwater Management Report, existing and proposed conditions, from Barton & Loguidice, and a lighting example by Maxlite, undated.

The following persons representing the applicant reviewed Application #2448 and Application #2449 with the Commission: Attorney Mark Ziogas, 88 Valley St. and Matt Brown, P.E., Barton & Loguidice, 41 Sequin Dr., Glastonbury.

Attorney Ziogas explained the two parcels were previously merged. This was a commercial property for 20 years with various offices. The proposed plan was to demolish the two buildings in disrepair and construct a new building for quick oil changes and emissions. The Rt. 6 Corridor Study (Rt.6CS) recommended goods services particularly near Jerome Avenue and the Farmington town line. Also, to develop deteriorated properties. The proposed plan is to develop a similar design to the Pine St. car wash. Regarding the Rt.6CS, the business would not compete with the downtown area businesses and is a low traffic generator business.

Attorney Ziogas explained the building would have 3 bays (2oil change bays/1 emissions bay.) The average has about 10 vehicles per hour which is not a traffic concern for Rt. 6. Regarding comments, the ingress had traffic going to the rear of the building and the egress was the driveway on the left. There is sufficient area for queuing on the property. The applicant requested a Variance for the rear fence for a distance to the residential zone for employee parking, which included landscaping. A low impact infiltration system was constructed for the building and the pavement would be reduced.

Mr. Brown, P.E., explained the two existing structures were 1,650 sq. ft. and 1,350 sq. ft. on .51 acres. The rear of the property was paved and sloped towards Farmington Ave. The retaining wall and slope would remain in the rear of the property. There is no existing stormwater system and not much landscaping. The stormwater goes from the driveway to Rt. 6 to a catch basin. The new structure was 2,700 sq. ft. with 3 bays and office areas. The two-curb cuts would remain and the right curb cut would be reduced. There are 3 queuing spaces in front of each bay and 100 ft. of queuing area for 8 vehicles. There are 3 rear parking lot spaces. He reviewed the process for draining oil with spill safety features. A new sidewalk would be constructed in the front of the building. The impervious surface would be reduced by 17% and landscaping would be increased. He reviewed the stormwater drainage systems, landscaping plan and lighting plan. The site would have City sewer and water services. No vehicles would be parked in the evening.

Commission inquiries: Mr. Brown explained the ingress and egresses were 15 ft. wide. The far-right ingress was also 15 ft. wide with no curbing to obstruct apparatus. He was waiting for the preferences of the water service from the Water Department.

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

Closed by: White

Seconded by: Marra.

For: White, Marra, Harlow, Gagnon and Provenzano.
Against: None.
Abstained: None.

The Application #2448 is closed.

MOTION: Move to approve Application #2448 – Special Permit for a motor vehicle repair and service facility at 735 Farmington Avenue; Assessor's Map 53, Lot 12; BG (General Business) zone; EOC Development, LLC, applicant.

By: White

Seconded: Marra.

For: White, Marra, Harlow, Gagnon and Provenzano.
Against: None.
Abstained: None.

The Application #2448 is approved.

The Application #2449 is closed.

Closed by: White

Seconded by: Marra.

For: White, Marra, Harlow, Gagnon and Provenzano.

Against: None.

Abstained: None.

The Chair had concerns of the remaining Staff comments but if there any unresolved comments the applicant would have to review them with the Commission.

MOTION: Move to approve Application #2449 – Site Plan for a motor vehicle repair and service facility at 735 Farmington Avenue; Assessor's Map 53, Lot 12; BG (General Business) zone; EOC Development, LLC, applicant, 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. The width of the required 20' food landscape buffer to the rear of the property has been modified as depicted on this site plan for this application.
3. 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.
4. Registration with the Bristol Aquifer Protection Agency is required prior to commencing operations.
5. CT-DOT review/approval required prior to commencing operations.

By: White

Seconded: Harlow.

For: White, Marra, Harlow, Gagnon and Provenzano.

Against: None.

Abstained: None.

