

**BRISTOL ZONING COMMISSION
MINUTES
REGULAR MEETING OF MONDAY MAY 8, 2023**

CALL TO ORDER:

By: Chair Provenzano

Time: 7:00 P.M.

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

MEMBERS	NAME	PRESENT	ABSENT
REGULAR MEMBERS:	Louise Provenzano (Chair)	X	
	David White (Vice Chair)	X	
	Thomas Marra (Secretary)	X	
	Richard Harlow	X	
	Marc Gagnon	X	
ALTERNATE MEMBERS:	Joseph Kelaita	X	
	Aileen Abrams		X
	Richard Goodwin	X	
	Robert Flanagan, City Planner	X	
STAFF:	Andrew Armstrong, Assistant City Planner	X	
	Edward Spyros, Zoning Enforcement Officer	X	
	Nancy Levesque, P.E.	X	

Chair Provenzano called the meeting to order at 7:02 P.M.

PLEDGE OF ALLEGIANCE:

Chair Provenzano reminded the Commission the next Regular Meeting of the Zoning Commission is Monday, June 12, 2023.

Chair Provenzano explained to Staff that she had listened to the recording from the April 10, 2023, regular meeting and she was confident to be a voting member this evening, except for voting on the minutes.

ADMINISTRATIVE MATTERS:

1. Approval of Minutes:

- a. April 10, 2023

Chair Provenzano designated regular Commissioners White, Harlow, Marra and Gagnon to vote on the April 10, 2023, regular minutes. She also designated alternate Commissioner Goodwin to vote on the April 10, 2023, regular minutes in place of Commissioner Provenzano with her absence at the April 10, 2023, regular meeting.

MOTION: Move to approve the minutes of the April 10, 2023, regular meeting.

By: White

Seconded: Marra.

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

Against: None.

Abstained: None.

2. Zoning Enforcement Officer's Report

Mr. Spyros reviewed his report for April 2023 dated May 1, 2023. He explained the building permits were trending higher than last year. The motor vehicle complaints and blight complaints decreased from last year.

RECEIPT OF NEW APPLICATIONS:

2. Application #2469 – Site Plan for a proposed 16,870 sq. ft. building addition along with associated site improvements for an existing adult day care center at 390 Lake Avenue; Assessor's Map 05, Lot 34C; BN (Neighborhood Business) zone; Bristol Adult Resource Center, applicant.

Chair Provenzano designated regular Commissioners White, Harlow, Marra, Gagnon and Provenzano to vote on Application #2469.

Staff explained this application did not require a public hearing and should be scheduled under New Business for the June 12, 2023, regular meeting. The application required a Site Plan Committee Staff review. The applicant received an approved Variance from the Zoning Board of Appeals on May 2, 2023, by the applicant's representative Attorney James Ziogas.

MOTION: Move to schedule Application #2469 to be moved to New Business on the June 12, 2023, regular Meeting Agenda of the Zoning Commission.

By: White

Seconded: Harlow.

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

Against: None.

Abstained: None.

The application is scheduled under New Business.

PUBLIC HEARINGS:

3. Application #2467 – Special Permit for housing for the elderly (74 units) at east of French Street, north of Seminary Street, and west of Camp Street, Lot 62-1 Camp Street; Assessor's Map 45, Lot 62-1; R-15 (Single Family Residential) zone; Eastwood Meadows, LLC, applicant.
4. Application #2468 – Site Plan for housing for the elderly (74 units) at east of French Street, north of Seminary Street and west of Camp Street, Lot 62-1 Camp Street; Assessor's Map 45, Lot 62-1; R-15 (Single Family Residential) zone; Eastwood Meadows, LLC, applicant.

Chair Provenzano explained Applications #2467 and #2468 would be heard concurrently but voted on separately.

Chair Provenzano designated regular Commissioners Marra, White, Harlow and Provenzano to vote on Applications #2467 and #2468. She also designated alternate Commissioner Goodwin to vote on Applications #2467 and #2468 that were seated at last month's meeting. She then reviewed the CT Gen. Statutes timeline for the applications, which was at day 28. She explained she reviewed the recording and was comfortable reviewing the applications this evening as a voting member.

Staff explained if the applications are continued, their representative would have to agree to an extension for the application, which would be an additional 35 days to the next regular meeting of June 12, 2023.

Staff requested to start reviewing the applications with the Site Plan Committee Review comments.

Chair Provenzano requested the public audience to only review new comments with the Commission because the Commission has the notes from the meeting from last month. Staff reviewed the voting Commissioners on the application at last month's meeting.

