

**BRISTOL PLANNING COMMISSION  
MINUTES  
REGULAR MEETING OF MONDAY NOVEMBER 28, 2022**

**CALL TO ORDER:**

By: Chairman Veits

Time: 7:00 P.M.

Place: City Hall  
Board of Education - Auditorium,  
129 Church Street**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: | Christopher Nardi                        | X       |        |
|                    | Anthony Lorenzetti                       | X       |        |
|                    | Kenneth Rasmussen-Tuller                 |         | X      |
| STAFF:             | Robert M. Flanagan, AICP, City Planner   | X       |        |
|                    | Nancy Levesque, P.E., City Engineer      | X       |        |
|                    | Andrew Armstrong, Assistant City Planner |         | X      |

Chairman Veits called the meeting to order at 7: 00 P.M.

Chairman Veits reminded the Commission the next Regular Meeting of the Planning Commission is Monday, December 19, 2022.

**PLEDGE OF ALLEGIANCE:****PUBLIC PARTICIPATION:**

Mr. Flanagan explained there were a few public audience members that may want to participate in the Zoning Commission referral item this evening. He explained there was no mechanism for public comment and that the referral was an administrative matter.

The Commission allowed the public audience members to speak under Public Participation.

The following persons spoke under public participation: Attorney James Ziogas, 104 Bellevue Ave.; Attorney Timothy Furey, 43 Bellevue Ave.; and Charles Talmadge, President of Development Planning Solutions, 225 North Main St.

Attorney James Ziogas, explained historically he and different attorneys were involved with Regulation amendments for the City. The residential zone was the only zone that allowed construction of elderly housing 55 years and older facilities. The proposed amendment was to revise this Regulation that received a lot of controversy. His view was this controversy was the reason the Regulations was being revised. He reviewed the Affordable Housing Plan of the Planning Commission, approved May 2022, Section 2.6, for the need for more units.

But this amendment would reduce the number of units available. As such, reducing the density to 4 units per acre goes against the stated need for more housing. He reviewed Section 4.2; Plan of Conservation and Development PoCD. He inquired if the amendment was consistent with the PoCD. Regarding Pgs. 13 and 84 of the PoCD with respect to trends of the aging demographics, incomes and housing needs for the residents to Bristol. Regarding Section 10.3.3., there should be reasonable market rates for this type of housing.

His view was alternative options could be built in that would reduce density versus the units per acre, such as open space, amenities, increased setbacks (reduced buildable areas) and various other alternatives. This would protect neighbors and be feasible for developers.

His view was the 4 units per acre was not the appropriate economy of scale for the developers because that was not a fair rate to the developers versus market value on a property. His view was this amendment was more a reaction to a previous application. The Commission should conduct an additional review for this item and recommended this referral not be approved to the Zoning Commission for the reasons stated.

Attorney Timothy Furey, representing himself and the applicants on the Redstone Hill Rd. applications, reviewed the density list that he submitted into the record for the Redstone Hill Rd. applications. He requested the Commission review the properties on the list because these had no reported concerns, complemented the area, and had waiting lists for the facilities. He agreed the amendment was more of a reaction to the controversy of the recent applications. He noted the Redstone Hill Rd. applications was the lowest densities of these developments in the City except for the development on Burlington Avenue.

The amendment was not needed and contrary to the PoCD because developers would not be able to create the levels of affordable housing that are needed by Bristol. He read into the record a portion of the 2022-2027 Affordable Housing Plan that stated there is a need for more affordable, appropriate, comfortable and modern housing facilities. His view was the older housing on Federal Hill and in the West End needed to be replaced with modern housing because younger and older residents do not want the older homes. If the housing is within \$1,700, they would be 60% to 80% within the affordable housing category for many people. Amendments should backup the PoCD and the Affordable Housing Plan, but the amendment does not do that. He requested a negative recommendation. He stated he would respond to any questions.

Mr. Flanagan explained these comments were premature as there was a public hearing scheduled by the Zoning Commission in two weeks and that was the appropriate venue for these concerns to be vetted in a public forum.

Mr. Talmadge reviewed a seminar he attended in a town near the Bristol town line today regarding how to ease restrictions on multi-family development and how to increase density especially for senior housing. This evening, Bristol was discussing going in the opposite direction. This does not make sense to him because of the need for additional senior housing. He explained a development in Plainville was sold out. There is a large need for this housing. These developments cost less to operate. His view to remove this from developers was ludicrous. This was the first time he spoke against an amendment. He requested the Commission give a negative referral on the amendment.