The Application #2449 is approved with stipulations.

10. Application AZR-22-2 – Proposed amendment to the Zoning Regulations to add a density requirement for Housing for the elderly, including congregate housing and life care facilities (Section V.A.3.i.) for the R-10, R-15, R-25 & R-40 (Single-Family Residential) zones; Initiated by: Bristol Zoning Commission.

The Commission acknowledged receipt of the following items in their electronic packets: a Revised proposed amendment entitled "AZR22-2: Proposed Amendments to the Bristol Zoning Regulations, Bristol Zoning Commission, Draft for Public Hearing: dated December 12, 2022, Revised Draft: dated November 10, 2022, 2022 Regulation – Current Text and Proposed Text"; a page with links entitled "Housing Background Information: 1. 2022 Bristol Affordable Housing Plan; 2. 2020 Planning for Affordability in Connecticut; 3. 2018 Bristol Plan of Conservation and Development; 4. 2017 Analysis of Impediments to Fair Housing Report; and 5. 2013 Guide to Zoning for Fair and Open Communities;"; a page entitled "Elderly Housing Density Calculation, undated"; Pages entitled Article 3 – Residential Districts and Uses from the towns of Brookfield, Danbury (b. Development Standards), Farmington (Section 9. Senior – Active Adult Housing Zone (S-A)), Greenwich (§6-114 Greenwich Municipal Code), New London (Zoning Regulations Of The City Of New London Amended To July 10, 2018, PAGE IV-11); Norwalk (§ 118-400); Plainville (Section 1.04), Stamford (dated November 1, 2022, Page 9-73), Torrington (Page 102)"; a memorandum November 29, 2022, to the Zoning Commission from Planning Commission, regarding Application AZR-22-2 – Proposed amendment to the Zoning Regulations to add a density requirement for Housing for the elderly, including congregate housing and life care facilities (Section V.A.3.i.) for the R-10, R-15, R-25 & R-40 (Single-Family Residential) zones; a memorandum dated November 2, 2022, from the Zoning Commission to the Planning Commission, regarding a referral of Proposed Amendment to the Zoning Regulations; a memorandum dated November 2, 2022 from the Bristol Zoning Commission to the Town Clerk's of Burlington, Farmington, Plainville, Plymouth, Southington and Wolcott, regarding a Referral of Proposed Amendment to the Zoning Regulations; a memorandum dated November 2, 2022, from the Zoning Commission to Therese Pac, Bristol Town and City Clerk, regarding a Referral of Proposed Amendment to the Zoning Regulations; a memorandum dated November 2, 2022, from the Zoning Commission to the Northwest Hills Council of Governments (NHCOC), Regional Planning Commission – Zoning Regulation Referral, and Emily Hultquist – NHCOC – (via email), regarding a Referral of Proposed Amendment to the Zoning Regulations; a Zoning Referral Form (CRCOC) dated November 2, 2022, from the Zoning Commission to the Northwest Hills Council of Governments (NHCOC), Regional Planning

Commission – Zoning Regulation Referral, and Emily Hultquist – NHCOC – (via email), regarding a Referral of Proposed Amendment to the Zoning Regulations; a memorandum dated November 2, 2022, from the Zoning Commission to the Capital Region Council of Governments (CRCOG), Regional Planning Commission – Zoning Regulation Referral, and Christopher Henchey – CRCOG – (via email), regarding a Referral of Proposed Amendment to the Zoning Regulations; a CRCOG response memorandum dated November 18, 2022, from CRCOG to the Bristol Planning And Zoning Commission, regarding a Report On Zoning Referral Z-2022-159: Proposed zoning amendment to include a maximum unit density for special permit uses within Single-Family Residential Zones; a CRCOG response memorandum dated November 18, 2022, CRCOG to the Bristol Planning And Zoning Commission, regarding a Report On Zoning Referral Z-2022-166: Proposed zoning amendments to add a density limit for housing for the elderly, including congregate housing and life care facilities of 4 units per acre; a memorandum dated November 2, 2022, from the Bristol Zoning Commission to the Naugatuck Valley Council of Governments (NVCOC) and the Regional Planning Commission – Zoning Regulation Referral NVCOC (via email), regarding a Referral of Proposed Amendment to the Zoning Regulations; a Staff Referral Report dated November 10, 2022, from Joanna Rogalski, Senior Regional Planner, NVCOC, to Planning Commission, CEO, and City Planner of Bristol, Capitol Region Council of Governments (CRCOG), Northwest Hills Council of Governments (NHCOC), and Naugatuck Valley Council of Governments (NVCOC), and Regional Planning Commission (RPC) representatives, regarding NVCOC FILE NO.: BRIS-34-110322-Z.