The following persons representing the applicant reviewed Applications #2467 and #2468 with the Commission: Attorney Timothy Furey, 43 Bellevue Ave., the applicant's attorney and Bryan Panico, P.E., of Harry E. Cole & Son, 876 South Main St., Plantsville, the applicant's engineer; and Charles Talmadge, of Development Planning Solutions, LLC, 225 North Main St., the applicant's planner and Charles Talmadge, Development Planning Solutions LLC, 225 North Main St. and Scott Hesketh, P.E., of F.A. Hesketh and Associates, Inc.

Attorney Furey reviewed Applications #2467 #2468 with the Commission. He explained he gave a detailed presentation at the April meeting. The neighbors that spoke in favor of the application at last month's meeting submitted letters of support (27 letters.) After last month's meeting, the applicant's team met with Nancy Levesque, P.E., City Engineer, and Raymond Rogozinski, P.E., Director of Public Works to resolve the comments. The applicant received comments this past Friday from the City Engineer. He next reviewed the comments. Regarding the Engineering Dept. comments.

(Mr. Panico would discuss comments #1 to #20.) The comments of most concern were the different views calculating the average building height, so the building height was lowered 1 ft. Regarding the Building Dept. and ZEO comments, at the building permit level the building code had to be resolved.

The Commission, Staff, Ms. Levesque, Attorney Furey and Mr. Panico continued the review of the comments.

Chair inquiries: Staff explained if the building height was 34.8 ft., under 35 ft. that was okay. However, there were no Staff comments and Ms. Levesque's comments for the building height had to be reviewed.

Mr. Panico reviewed the Engineering comments #1 to #20. He reviewed the yard drain for the pipe going under the wall that would be at the building permit level. Comment #4, he would revise the collection structure names on the plans and in the storm water management report. He would revise all the comments in one report for Ms. Levesque. He reviewed his findings of the test pits and ground water measures. He reviewed his discussions with Ms. Levesque regarding the detention basins for suspension and infiltration for the water quality. Also, the levels of the zero requirements for the 100 yr. storm.

Ms. Levesque had a concern about the dry detention ponds, the test pits and the ground water because usually different structures are used for water quality. She wanted to discuss the addition of sediment traps with modifications and the systems with Mr. Panico in more detail.

Commission inquiries, Mr. Panico explained the system was designed like this to not raise the pond levels because both the entire site elevations and the building height would have to be raised.

Mr. Panico reviewed the storm water drainage systems for the backyards of the neighbors which included swales and a wider embankment for storm water to go into the system.

Attorney Furey noted for larger snow storms the snow would be trucked offsite or placed in the future parking area.

Comment #18, Ms. Levesque requested a sedimentation and erosion control report. She also requested these reports to be provided monthly.

Mr. Panico described the different views of the Staff and the applicant's representatives of measuring the height of the roof (10 ft. difference) to the Commission, which he would certify for the plans.

The Commission, Staff, Ms. Levesque, Attorney Furey and Mr. Panico reviewed the NEW comments.

Regarding Mr. Brown's comments, Mr. Talmadge explained Sections 107.6 and 107.7 for the Building Code sprinkler system and special inspections, which was at the building permit level.

Comment #21 City Engineer, Attorney Furey noted a concrete pad would be added near the building.

City Planners comment(s) #11, Attorney Furey explained the handicapped parking, sidewalks and accessways were designed for the front of the building. He explained the meeting with the Town of Plainville regarding access on Camp St. was not designed for pedestrian traffic. Though, there would be recreation areas on the property. The church owned a portion of the street and fee of the road, but the passageway was allowed by the public and the City of Bristol. The Town of Plainville was satisfied with the plan design and was provided with the reports. He reviewed the process for construction and permits in the Town of Plainville.

Staff explained the Water Department had new comments that he was unable to address for them, but he would hear back from the Water Dept. by May 15, 2023. Attorney Furey noted the Water Dept. comments were more of building permit design concerns. Mr. Talmadge explained he and his team are working with the Sewer and Water Departments for their remaining concerns.

Mr. Hesketh, P.E., reviewed his traffic report with the Commission. For the Chair he also reviewed the levels of service, the combined levels of service of traffic in the area, and the locations of these levels of service. He explained the area would remain a stop sign signalized area. He explained the impacts of service on Camp St., Rt. 6, and Washington St. He used apartments for the calculation for a higher and more conservative count versus elderly housing units.

Chair Provenzano requested the public audience only address new concerns. Attorney Furey reviewed the letter dated May 10, 2023, from Mr. Erik Madsen that was distributed this evening. She explained the reasoning the Commission limits the public participation to three minutes.

