



City of Bristol
Zoning Board of Appeals

REGULAR MEETING — TUESDAY, JUNE 2, 2026
CITY HALL — CITY COUNCIL CHAMBERS — FIRST FLOOR
111 NORTH MAIN STREET
6:00 P.M.

INFORMATION TO ACCESS THIS MEETING:

Zoom Meeting link:

[https://bristolct-gov.zoom.us/j/87280640607?pwd=KkQrpS0lJxhU2YLZqhcuMExkwP6Nvp.](https://bristolct-gov.zoom.us/j/87280640607?pwd=KkQrpS0lJxhU2YLZqhcuMExkwP6Nvp.1)

Meeting I.D. Number:

872 8064 0607

Meeting Passcode:

123456

Join by phone

1-929-205-6099

AGENDA

1. Call to Order
2. Receipt of New Applications
 - a. Application #3832 – 1. Appeal of the Notice of Decision of the City of Bristol Zoning Enforcement Officer for Application B-26-48, for an Interior Fit-Out for a Retail Store at 325 Oakland Street; the Notice of Decision publication on March 5, 2026, commenced a 30-day appeal period that ended on April 5, 2026; this appeal application was filed on April 29, 2026. 2. Appeal of the City of Bristol Zoning Enforcement Officer's decision approving Application B-26-48, for an Interior Fit-Out for a Retail Store at 325 Oakland Street; Assessor's Map 24, Lot 236-14; Zone: BG (General Business) zone; OSJ of Bristol, LLC, owner/appellant.
3. Public Hearings
4. Approval of Minutes
 - a. Regular Meeting — May 5, 2026
5. Adjournment

REMINDER: The next Regular Meeting of the Zoning Board of Appeals is: Tuesday, July 7, 2026

Application
#3832

Appeal
of
ZEO Decision

325 Oakland St.

**ZONING BOARD of APPEALS
CITY OF BRISTOL, CONNECTICUT
NOTICE OF APPEAL**

For Office Use Only	
APPLICATION NO.	<u>3832</u>
DATE FILED:	<u>4-29-26</u>
DECISION DATE:	_____
DECISION:	_____

The undersigned Appellant hereby appeals to the Bristol Zoning Board of Appeals from the order, requirement or decision of the Zoning Enforcement Officer as more fully described below and requests that such order, requirement or decision be reversed.

Briefly describe the order, requirement or decision of the Zoning Enforcement Officer being appealed:

The Zoning Enforcement Officer determined that the proposed Wal-Mart Depot, which is closed to the public, qualifies as a permitted "retail store" use in the BG Zone and may proceed under prior site plan approvals without modification.

Address or Location of the Property: 325 Oakland Street, Bristol, Connecticut 06010

Assessor's Map No.: 24 Assessor's Lot No.(s): 236-14 Zone of the Property: BG

Briefly describe the grounds for this appeal:

The appeal is timely because the Zoning Enforcement Officer/Applicant failed to provide adequate notice of the decision. The March 5, 2026 publication describes the action merely as an "Interior Fit-Out for a Retail Store," which materially mischaracterizes the decision and deprives the public of meaningful notice. (continued on page 2)

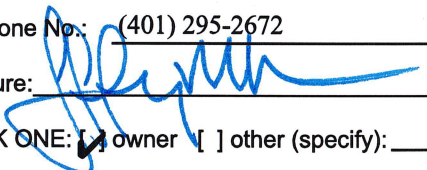
Other comments:

APPELLANT (If more than one, list on Page 2)

Name: OSJ of Bristol, LLC

Address: 375 Commerce Park Road City: North Kingstown State: RI Zip: 02852

Telephone No.: (401) 295-2672 E-Mail: _____

Signature:  Signature – (Printed/Typed) GEORGEY MILLSON

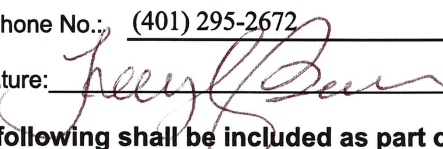
CHECK ONE: ☒ owner ☐ other (specify): _____

OWNER(S) OF RECORD (If other than Applicant; if more than one, list on Page 2)

Name: OSJ of Bristol, LLC

Address: 375 Commerce Park Road City: North Kingstown State: RI Zip: 02852

Telephone No.: (401) 295-2672 E-Mail: _____

Signature:  Signature – (Printed/Typed) Tracy C. Barzen

The following shall be included as part of this application:

- filing fee – \$185 (includes \$60 state fee) – make checks payable to "City of Bristol"
- any other data and drawings as may be relevant to this appeal

THIS APPLICATION MUST BE FILED IN PERSON NO LATER THAN 12 NOON ON THE DEADLINE DAY FOR APPLICATION SUBMISSION – NO EXCEPTIONS!

