

**BRISTOL ZONING COMMISSION
MINUTES
SPECIAL MEETING OF WEDNESDAY MARCH 29, 2023**

CALL TO ORDER:

By: Chair Provenzano

Time: 5:30 P.M.

Place: City Hall West – Meeting Room One,
Second Floor**ROLL CALL:**

MEMBERS	NAME	PRESENT	ABSENT
REGULAR MEMBERS:	Louise Provenzano (Chair)	X	
	David White (Vice Chair)	X	
	Richard Harlow	X	
	Thomas Marra (Secretary)	X	
	Marc Gagnon	X	
ALTERNATE MEMBERS:	Joseph Kelaita	X	
	Aileen Abrams	X	
	Richard Goodwin	X	
	Robert M. Flanagan, AICP, City Planner	X	
STAFF:	Andrew Armstrong, Assistant City Planner	X	

Chair Provenzano called the meeting to order at 5:30 P.M.

Chair Provenzano reminded the Commission the next Regular Meeting of the Zoning Commission is Monday, April 10, 2023.

Public Participation

There was no public participation.

Administrative Matters

1. Approval of Special Meeting Minutes:
 - a. 1/18/23

Chair Provenzano designated regular Commissioners Harlow, Marra, Gagnon, White and Provenzano to vote on the January 18, 2023, special minutes.

MOTION: Move to approve the minutes of the January 18, 2023, special meeting.

By: WHITE

Seconded: HARLOW

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

Against: None.

Abstained: None.

NEW BUSINESS:

2. Review of recent applications – Housing for the Elderly/Senior Housing in Residential zones:
 - a. App. AZR 22-2

Francisco Gomes, consultant for FHI Studio, provided a review of the regulation rewrite process and described the change log. Staff confirmed that the change log would be put online.

Chair Provenzano stated that there would be discussion of the draft regulation revisions this evening but there would be no decision tonight in order to give everyone time to review and consider the discussion. Mr. Flanagan reviewed a PowerPoint of data and information related to the City of Bristol, density, and the draft regulation discussion.

Mr. Gomes described the definition of senior housing and reviewed a presentation of the proposed draft regulations and requirements for housing for the elderly and/or seniors in residential zones.

The Commission discussed care giver requirements, tenants, and family members related to the regulations and FFHA. Mr. Gomes continued to review the draft regulations and requirements including the 30% accessibility. The Commission and Mr. Gomes discussed accessibility on structures that include multiple floors.

Commissioner Marra inquired about the rationale behind the proposed density requirement. Some baseline and tangible guidelines would be helpful to base density decision.

Mr. Gomes responded that there is no guidance nationally for standard density best practices and that each community does this differently, though they each develop them in this same process. Each community has a similar back and forth of considerations and reviews nearby communities and the like in drafting a regulation. Mr. Gomes reviewed the draft area and dimensional requirements and various housing types. The proposed 6 units per acre is an increase of 50% of the existing 4 units per acre currently.

Commissioner Marra inquired about density and what is the appropriate density number for Bristol. He would like to see some checks and balances to be able to base the decision. He then reviewed a table of densities comparing existing senior housing in Bristol that he submitted for the record.

Mr. Flanagan responded that he suspected the existing developments that did not conform to density were approved prior to the establishment of senior housing regulations perhaps in the 1980s or 1970s but did not know that for sure. He noted that all the higher densities were in the A zone.

Commissioner Marra referenced a spreadsheet of development types and densities in Bristol. He noted some of the older developments had higher densities but were in the A-zone. The Commission and Mr. Gomes discussed categorizing zoning districts by building type or density.

Commissioner Goodwin and the Commissioners discussed possibly categorizing the density by housing type rather than the zone and higher densities in the A-zone. Mr. Goodwin also stated that nearly all current developments would be non-conforming including the most recent Jennings school. He additionally suggested considering regulations based on the zones themselves. Mr. Marra noted that we were reviewing density for the R-zones and not the A-zones. Chair Provenzano stated that although we do not know for sure whether 4 or 6 units is the right number we don't want the higher density to continue as shown on the spreadsheet for existing developments.