Seven people spoke in favor of the application: Among their reasons for being in favor of the application were the following. The tax base would be improved. A Parks Board member reviewed a statement from Mr. Erik Madsen at the April meeting, and stated the City already had 800 acres of recreational area. Therefore, the City did not need additional passive recreational areas. Though, explained the reasons additional elderly housing was needed. The plan would fit the Mayor's plan for the downtown area. The plan would improve the senior housing needs slightly. The only concern was elderly people walking across the street from Camp St. They thanked the applicant for the pre-neighborhood meeting. There was a concern of there not being sidewalks in the area for seniors to go walking, but overall, this was a good plan. The plan would also alleviate the area flooding and drainage concerns.

For the person that spoke against the application: Attorney Furey reviewed Mr. Madsen's questions and statements in the letter that was submitted into the record for this evening. He explained he would not answer all the questions and concerns because they were either not relevant or appropriate to be asking the Commission. But, if there was a question not answered for the Commission, he encouraged the Commission to request any information from him. The questions that were of most concern that he reviewed were the needs for these types of community housing units. Bristol met the requirements of the CT Gen. Statutes for the Fire and Police Departments. Also, he reviewed the storm drainage system improvements and requirements locally and the State of CT.

The following person spoke against the application: Erik Madsen, 70 Oakhill Dr. Among his concerns were the following: The goals in the Plan of Conservation and Development (PoCD) were not being met and had a low rating with the applicant. The letters submitted by the applicant in support were written by the applicant and the neighbors just put their signatures on them. In his opinion, the neighbors wanted this plan approved because they were concerned a worse development would be approved for the property with a through street on Camp St. and French St.

Attorney Furey reviewed his statements at last month's meeting and that some of the neighbors revised their views after putting their signatures on the petition. He explained the applicant would not be donating the land. There is a need for the development and the applicant would work with the engineers.

Chair inquiries: The Commission agreed the Sewer and Water Dept. usually resolved their comments prior to construction of plans.

After reviewing the determinations of the building height concerns, Staff would be more comfortable reviewing this comment. But any unresolved concerns may be reviewed with the Commission.

Ms. Levesque explained she would continue to work with the applicant. The main concern was the building height with one of the floor elevations. Also, the drainage system comments. The plan would not change significantly and would remain within the footprint. Commission inquiries: She would feel more comfortable with the drainage system after the construction and after it has been functioning.

The hearing #2467 is closed.

By: White

Seconded: Harlow.

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

Against: None.

Abstained: None.

MOTION: Move that Application #2467 – Special Permit for housing for the elderly (74 units) at east of French Street, north of Seminary Street, and west of Camp Street, Lot 62-1 Camp Street; Assessor's Map 45, Lot 62-1; R-15 (Single Family Residential) zone; Eastwood Meadows, LLC, applicant, be approved, with the following stipulation:

1. A maximum number of 74 dwelling units of housing for the elderly shall be permitted.

By: White

Seconded: Harlow.

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

Against: None.

Abstained: None.

The Application #2467 is approved with stipulation.

The hearing #2468 is closed.

By: White

Seconded: Marra.

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

Against: None.

Abstained: None.

Staff reviewed the documents and the items submitted into the record this evening, which included Site Plan Committee Review comments, response comments and a revised traffic report.

MOTION: Move that Application #2468 – Site Plan for housing for the elderly (74 units) at east of French Street, north of Seminary Street and west of Camp Street, Lot 62-1 Camp Street; Assessor's Map 45, Lot 62-1; R-15 (Single Family Residential) zone; Eastwood Meadows, LLC, applicant, be approved, 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. 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.

By: White

Seconded: Marra.

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

Against: None.

Abstained: None.

The Application #2468 is approved with stipulations.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

There was no new business.

CITY PLANNERS REPORT:

5. Review/Discussion with the Commission:
 - a. Land Use Training memo and C.G.S. Section 8-4c
 - b. Bristol Aquifer Protection Mapping Updates – Terryville APA

Staff explained the General Assembly's goals, under Section 8-4, was to have the Land Use Board's and Commission's trained by the beginning of next year. The Commission has been busy with the Zoning Regulations rewrite, but the Commission should get this training between the Phases with a break in between. The training is 4 hours long and would be scheduled over 2 consecutive meetings (2 hours each).

Regarding the Bristol Aquifer Protection Area Mapping Updates, Staff explained this was the Level A mapping for the Town of Plymouth and the City of Bristol. There is a node to be added to the City of Bristol mapping. Mr. Armstrong would provide the application for the Commission. There are no regulated activities in this area because they are all single-family houses. The Commission would review this application.

ADJOURNMENT:

MOTION: Move to adjourn at 10:03 P.M.

By: White

Seconded: Marra.

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