**CITY OF BRISTOL, CONNECTICUT
SUPPLEMENTARY INFORMATION**

For Office Use Only
APPLICATION NO. 3832

Address or location of property: 325 Oakland Street, Bristol, Connecticut 06010

ADDITIONAL INFORMATION/COMMENTS (click inside the box below and begin typing)

The Zoning Enforcement Officer made a determination that Wal-Mart's proposed plan of operating a facility that is closed to the public constitutes a "retail store" under the zoning regulations. The notice omitted any reference to the "Wal-Mart Depot" concept or the fact that the premises would not be open to the public. It also identified the applicant only as "Michelle Everhart," giving the public no way to connect the application to this major operation. A reasonable person would interpret the notice as routine permitting for a conventional retail build-out, not as a zoning modification. By failing to accurately describe the decision, the notice did not inform the public of the issues presented or afford aggrieved parties a fair opportunity to respond.

Because the notice failed to describe the true nature and significance of the decision, it did not provide the constructive notice required by statute or due process. See C.G.S. § 8-3(f); 9 Pettipaug, LLC v. Plan. & Zoning Comm'n, 349 Conn. 268, 282-83 (2024). As a result, the March 5 publication did not trigger the appeal period under C.G.S. § 8-7, and this appeal is timely.
(continued on page 3)

ADDITIONAL APPLICANT

Name: _____ CHECK ONE: ☐ owner ☐ other: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ Signature – (Printed/Typed) _____

ADDITIONAL OWNER(S) OF RECORD

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ Signature – (Printed/Typed) _____

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ Signature – (Printed/Typed) _____

(OPTIONAL) SEND COPIES OF ALL CORRESPONDENCE TO:

Name: Geoffrey Millsom, Esq.

Address: 100 Westminster Street, 16th Floor City: Providence State: RI Zip: 02903

Telephone No.: (401) 274-7200 E-Mail: _____

**CITY OF BRISTOL, CONNECTICUT
SUPPLEMENTARY INFORMATION**

For Office Use Only
APPLICATION NO. 3832

Address or location of property: 325 Oakland Street, Bristol, Connecticut 06010

ADDITIONAL INFORMATION/COMMENTS (click inside the box below and begin typing)

Additionally, the Zoning Enforcement Officer's determination conflicts with the City of Bristol's zoning regulations. The BG Zone is intended to accommodate customer-facing retail and service establishments that serve the public. However, Wal-Mart's proposed facility will function as a distribution and fulfillment facility: it is not open to the public, it processes online orders, and it relies on contractors to retrieve and deliver goods off-site. This model lacks the defining characteristics of a "retail store" and does not advance the purpose of the BG Zone.

The regulations instead direct warehousing, distribution, and similar logistics uses to Industrial Park Zones, which are specifically designed to support "manufacturing, warehousing, [and] distribution plants." Classifying Wal-Mart's proposed facility as a "retail store" undermines the zoning regulations.

ADDITIONAL APPLICANT

Name: _____ CHECK ONE: ☐ owner ☐ other: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ Signature – (Printed/Typed) _____

ADDITIONAL OWNER(S) OF RECORD

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ Signature – (Printed/Typed) _____

Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone No.: _____ E-Mail: _____

Signature: _____ Signature – (Printed/Typed) _____

(OPTIONAL) SEND COPIES OF ALL CORRESPONDENCE TO:

Name: Geoffrey Millsom, Esq.

Address: 100 Westminster Street, 16th Floor City: Providence State: RI Zip: 02903

Telephone No.: (401) 274-7200 E-Mail: _____

Determination Letter

Brandon Peate
Zoning Enforcement Officer
860-584-6215
BrandonPeate@BristolCT.gov



Bristol City Hall
Building Department
111 North Main Street
Bristol, CT 06010

February 26, 2026

Michelle Everhart
8131 Metcalf Ave Suite 300
Overland Park, KS 66204

RE: Request for Zoning Determination Letter
325 Oakland Street
MBLU: 24-236-14

The BG General Business Zone is intended to accommodate larger retail and service establishments primarily serving the needs of the entire City, including automobile-oriented uses.

The primary structure was built in 1995. The previous use classification for the property was grocery store. The proposed use for the property is retail store – a use classification approved through a site plan application in the BG Zone.

“Grocery Store: A food store offering food for sale primarily for preparing off the premises. Non-food items such as household supplies, toiletries and other miscellaneous items may be offered, but the supply of such items is secondary to the primary purpose to sell basic food products directly to the consumer.”

“Retail Store: A sales establishment whose primary purpose is to display and offer for sale commodities or goods directly to the consumer, reserving a substantial amount of floor space and window space for display of goods such as books, stationery, clothing, dry goods, hardware, jewelry, flowers, variety merchandise, newspapers, magazines, alcoholic liquor, and similar goods. May also offer incidental services.”

The proposed Walmart Depot will consist of a principal building designed in a layout substantially similar to that of a traditional department store. The primary distinction is that the premises will not be open to the general public. Customers will place orders online, after which a private contractor, acting on behalf of the customer, will travel to the site, retrieve the ordered goods from within the principal building, and deliver them to the customer’s designated location.