#### **ADMINISTRATIVE MATTERS:**

##### **1. Approval of Minutes**

Chairman Veits designated regular Commissioners Soares, Pose and Veits to vote on the October 24, 2022, regular meeting minutes. He also designated alternate Commissioner Nardi to vote in place of Commissioner Bacchus with his absence this evening.

**MOTION:** Move to approve the minutes of the October 24, 2022, regular meeting.

By: Pose

Seconded: Soares.

For: Soares, Pose, Nardi and Veits.

Against: None.

Abstain: None.

#### **RECEIPT OF NEW APPLICATIONS:**

There were no new applications.

#### **PUBLIC HEARINGS:**

There were no public hearings.

Chairman Veits designated regular Commissioners Soares, Pose and Veits to vote on the October 24, 2022, regular meeting minutes. He also designated alternate Commissioner Nardi to vote in place of Commissioner Bacchus with his absence this evening.

Chairman Veits designated regular Commissioners Soares, Pose, Hayden and Veits as voting members this evening. He also designated alternate Commissioner Lorenzetti as a voting member this evening in place of Commissioner Bacchus with his absence this evening.

#### **ZONING COMMISSION REFERRALS:**

2. 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 memorandum dated November 2, 2022, from the Bristol Planning Commission to the Bristol Zoning Commission, regarding Referral of Proposed Amendment to the Zoning Regulations; a REVISED proposed amendments to the Bristol Zoning Regulations, entitled "REVISED, AZR22-2: Proposed Amendments to the Bristol Zoning Regulations, Bristol Zoning Commission, Draft for Public Hearing: 12/12/22, Revised Draft: 11/10/22, 2022 Regulations – Current Text"; a page entitled "Housing Background Information: undated" with 5 Internet links; a list submitted previously by Attorney Timothy Furey, entitled "Elderly Housing Density Calculations, undated"; Portions of Regulations from various towns (11 towns); a memorandum dated November 2, 2022, from the Bristol Zoning Commission to Therese Pac, Bristol Town and City Clerk, regarding Application #AZR22-2; a memorandum dated November 2, 2022, from the Bristol Zoning Commission to the Northwest Hills Council of Governments (NHCOG), Regional Planning Commission and Emily Hultquist, (NHCOG), regarding Referral of Proposed Amendment to the Zoning Regulations; a Zoning Referral Form, dated 11/02/2022, from the Bristol Zoning Commission to the Capitol Region Council of Governments (CRCOG), regarding adoption or amendment; a memorandum dated November 2, 2022, from the Bristol Zoning Commission to the Capital Region Council of Governments (CRCOG), Regional Planning Commission and Christopher Henchey (CRCOG), regarding Referral of Proposed Amendment to the Zoning Regulations; a Zoning Referral Response memorandum, dated November 18 2022, from Capital Region Council of Governments (CRCOG) to the Bristol Planning and Zoning Commission, regarding a Report on Zoning Referral Z-2-22-159; a Zoning Referral Response memorandum, dated November 18 2022, from Capital Region Council of Governments (CRCOG) to the Bristol Planning and Zoning Commission, regarding a Report on Zoning Referral Z-2-22-166; a memorandum dated November 2, 2022, from the Bristol Zoning Commission to the Naugatuck Valley Council of Governments (NVCOG), Regional Planning Commission and NVCOG (via e-mail), regarding Referral of Proposed Amendment to the Zoning Regulations; a Staff Referral Report, dated November 10, 2022, from Joanna Rogalski, NVCOG to the Planning Commission, CEO, City Planner of Bristol, Capital Region Council of Governments (CRCOG), Northwest Hills Council of Governments (NHCOG), Naugatuck Valley Council of Governments (NVCOG), and the Regional Planning Commission (RPC) representatives, regarding BRIS-34-110322-Z.

Mr. Flanagan explained this item was referred by the Zoning Commission for a Public Hearing scheduled to open on December 12, 2022. The request this evening was to add a density requirement of 4 dwelling units per acre. The language is based on the current R-10 zone Regulations that has the highest density in residential zones.

He noted that the Zoning Commission does not want to create any impediments to affordable senior housing, and is very sensitive to this issue, but there does need to be some parameters built in to protect parcels from being over built. This amendment was only for the residential zones. His view was the amendment implements some needed controls for the use, and the Zoning Commission may revise the Regulations adding some parameters in the future, which could then allow for a rise in the density threshold.