The following item was submitted into the record: a copy of the existing elderly housing units and their taxes, undated (submitted by Attorney Timothy Furey.)

Staff reviewed a PowerPoint presentation regarding a proposed density requirement for elderly housing, congregate housing, and life care facilities with 4 units per acre initiated by the Zoning Commission. The amendment is for the maximum density of 4-units per acre. The Chair had requested items to be reviewed in his report "Housing Density: AZR22-2, Why Care about Density, undated" This evening they would mainly discuss the 4 units per acre. If there are more units, the unit cost decreases; if there are less units, the unit costs increase. But the Regulations provided for a lot of various types of dwelling units. The Commission proposed 4 units for the Single-Family Residential Zones (R-40, R-25, R-15 AND R-10.) Some of the public audience was not in favor of this amendment, but he understood their views. His view was the Regulations had many opportunities to construct/convert dwelling units. The accessory dwelling units would be changed to not require to be a family member. He reviewed the various types of allowed housing throughout the City in multi-family zones for affordable housing. Also, there was elderly housing and congregate housing that was not changed yet (no restrictions) but is being reviewed to be amended. These specifics are not in the multi-family zone. The PoCD wants multi-family opportunities.

Staff reviewed the residential housing statistics in Bristol, which exceeds the State 10% threshold. The various towns had lower thresholds but had good percentages. He reviewed many various recommendations from the PoCD to encourage various housing. His view was the amendment was a start to additional Regulations. All the towns have parameters, which Staff would review to possibly include in the Regulations. If there are more restrictions, they may possibly increase the densities.

Staff explained at the November Planning Commission meeting a negative referral was sent to the Zoning Commission (5-0 vote) Therefore, the Commission required a supermajority vote (4 to 5.) He summarized the reasons for the Commission to have flexibility in the Regulations with 4 units per acre and to allow Staff to draft a revised Regulation for single family zones.

No one spoke in favor of the application.

The following persons spoke against the application: Michael J. Dudko, 116 Lewis Rd.; Attorney James Ziogas, 104 Bellevue Ave.; Attorney Timothy Furey, 43 Bellevue Ave.; Attorney Mark Ziogas, 88 Valley St.; Thomas Bentivengo, 5 Village St.; and Charles Talmadge, President of Development Planning Solutions, 225 North Main Street.

Mr. Dudko had concerns with 4 units versus the different town's materials reviewed that the units varied. He was against the Redstone Hill Rd. application with too many units near the IW area (81 units on 11 acres or 7.3 units per acre.) His view was the 4 units was too low and may restrict developers. Also, affordable elderly housing was needed for the future for residents to keep them in CT. The "4 unit" wording was too simple, so the language needed more work. The Planning Commission did not vote in favor of it because the Planning Commission wanted to provide elderly housing in the future. He wanted to retain land for single family houses, but this dream does not exist anymore. He preferred 6 units per acre.