I have reviewed the zoning records in my office. A site plan was approved by the Zoning Commission in 1993 as shown in application #1409. A revision to an approves site plan was approved in 2012 shown in application #2112. With no external modifications, the existing approved site plan can be utilized for the current proposal and fall under the use classification of retail store.

The City of Bristol Building Department is responsible for approval and enforcement of building codes and zoning ordinances for residential and commercial development in the City. As the Zoning Enforcement Officer for the City of Bristol, I have the authority to issue this letter. If you need more information, please do not hesitate to contact my office.

Best regards,

Brandon Peate

Brandon Peate
Zoning Enforcement Officer

Conditions of Approval

Brandon Peate
Zoning Enforcement Officer
860-584-6215
BrandonPeate@BristolCT.gov



Bristol City Hall
Building Department
111 North Main Street
Bristol, CT 06010

February 26, 2026

Michelle Everhart
8131 Metcalf Ave Suite 300
Overland Park, KS 66204

RE: B-26-48 Conditions of Approval
325 Oakland Street
MBLU: 24-236-14

Please be advised that the above-referenced application has been reviewed for compliance with the City of Bristol Zoning Regulations. Zoning approval is hereby granted subject to the following conditions:

1. Any exterior alterations or site modifications that deviate from the currently approved site plan shall require submission and approval of a revised site plan prior to the commencement of such work.
2. All private contractors operating at this location shall acquire all purchased goods within the principal building. No outdoor storage, staging, or distribution of goods is permitted unless specifically approved under a revised site plan.
3. Each item shall be individually selected and packaged by the contractor within the principal building prior to transport.
4. Vehicles utilized for the purpose of transporting goods from the premises to their delivery location shall not exceed a gross vehicle weight rating of 10,000 pounds.
5. Hours of operation for private contractors acting on behalf of the customer on-site shall be limited to between 6:00 a.m. and 11:00 p.m.

Failure to comply with the above conditions may result in enforcement action in accordance with the Zoning Regulations.

This correspondence is to be included in the building permit file. Should you have any questions, please contact this office.

Best regards,

Brandon Peate

Brandon Peate
Zoning Enforcement Officer

Hartford Courant

Affidavit of Publication

AFFIDAVIT OF PUBLICATION

Sold To
City of Bristol Public Works - 204534
111 N Main St
Bristol, CT 06010-8112

Bill To
City of Bristol Public Works - 204534
111 N Main St
Bristol, CT 06010-8112

State of Connecticut

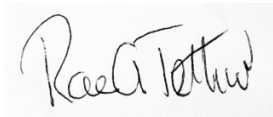
County of Hartford

Order No: 38606
\$185.81

I, Rae Tetlow, do solemnly swear that I am a representative of the Hartford Courant, printed and published daily, in the state of Connecticut and that from my own personal knowledge and reference to the files of said publication the advertisement of Public Notices was inserted in the regular edition.

On Dates as Follows:

5 Mar 2026

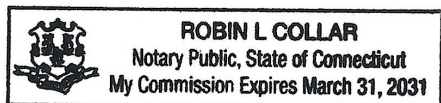


Rae Tetlow, Representative,

Subscribed and sworn before me on 5 Mar 2026



Notary Public



Name of Notary, Typed, Printed, or Stamped

38606

AFFIDAVIT OF PUBLICATION

**NOTICE OF DECISION
CITY OF BRISTOL
ZONING ENFORCEMENT OFFICER**

NOTICE IS HEREBY GIVEN that the Zoning Enforcement Officer (ZEO) has granted approval pursuant to Section 4.2 and Section 16.1 of the City of Bristol Zoning Regulations for:

1. Application B-26-48 – Interior Fit-Out for a Retail Store; 325 Oakland Street, Bristol, CT 06010; Assessor's Map 24, Lot 236-14; BG (General Business) Zone; OSJ of Bristol, LLC, Owner; Michelle Everhart, applicant.

Any aggrieved person may appeal this decision to the City of Bristol Zoning Board of Appeals within 30 days of the publication of this notice. Copies of all applications are on file for public inspection in the Building Department, City Hall – Second Floor, 111 North Main Street, Bristol, CT.

BRISTOL BUILDING DEPARTMENT
Brandon Peate, Zoning Enforcement Officer (ZEO)

Dated at Bristol, CT this 5th day of March, 2026

3/5/2026

38606

38606

Hartford Courant

Newspaper Publication Order



Campaign No. _____
Today's Date 4 Mar 2026
P.O. Number _____
Sales Rep _____

bill-to

City of Bristol Public Works
111 N Main St
Bristol, CT 06010-8112
Tel: 860 584-6227
Account No:

advertiser

City of Bristol Public Works
111 N Main St
Bristol, CT 06010-8112
Tel: 860 584-6227
Account No:

Campaign Summary

Description	Legal Notice
Start Date	3/5/2026
End Date	3/5/2026
Currency	

Cost Summary

Gross Amount	\$185.81
Agency Commission	\$0.00
Net Amount	\$185.81
Estimated Tax	\$0.00
Total	\$185.81

