

**BRISTOL ZONING COMMISSION
MINUTES
SPECIAL MEETING OF MONDAY MAY 15, 2023**

CALL TO ORDER:

By: Acting Chairman White 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 (Acting Chair and 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 M. Flanagan, AICP, City Planner	X	
STAFF:	Andrew Armstrong, Assistant City Planner	X	

Acting Chairman White called the meeting to order at 5:30 P.M.

PUBLIC PARTICIPATION:**ADMINISTRATIVE MATTERS:**

1. Approval of Special Meeting Minutes:
 - a. 3/29/23

Staff is working with Commissioner Harlow to resolve these minutes.

- b. 4/17/23

Acting Chairman White designated regular Commissioners Harlow, Marra and White to vote on the April 17, 2023, special minutes.

MOTION: Move to approve the minutes of the April 17, 2023, special meeting.

By: Harlow

Seconded: Marra.

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

NEW BUSINESS:

2. Introduction of Land Use Counsel for the Rewrite Process

Staff introduced Attorney Peter Olson, of Land Use and Conservation Counsel, 275 Greenwood Avenue, Bethel, and Attorney Olson then introduced himself and reviewed some of his expertise with the Commission.

3. Review and discussion of:

a. Prohibited Uses

The Commission next reviewed the Prohibited Uses list.

Mr. Gomes reviewed his revised update of the Zoning Regulations Re-Write dated May 15, 2023, with the Commission regarding Prohibited Uses, Special Permits and Site Plan Standards; and Motor Vehicle Sales and Service Location Approvals. He explained the Regulations do not state Prohibited Uses, but the Update has a list of Prohibited Uses. The Commission, Mr. Gomes and Staff reviewed Prohibited Uses.

Commissioner Goodwin requested additional review of the Prohibitive Uses to not prevent any uses that are being conducted now. Commissioner Marra noted that Prohibitive Uses that are allowed now would be grandfathered in, but the uses the Commission wants to prohibit would not be allowed.

Staff explained the word "character" in the Regulations had limited the Commission because it does not have a definition. He explained the word character may be defined or the Commission should amend the standards of approval for Special Permits with a basis on previous applications. He reviewed the additional standards and items for approvals that he suggested for the Commission.

Staff inquiries: Attorney Olson explained for Item L., Special Permits, the Commission should always accept evidence for an application before the public hearing closes to receive reports, applicant responses, and to protect neighbors rights. His view was the best way to resolve items was to ask the applicant if they wanted time to respond to the responses that Staff would receive. He explained the concerns if there are no more extensions to grant.

Commission inquiries: Staff explained for item L., a time deadline may be added to submit items into the record application(s).

Staff summarized the Commission should accept an item at 2:00 P.M. on the same day of a public hearing that is at 7:00 P.M. If the applicant did not want to grant an extension, then the public hearing would be closed and then have Staff and professionals give a report to the Commission.

b. Special Permit and Site Plan standards:

- i. Existing Special Permit and Site Plan sections
- ii. Section 16 – Draft for Special Permits and Site Plans

Staff reviewed the purpose of the Regulations under the Standards for Approval.

Staff inquiries: Mr. Gomes explained that Section 16.2.9 was put in the draft Regulations from the Town of Canton to explain when Inland Wetlands had applications with zoning.

Staff next reviewed the Site Plan Requirements.

The draft Zoning Regulations Re-Write included the request for plan narratives with applications.

Commission inquiries: Staff would provide the applications to the Commission for the June meeting.

c. C.G.S. 14-54 – Motor Vehicle Location Approvals

- i. Section 17.2.1 – Decision considerations

Mr. Gomes reviewed the Regulations for approvals for Motor Vehicle Sales and Service. He explained the previous processes for these applications with the Zoning Board of Appeals (ZBA) and the Zoning Commission. The review would now be in the Regulations for the public hearing process for the ZBA.

Attorney Olson explained this item was repealed from the State Statues, so right now there was no State Statue. This would now be in the Regulations for the ZBA. Staff inquiries: Attorney Olson explained he does not like to put State Statues in Regulations because they may be revised, but this was okay as it was written.

d. Rewrite schedule

Staff explained a conversation with Mr. Gomes regarding that this phase was almost complete. He suggested the June meeting be online so all the Commissioners would have their computers with the information to review in front of them.

OLD BUSINESS:

4. FHI Meeting Presentation
 - a. March 2023
 - b. January 2023
 - c. October 2022

The Commission did not discuss Old Business at this time.

ADJOURNMENT:

Acting Chairman White designated regular Commissioners Harlow, Marra and White to vote on the adjournment. He also designated alternate Commissioner Goodwin to vote on the adjournment.

MOTION: Move to adjourn at 6:54 P.M.

By: Harlow

Seconded: Marra.

For: Harlow, Marra, Goodwin and White.

Against: None.

Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King
Recording Secretary

Louise Provenzano, Chair

Thomas Marra, Secretary