Attorney James Ziogas explained he and Attorney's Timothy Furey and Mark Ziogas, attended the Planning Commission meeting because they had concerns on the amendment. His view was that these attorneys who were opposed have a feeling of how things work in Town and that the Commission should ask the people that use the Regulations. This application came after the Redstone Hill Rd. application and policies should not be based on the neighbor's reactions. With exception to the Redstone Hill Rd. plan, these facilities had no concerns. He agreed with Mr. Dudko the density was not the concern for the facilities. The elderly age group is increasing and needs elderly housing. 4 units per acre would not be economical for person with low income. These facilities do not impact schools, City services, or taxes forcing residents to move to Farmington. There are different things that can be done to increase densities while also protecting the neighbors. If the Commission amends the Regulations, then all the facilities on the list become non-conforming. This plan would not conform to the PoCD. He noted there were options listed, but to do nothing was not on the list.

The Chair explained there was rationale for the 4 units because applications were scheduled for public hearing this evening for elderly housing that were denser. This amendment was the first draft. Also, elderly housing does not mean its affordable housing.

Attorney Furey reviewed the list he submitted that had different tax impacts versus single family houses described by Attorney James Ziogas. He agreed this was a reaction to the Redstone Hill Rd. plans. The Planning Commission encouraged the Commission not to adopt this amendment as it was inconsistent with the PoCD and the Affordable Housing Plan. In all the studies most of the housing was old and is not what people want. If the amendment is approved, there would be problems selling and buying for these buildings with the banks. In the Affordable Housing Plan, Pg. 10, the recommendation was that more affordable housing was needed. He suggested the Commission withdraw the application and let the attorneys help with revising the Regulation. Most towns have more density than Bristol's densities.

The Commission agreed to go past their 10:00 P.M. curfew.

Attorney Mark Ziogas explained the Regulations for 4 units per acre were arbitrary versus different towns per buildable acre. In Bristol there are no places for the elderly to go so they moved out of town, which they do not want them to. The 4 units was too low and the Commission should compare this to various towns. There are no A-zones available, but the R-zones are available, so they should work with those zones.

Mr. Bentivengo thanked the Chair for differentiating affordable housing versus elderly housing in residential neighborhoods with special permits. These multi-family homes may not be built unless they are designated elderly housing. These are not facilities, health care facilities, and not more affordable housing, but a loophole for multi-family houses in single family zones. The Commission cannot compare large towns to Bristol because Bristol was not like large manufacturing towns with more land available. Bristol had a quality of life particularly with densities and there should be a balance. He inquired if elderly housing can be placed anywhere in the City with a Special Permit.

Mr. Talmadge was against the 4 units per acre because it was not feasible. He stated limits are needed and considered this a moratorium in disguise. He also volunteered to work on the amendment. He described a seminar he attended regarding relaxing elderly housing Regulations. The trend in central CT was to increase senior housing because they are living longer and the amounts of seniors would be increasing rapidly and multi-family housing would improve the tax grand list. The Commission should discuss style, height, bulk and area to develop these types of housing because developers needed to amortize costs of developments. His view was townhouse style elderly housing would not be constructed, but bigger buildings needed to be constructed with cost limits. The cluster housing in the PoCD cannot be built. He preferred 8 to 10 units per acre and suggested a 100 ft. setback. He asked the Commission to withdraw the application to allow them to draft an appropriate Regulation.

The Chair summarized the trends of the public audience concerns of affordability in the City; the Commission was eliminating elderly housing; 4 units per acre was arbitrary; and the housing units were larger in different towns. But the Commission scheduled two elderly housing applications based on the existing Regulation with no limits or the amended Regulations. The Commission does not know how many applications they would receive, but to possibly have a moratorium. To do nothing was not an option because limits are required.

Staff reviewed the reasoning for 4 units per acre which was based on the R-10 zone maximum density requirement and applied to all the residential zones. Regarding eliminating elderly housing, this was an initial Regulation. If there is a second draft at a later date, the Commission may apply some parameters and refer the item to the various agencies.

Commissioner Harlow commented the Commission has to review how any unit size impacts the residential neighbors. Because the developers keep building larger more affordable units to satisfy the developer and the neighbors. The density in the neighborhoods was the reason for this proposed amendment. Commissioner White was offended with the comments this was a response to the Redstone Hill Rd. application. He looked forward to reducing impacts on residential neighborhoods to alleviate these negative situations when a design does not fit.