Package Details

Description	Start Date	Price
Legal Notice	3/5/2026	185.81
Package Component Detail		Start Date
Public Notices		3/5/2026
Affidavit		3/5/2026
Hartford Online Marketplace		3/5/2026
Hartford Courant Classified		3/5/2026

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BRISTOL BUILDING DEPARTMENT
Brandon Peate, Zoning Enforcement Officer
(ZEO)

Dated at Bristol, CT this 5th day of March,
2026

3/5/2026

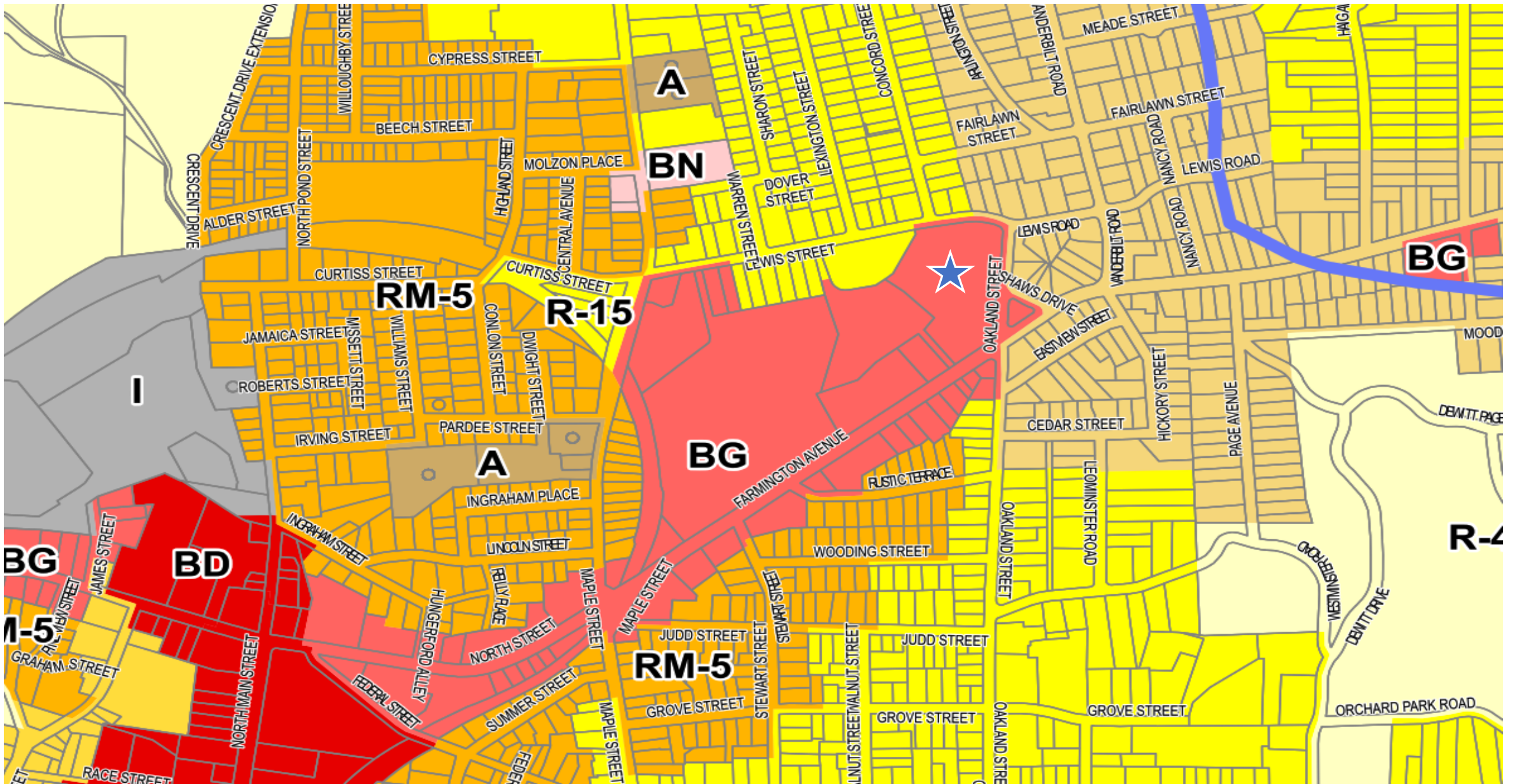
38606

This Insertion Order Form forms part of the Agreement by and between Customer and Tribune Publishing Company ("**Company**"), and is governed by the terms and conditions set forth in Company's Business Terms of Service (available at <https://www.tribpub.com/central-terms-of-service/>) (the "**Business Terms**") and the Data Processing Addendum (the "**DPA**") The Business Terms, DPA, and this Insertion Order are collectively referred to as the "**Agreement**." The Business Terms and DPA constitute integral parts of this Insertion Order and are hereby incorporated into this Insertion Order by this reference. Capitalized Terms not otherwise defined in this Insertion Order have the same meanings as that ascribed to them in Business Terms. In the event of any ambiguity, conflict, or inconsistency between any of the Business Terms, this Insertion Order, and the DPA, the following order of precedence shall govern for purposes of resolving any such ambiguity, conflict, or inconsistency: (1) this Insertion Order, (2) the DPA, if applicable, and (3) the Business Terms.