Chair Provenzano stated the City should not go along with what was done in the past just because it has always been done that way. The density should be set so that it is not the Wild West, though some older developments would be non-conforming. The Commission continued to discuss categorizing by building type rather than density.

Mr. Gomes stated this discussion was relevant and continued the presentation of draft regulations and requirements. The minimum lot area would be 2 acres and the exclusion of steep slopes in calculations. Mr. Gomes continued to review draft requirements including minimum lot size, lot frontage, lot coverage, setbacks, height, and density. Chair Provenzano noted a graphic of the concepts and different densities would help to visualize the requirements in a layout. Commissioner Goodwin noted that it would be helpful to see the layout of the proposed 12 units on 2 acres with 30% coverage. The Commissioners conferred that graphics would help them on their decision. Mr. Gomes continued to review the accessory uses and standards.

Chair Provenzano then opened the meeting up to public comments.

Attorney Timothy Furey, 43 Bellevue Avenue, suggested limiting or removing the general purpose text proposed for the zoning districts as "less is more". Attorney Furey recommended considering age and possible restriction of caregivers. Stated that density is not an issue but think six dwelling units per acre is too low but will review that and discuss it prior to the next meeting. Additionally, felt there was overlap in the regulations proposed with the existing regulations for example, water quality. Attorney Furey would like to see some reasoning and analysis of the number proposed (1,000 s.f.) for functional open space required. Requirement #4 – preserving significant site characteristics may conflict with open space requirements. Requirement #7

should read "should" rather than "shall" as it is part of the special permit requirement and also can be used by neighbors to overturn a decision. Attorney Furey continued to review the accessory uses and compared density to the new state statutes.

Charles Tallmadge of Development Planning Solutions addressed the 30% ADA compliance requirement and stated he had a similar issue in a nearby Town. Mr. Tallmadge noted that the State Building Code has authority over this requirement. This would include accessible units being distributed evenly throughout the building. Additionally, he would like to see consideration of different densities between the residential zones. There should be consideration and distinction between the R-10 and R-15 zones as opposed to the R-25 and R-40 zones. He felt density in the R-25 and R-40 zones should be lower. There will be many 3 family developments coming in that are higher in density than 8 or 12. These denser developments are the existing character. He stated the 1,000 s.f. of functional open space requirement per unit may not be accurate to what is being built on similar projects and that open space would be greater than the actual unit.

Attorney Jim Ziogas addressed the Commission and stated he agreed with the other speakers. He also felt the market should dictate what is acceptable and make the units adaptable for the ADA requirement of 30%. Attorney Ziogas asked if the City ran a model for only 6 units per acre or for any other number. Mr. Gomes stated he ran the model at a few different scales which helped him arrive at the current number and that could be provided to take a look at. The requirements #2-8 for site design standards should not be left to subjective criteria. He also suggested adding other accessory uses not listed by deemed acceptable to the Commission to the list of permitted accessory uses.

Eric Madsen, resident of Bristol addressed the Commission and stated he was not an expert but had some working knowledge that pertains to the subject matter and wanted to provide an outsider's perspective. He felt the regulations allow higher density in residential zones and also the category itself was contentious. He felt the regulations was counterintuitive and segregates the elderly population. Three story units would provide a diversity of ages that is good for the older population. Lastly, the "shall" in the site design standards should be "should".

Mr. Tallmadge noted why the attorneys and consultants were here speaking on this issue tonight is because of the United States Census Bureau projections for the future elderly population.

Mr. Gomes explained why the City needs to revise the regulation to provide guidance and safeguards, while accommodating densities that are higher in single-family residential zones. There is a need a requirement for senior housing.

3. Wrap-up and next steps

Chair Provenzano noted the next steps were a meeting on April 26th and the meeting may be remote.

Chair Provenzano designated regular Commissioners Harlow, Marra, Gagnon, White and Provenzano to vote on the adjournment.

ADJOURNMENT:

MOTION: Move to adjourn at 7:38 P.M.

By: WHITE

Seconded: HARLOW

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

Against: None.

Abstained: None.

This meeting was taped.

Respectfully submitted,

Andrew Armstrong
Assistant City Planner

Louise Provenzano, Chair

Thomas Marra, Secretary