MOTION: move that Application AZR-22-2 – Proposed amendment to the Zoning Regulations to add a density requirement for Housing for the elderly, including congregate housing and life care facilities (Section V.A.3.i.) for the R-10, R-15, R-25 & R-40 (Single-Family Residential) zones; Initiated by: Bristol Zoning Commission, be continued to the January 23, 2023, Regular meeting of the Zoning Commission.

By: White

Seconded: Harlow.

For: White, Marra, Harlow, Gagnon and Provenzano.

Against: None.

Abstained: None.

The application is continued.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

13. Election of Officers

The Commission removed the election of officers from the agenda.

Item #4 under Receipt of New Applications, relocated to New Business was resumed.

4. Application #2452 – Revision to an Approved Site Plan for 1) motor vehicle repair and service facility and 2) the display or sale of new or fully operable motor vehicles at 88 and 96-98 East Main Street; Assessor's Map 41, Lot 36-1 and 37; BG (General Business) zone; Blasius of Bristol, LLC, applicant.

The Commission acknowledged receipt of the following items in their electronic packets: a page with links to the items for litigation undated, entitled City of Bristol v. 96 East Main Street, LLC, 1. Deposition – 6/17/22, 2. Superior Court – 8/20/21; 3. App. 2392 – 3/26/21, 4. App. 2393 – 3/26/21, 5. Agenda – 3/26/21, 6. Letters – 3/26/21, and 7. Minutes – 3/26/21; a copy of the IWWC Application #1980, Approved: May 2, 2022; and Inland Wetlands Commission reference materials dated from March 23, 2022, to December 2, 2021.

Staff explained that this was an additional Site Plan that the City wants to be clear about what is allowed on the property. There were no comments from the Site Plan Committee members, but he thought there may have been no concerns. This plan regarded the number of vehicles on the site. The addition to the building and the parking lot were approved by the Inland Wetlands (IW) Commission. There was no Site Plan Committee Review because of the minor changes to the property. But he would conduct a review with the Site Plan Committee if necessary.

Attorney Alfred Morrocco, 200 Summer St., representing the applicant, explained the property was cleaned up. The request was to extend the previous approval to the south with the understanding of the easement from the St. Joseph Polish Society. The required drainage system would be constructed, but there are more vehicles on the property for a total of 53 vehicles. The application requested 56 vehicles and the applicant has been warned about this concern. The vehicles fit on the property after working with the surveyor's plans.

Lorenc Pergjoni, 96 East Main St., explained there was a total of 53 vehicles on the property.

The Chair noted the Commission understood there would be 56 vehicles on the property with a few additional or less vehicles that are being picked up by customers. The registered vehicles would be off the property quickly.

MOTION Move to approve Application #2452 – Revision to an Approved Site Plan for 1) motor vehicle repair and service facility and 2) the display or sale of new or fully operable motor vehicles at 88 and 96-98 East Main Street; Assessor's Map 41, Lot 36-1 and 37; BG (General Business) zone; Blasius of Bristol, LLC, applicant, 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.

By: White

Seconded: Harlow.

For: White, Marra, Harlow, Gagnon and Provenzano.

Against: None.

Abstained: None.

The application is approved with stipulations.

CORRESPONDENCE:

There was no correspondence.

CITY PLANNER'S REPORT:

14. Status update on:

- a. Site plan reviews and various development activities

Staff explained that the hotel being constructed on Century Dr. had one entrance to the old hotel and new hotel. There was a plan approved a few months ago to delineate the driveways. There were Site Plan Committee Review comments received last week and the applicant was working with the Fire Marshal. The City Engineer had to review the plan. The hotel entrance would look a little different.

ADJOURNMENT:

MOTION: Move to adjourn at 10:34 P.M.

By: White

Seconded: Harlow.

For: Harlow, Marra, Gagnon, White and Provenzano.

Against: None.

Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King
Recording Secretary

Louise Provenzano, Chair

Thomas Marra, Secretary