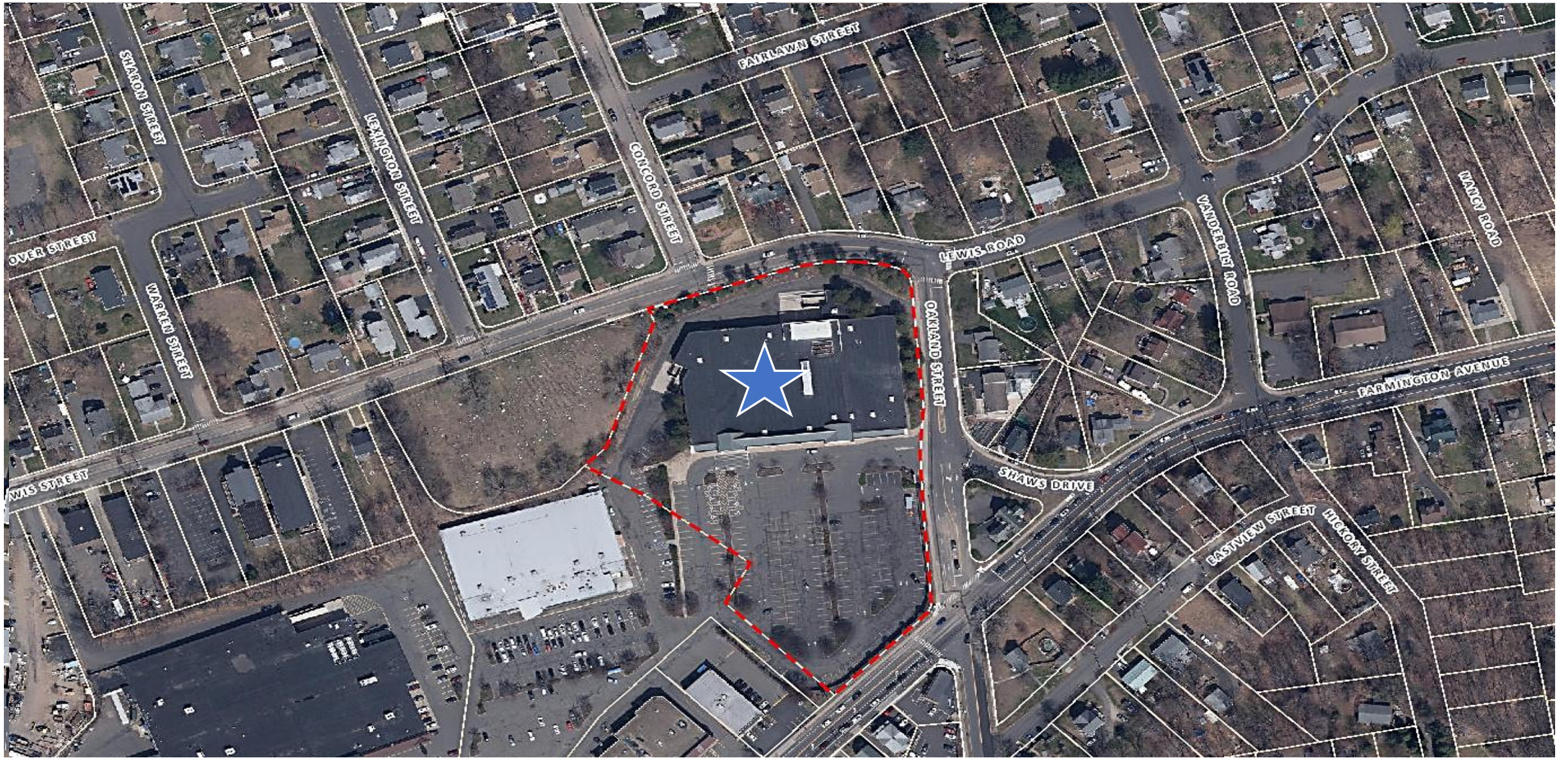
Various GIS and Google Maps



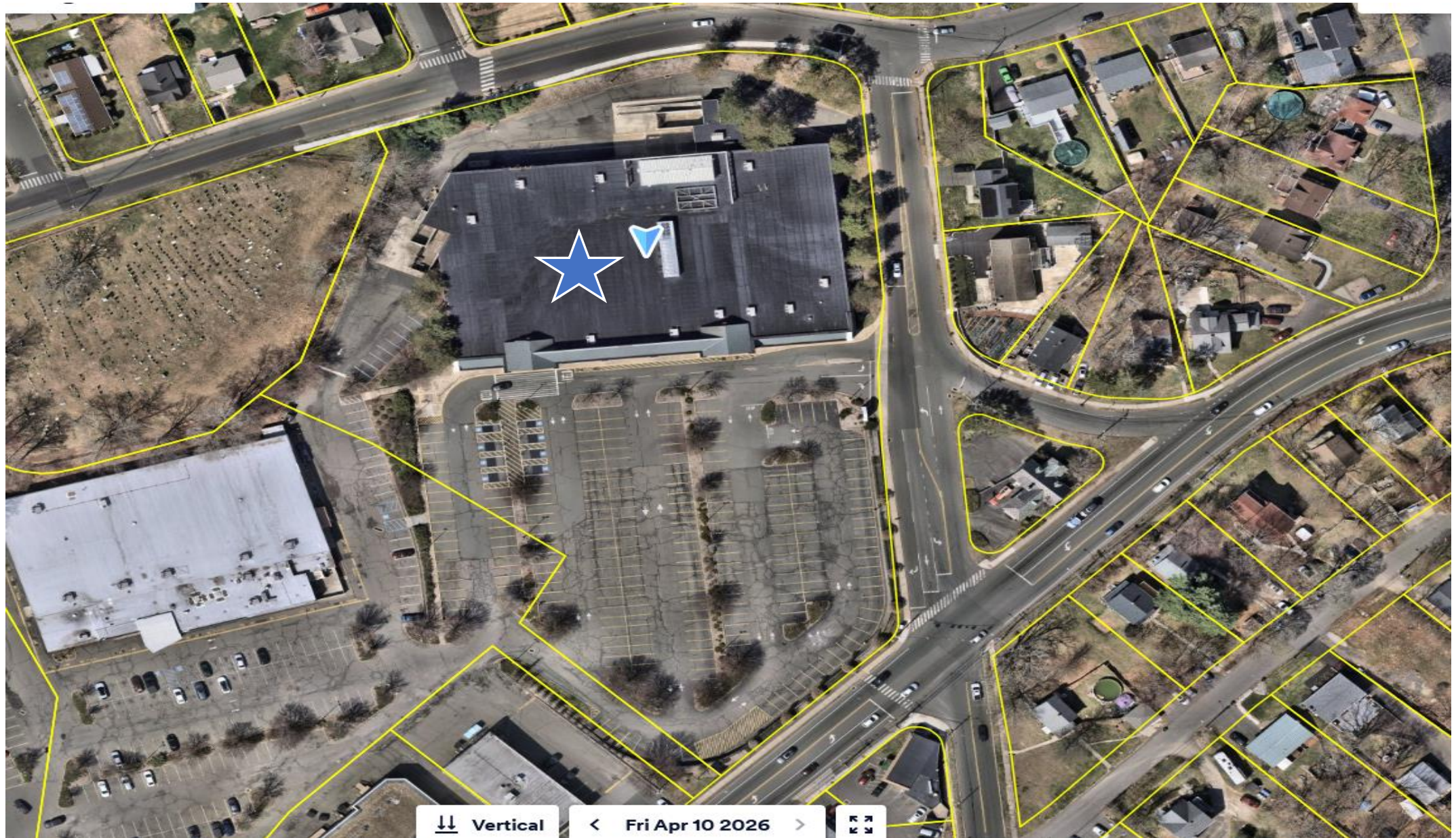
325 Oakland St. – Location
Map 24, Lot 236-14



325 Oakland St. – Zoning – BG (General Business) zone
Map 24, Lot 236-14



325 Oakland St. – Aerial – 2023
Map 24, Lot 236-14



325 Oakland St. – Aerial - 2026
Map 24, Lot 236-14

**BRISTOL ZONING BOARD OF APPEALS
MINUTES
REGULAR MEETING OF MONDAY, MAY 5, 2026**

By: Chairman Rafaniello

Time: 6:00 P.M.

Place: City Hall
111 North Main Street
Council Chambers
First Floor

ROLL CALL:

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

1. Call to Order

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, June 2, 2026.

2. Public Hearings

Item 2.b. under Public Hearings was taken out of order.

- a. Application #3831 — Request for a variance from Article III, Section 10.2.5.B. to reduce the required front yard setback line for a rear lot from 60' feet to 40.5' feet for the construction of a single-family home with an accessory dwelling unit at 176 Southdown Drive; Map 58, Lot 16-1H; R-25 (Single-Family Residential) zone; Paul Cotter, applicant/owner.

The following items were submitted into the record: three letters dated April 21, 2026, from three neighbors, regarding no objections to the plans (submitted by Attorney James Ziogas, Jr.)

Chairman Rafaniello designated regular Commissioners Pecevich, Ghio, Radke, and Rafaniello with alternate Commissioner Lukasiewicz to vote on Application #3831.

Attorney James Ziogas, 104 Bellevue Avenue, representing the applicant, explained an extensive narrative was included with the application. Attorney Ziogas described the property as a rear lot in a small subdivision that was developed by the D'Amato's. The attorney noted his client purchased this lot to construct a single-family house for himself and an accessory dwelling unit for his mother. Attorney Ziogas reviewed the hardships on the north side of the property having a 20 ft. utility right of way and a 25 ft. easement to the City of Bristol.