Mr. Flanagan reviewed the options for the Zoning Commission. He explained the use is allowed in the A-zone and would remain. Also, a Variance could be applied for with the Zoning Board of Appeals (ZBA) for higher densities in residential zones, as a ban on variances of this type was not in the current amendment. A moratorium could also be initiated by the Zoning Commission, but he advised the Zoning Commission not to do this. His view was the amendment was an improvement over what currently exists but does not limit all development, should a new development proposal come along.

Commissioner Pose was concerned on what effect the changes would have on affordable housing for the elderly and the financial impact on the affordable housing, elderly housing with the requirement for 4 units per acre. He stated that this amendment goes against the Plan of Conservation and Development (PoCD) and does not encourage development of elderly housing.

His view was that different towns have 8 to 12 units per acre, and until there are safeguards built into a future amendment, the Regulations should remain as it exists. He disagreed with 4 units per acre. He was not in favor of the amendment. Commissioner Lorenzetti disagreed with the 4 units per acre because this amount was low. Chairman Veits disagreed with the 4 units per acre because it was low; he preferred 4 to 10 units per acre.

Commissioner Nardi agreed with Commissioner Pose because it would hinder development. This item required additional review and the safeguards were necessary because the Commission may not be able to revise the amendment at a later date. He was also hesitant with 4 units per acre because it was low.

Commission inquiries: Mr. Flanagan explained 4 units per acre was based on the highest density currently allowed in a residential zone (R-10 – 4 units per acre.) An applicant can potentially construct 4 units per acre currently depending on the use and requirements.

If the current proposal to change the Regulations remains as written, and there is a negative referral from the Planning Commission, the Zoning Commission would require a super-majority vote for approval (4 of 5 votes).

If this referral receives a positive approval, the Zoning Commission can approve with a simple majority (3 of 5 votes) in the affirmative. The R-10 zone has a current maximum of 4 units per acre, which would then be extended to the other Residential zones. The existing Regulation currently does not have a density requirement.

**MOTION:** Move to send a negative referral to the Zoning Commission for: 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, because the Planning Commission finds that the text amendment, as presented, would not be consistent with the goals and policies of the 2018 Plan of Conservation and Development.

By: Pose

Seconded: Soares.

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

Against: None.

Abstain: None.

The CT General Statute 8-24 Referral is not recommended for approval.

#### **CITY COUNCIL AND OTHER REFERRALS:**

There were no City Council and other referrals.

#### **OLD BUSINESS:**

There was no old business.

#### **NEW BUSINESS:**

There was no new business.

#### **STAFF REPORTS:**

##### **3. Subdivision Status Report**

The Commission acknowledged receipt of the following items in their electronic packets:

Ms. Levesque explained most of the subdivisions were status quo with the exception to the last two items on the report (Perkins Meadow and Meadow View Farm), with no building permits being issued at this time. Great Pyrenees Subdivision was close to being finished in Bristol, but a couple of lots were taken over by a different developer. Laurentide Glen Subdivision was moving along. The Pine St. and Mitchell St. Subdivision would be signed off eventually and the applicant was finalizing their encroachment permit. Blossom Estates Subdivision (Redstone Hill Road) are constructing sidewalks and drainage basins.

Mr. Flanagan explained the Bristol Crossings Subdivision, Phase II, Corbin Ridge, was sent to the City Council for approval. The one year maintenance bond was received in the amount of \$144,872.

##### **4. 2024 Land Use Training Guidelines**

Mr. Flanagan explained the CT Gen. Assembly has mandated Land Use Training for various land use boards and commissions. He explained a one hour of fair housing training was required and three hours of additional training, following guidelines issued by CT-OPM. He and Mr. Armstrong are currently reviewing a tentative schedule for the training.

##### **b. Various development items**

Mr. Flanagan reviewed an inquiry that he received to construct a large daycare facility on Farmington Ave.

Commission inquires: Mr. Flanagan explained that the Dairy Queen facility on Farmington Ave. was approved, but the applicant is currently reviewing different cost saving plans. The existing houses on the property have been demolished. He explained the removal of public hearing signs was the property owner's responsibility within 5 days after the public hearing.

**COMMUNICATIONS:**

There were no communications.

**ADJOURNMENT:**

Motion was made by Commissioner Pose to adjourn.

Motion seconded by Commissioner Soares.

Motion carried 5-0.

The meeting adjourned at 8:01 P.M.

These minutes represent the proceedings of the meeting.

This meeting was taped.

Respectfully submitted,  
Nancy King

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William Veits, Chairman  
City Planning Commission