The attorney stated that the hardship on the east side of the property was a drainage easement in favor of Lot #7 that wraps around the west and south side of the property. Attorney Ziogas said the hardship on the east side of the property was an inland wetlands boundary that had received an approval from the Inland Wetlands Agency.

The attorney indicated that the property was limited as to where the house may be placed on the site. Attorney Ziogas summarized the hardships were the combination of hardships as stated but the inland wetlands area was the most important area. The attorney noted the 899 sq. ft. accessory dwelling would be near the garage on the northwest corner of the house.

Attorney Ziogas indicated the neighbors most affected were on Lot #7, the owners to the north and the neighbors to the northeast. The attorney submitted into the record a letter with signatures from all three-property owner with no objections to the plans. Attorney Ziogas pointed out the house to the north was a 120 ft. distance away from the property.

Board inquiries: The attorney verified the swale does not encroach on the existing two car garage but was near the garage. Attorney Ziogas said the house to the right of the property was constructed within the last nine months. The attorney explained the lot to the right and to the left of the property were interior lots.

The Board had no objections to the application.

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

The hearing is closed.

By: Ghio

Seconded: Pecevich.

For: Lukasiewicz, Ghio, Radke, Pecevich and Rafaniello.
Against: None.
Abstain: None.

The Board commented the hardship was the contour of the lot and being an interior lot. The Board had not objections and these were sufficient hardships. The members agreed with the attorney the neighboring properties would need similar variances with the nature and size of the lots. The Board indicated the slope, topography and nature of the property were hardships.

MOTION: Move to approve Application #3831 — Request for a variance from Article III, Section 10.2.5.B. to reduce the required front yard setback line for a rear lot from 60' feet to 40.5' feet for the construction of a single-family home with an accessory dwelling unit at 176 Southdown Drive; Map 58, Lot 16-1H; R-25 (Single-Family Residential) zone; Paul Cotter, applicant/owner, in accordance with the plot plan and information submitted.

By: Ghio

Seconded: Pecevich.

For: Lukasiewicz, Ghio, Radke, Pecevich and Rafaniello.
Against: None.
Abstain: None.

The application is approved.

- b. Application #3830 – Pursuant to C.G.S. 14-321: 1. Request for a Certificate of Approval for the sale of gasoline; 2. Request for the removal of the 1966 zoning buffer requirement of 60' feet at 1462 Farmington Avenue; Assessor's Map 46, Lot 75-8; BG (General Business) zone; Atlantis Real Estate, LLC/AMG PUB II, LLC (AMG), applicant/owner.

Chairman Rafaniello designated regular Commissioners Pecevich, Ghio, Radke and Rafaniello with alternate Commissioner Kelaita to vote on Application #3830.

Attorney Amy Souchuns of MacDermid, Reynolds & Glissman, P.C., 42 Cherry St., Milford, representing the applicant, reviewed the request that was overviewed at the April meeting. Attorney Souchuns indicated the Board was acting as an agent for the Dept. of Motor Vehicles (CT-DMV) for the siting of gas stations.

The attorney summarized about 28 years ago statutory changes occurred and it was determined that local municipal ZBA's would review gas station location applications. Attorney Souchuns noted that this site has been used as a gas station since 1966.

The attorney said the request this evening was associated with a Zone Change application that was approved by the Zoning Commission in April of 1966, and at that time the Commission stipulated a rear yard buffer requirement of 60 ft. That was an illegal action of the Commission for that application.

Attorney Souchuns specified the request this evening was to reduce that 60 ft. buffer to 25 ft. in accordance with the current Zoning Regulations. The attorney said the site required more septic testing but the applicant would apply for a Site Plan with the Zoning Commission. Attorney Souchuns indicated the new plan would have the existing building demolished.

A new building would be constructed in a new location with a convenience store and gas station. The attorney stated that a new proposed drive aisle for coffee pick-up was the reason to modify the buffer.

Board inquiries: Attorney Souchuns verified that if a landscaped buffer was requested by the neighbor or the Commission during the review of a revised plan, the applicant would comply. The attorney said the position of the pumps would not change.

Attorney Souchuns noted the curb cut would be a greater distance from the intersection. Attorney Souchuns noted the building front line would remain the same and the rear building line would be 86 ft. from the property line.

Timothy Bragaw, EIT of B.L. Companies, 355 Research Parkway, Meriden, noted there was 2-1,000 gallon holding tanks that existed on the property. The engineer reviewed the leaching area.

Attorney Souchuns reviewed the traffic report that had 30 vehicle trips per hour that was the mid-point.

Chairman Rafaniello indicated there are Dunkin Donut facilities in the area and there were several hundred vehicles per day. Commissioner Kelaite mentioned the Dunkin Donuts near Camp St. had frequent vehicle back-ups on the street, so the proposed station may have the same situation.

Board inquiries: The attorney said that the 30 vehicles was the delta between the existing station versus the proposed station. Attorney Souchuns maintained that the gas stations are pass by traffic but Dunkin Donuts may be a specific trip. The attorney pointed out there would be a secondary traffic review for the plans.

Attorney Wyland Dale Clift, Corporation Counsel, City of Bristol, 111 North Main St., explained that he was in attendance this evening to explain any legal questions that might come up regarding the Board's authority. Attorney Clift agreed with Attorney Souchuns that the Zoning Commission approval for the Zone Change was illegal with the 60 ft. buffer imposed on the 1966 Site Plan.

The attorney said that the ZBA (at that time) also imposed a 60 ft. buffer, but that was legal and within their authority under C.G.S. 14-321. Attorney Clift stated that the reason for the request this evening was for the Board to remove the 60 ft. buffer, and that was at the Board's discretion. The attorney stated there were a lot of statutory factors used for review of location approvals in the past, but it appears that the Legislature brushed those criteria away in a subsequent re-write of the statute.

Mr. Flanagan reviewed the reasons the Zoning Commission could not impose stipulations on a Zone Change application. The City Planner pointed out that this would be contract zoning if the Zoning Commission does this and that is not allowed.

Additionally, Mr. Flanagan explained that if a Zone Change is approved, and a proposed use is stated by an applicant during a public hearing, the intended use is for informational purposes and the use may be changed by the applicant after the application is approved. A Zone Change approval changes the zone for all of the uses allowed in a particular zone, and an applicant can avail themselves of any of those uses when deciding how to develop a property.

Attorney Souchuns clarified the prior approval was for a repair facility and the approval was based on a prior location approval. The attorney noted that the applicant was now requesting to modernize the facility.

Attorney Souchuns indicated only a simple majority was required for the Certificate of Approval this evening. In response to the Board, Attorney Souchuns indicated the applicant was not asking for no buffer, but to go from a 60 ft. buffer to what the current Zoning Regulations require – 25' ft.

Board inquiries: Attorney Souchuns specified the two requests were combined on the application to better explain the overall problems and to only reapprove the gasoline station location approval would be a concern. The attorney agreed on behalf of the applicant to continue the application if necessary. Mr. Flanagan stated the two requests this evening come in under C.G.S. 14-321.

The Board summarized the concerns with the 60 ft. rear yard buffer and the suitability of the gasoline station.

In response to the Boards concerns, Attorney Souchuns reviewed the proposed traffic patterns near the gas pumps. The attorney indicated the Staff and various Commissions would be reviewing the Site Plans.

Chairman Rafaniello noted the first concern was approving a gasoline license may be done because of the prior repair facility approvals the Board has granted. The Chairman said the second concern was the 60 ft. buffer. The Board cannot avoid this because the Board has the authority and if denied there may be more litigation.

Mr. Flanagan offered to provide the minutes of this meeting to the Zoning Commission when a future application for the property was submitted. The City Planner clarified that the Zoning Commission has authority with the 20 ft. landscape buffer and within the 25 ft. bulk setback requirement for buildings.

No one else spoke in favor of the application.

No one spoke against the application.

The hearing is closed.

By: Ghio

Seconded: Pecevich.

For: Kelaita, Radke, Pecevich Ghio and Rafaniello.

Against: None.

Abstain: None.

The Board commented on the suitability of the gasoline station that is already and there were no concerns in approving the request. The members stated the safety issues, landscaping and screening would be handled by the appropriate Commissions. The Board agreed with removing the 60' ft. setback.

The Board agreed that this was a well-designed plan and the discussion cleared up the confusion of C.G.S. 14-321 and why the ZBA was reviewing the request. The Board stated that the gas station had been used on the property for many years and there were no concerns.

MOTION: Pursuant to C.G.S. 14-321 – Move to approve Application #3830 along with the following requests submitted with the application for 1462 Farmington Avenue; Assessor's Map 46, Lot 75-8, in the BG (General Business) zone:

1. Approve the request for a Certificate of Approval for the sale of gasoline.
2. Approve the request for the removal of the 60' ft. zoning buffer requirement located on the southerly portion of the property and originally imposed on the property by the Bristol Zoning Board of Appeals on June 13, 1966.

By: Ghio

Seconded: Pecevich.

For: Radke, Kelaita, Ghio, and Rafaniello.

Against: None.

Abstain: None.

The application is approved.

3. Approval of Minutes

a. Regular Meeting - April 7, 2026

Chairman Rafaniello designated regular Commissioners Pecevich, Radke and Rafaniello with alternate Commissioners Kelaita and Biadun to vote on the April 7, 2026, regular meeting minutes.

MOTION: Move to approve the minutes of the April 7, 2026, regular meeting.

By: Kelaita

Seconded: Pecevich.

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

Against: None.

Abstain: None.

4. Adjournment

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

MOTION: Move to adjourn at 7:15 P.M.

By: Ghio

Seconded: Radke.

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

Against: None.

Abstain: None.

This meeting was recorded.

Respectfully submitted,

Nancy King
Recording Secretary

Jerald A. Rafaniello, Chairman

Rory Ghio, Secretary