

**BRISTOL ZONING COMMISSION
MINUTES
REGULAR MEETING OF MONDAY JUNE 12, 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	
	Richard Goodwin	X	
	Robert M. Flanagan, AICP, City Planner	X	
STAFF:	Andrew Armstrong, Assistant City Planner		X
	Edward Spyros, Zoning Enforcement Officer		X

Chair Provenzano called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE:

Chair Provenzano reminded the Commission the next regular meeting was Monday, July 17, 2023.

ADMINISTRATIVE MATTERS:**Administrative Matters**

1. Approval of Meeting Minutes:
 - a. 3/29/23 (Special)
 - b. 5/8/23 (Regular)
 - c. 5/15/23 (Special)

Chair Provenzano designated regular Commissioners White, Harlow, Marra and Provenzano vote on the March 29, 2023, special meeting minutes. She also designated alternate Commissioner Kelaita to vote with the absence of Commissioner Gagnon this evening.

MOTION: Move to approve the minutes of the March 29, 2023, special meeting.

By: White

Seconded: Marra.

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

Against: None.

Abstained: None.

Chair Provenzano designated regular Commissioners White, Harlow, Marra and Provenzano vote on the May 8, 2023, regular meeting minutes. She also designated alternate Commissioner Goodwin to vote on the May 8, 2023, regular meeting minutes with the absence of Commissioner Gagnon this evening.

MOTION: Move to approve the minutes of the May 8, 2023, regular meeting.

By: White

Seconded: Harlow.

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

Against: None.

Abstained: None.

Chair Provenzano designated regular Commissioners White, Marra and Harlow to vote on the May 15, 2023, special meeting minutes. She also designated alternate Commissioner Goodwin to vote on the May 15, 2023, special meeting minutes with the absence of Commissioner Provenzano at the May 15, 2023, special meeting.

MOTION: Move to approve the minutes of the May 15, 2023, special meeting.

By: White

Seconded: Harlow.

For: White, Marra, Harlow and Goodwin.

Against: None.

Abstained: None.

2. Zoning Enforcement Officer's Report

a. May 2023

The Commission acknowledged receipt of the Zoning Enforcement Officer report for May 2023, dated June 1, 2023.

The Commission agreed to review Mr. Spyros' May report at the July 17, 2023, regular meeting with his absence this evening.

RECEIPT OF NEW APPLICATIONS:

3. Application #2470 – Proposed amendments to the Zoning Regulations to 1) add a definition for specialty food and beverage manufacturer and 2) add specialty food and beverage manufacturer as a Site Plan use in the BG (General Business) zone; Attorney James Ziogas, applicant.

Chair Provenzano designated regular Commissioners White, Harlow, Marra and Provenzano to vote on Application #2470. She also designated alternate Commissioner Goodwin to vote with the absence of Commissioner Gagnon this evening.

Mr. Flanagan explained the application was for proposed amendments to the Zoning Regulations.

James Ziogas, 104 Bellevue Ave., representing the applicant for Application #2470, explained the areas of the City that had specialty food and beverage manufacturing that are not allowed in the BG zone. He explained there are some uses for wholesaling in the Zoning Regulations that preferred this use in the I-zone (Industrial zone.) These requests would be for 2,500 sq. ft. or less in the BG zone. He explained the application this evening would be referred to the Planning Commission.

Chair Provenzano explained the Commission may revise the language at the public hearing if the Commission was not comfortable with the language or the product being near a school.

MOTION: Move that Application #2470 be scheduled for a Public Hearing at the next Regular Meeting of the Zoning Commission on: July 17, 2023.

By: White

Seconded: Harlow.

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

Against: None.

Abstained: None.

The Application #2470 is scheduled for public hearing.

4. Application #2471 – Site Plan for the construction of a 71,900 sq. ft. of a municipal parking structure at 30 Hope Street, Assessor's Map 30, Lot 9; BD-1 (Downtown Business) zone; City of Bristol, applicant.

Chair Provenzano designated regular Commissioners White, Harlow, Marra and Provenzano to vote on Application #2471. She also designated alternate Commissioner Kelaite to vote on Application #2471 with the absence of Commissioner Gagnon this evening.

Mr. Flanagan explained this was one of the final pieces for the revitalization of the downtown area for a municipal parking facility (71,900 sq. ft.) with 190 parking spaces. He explained this is a Site Plan use, but Staff recommended a public hearing for the application. He suggested a public hearing for the July meeting.

Chair Provenzano explained this was a large project and a Site Plan does not require a public hearing. But, the Commission errs to conduct a public hearing for the public to review and give feedback.

MOTION: Move that Application #2471 be scheduled for a Public Hearing at the next Regular Meeting of the Zoning Commission on: July 17, 2023.

By: White

Seconded: Marra.

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

Against: None.

Abstained: None.

The Application #2471 is scheduled for public hearing.

PUBLIC HEARINGS:

There were no public hearings.

OLD BUSINESS:

5. Application #2462 – Proposed revisions to the approved Site Plan for a 152,000 s.f. mixed use development at east of North Main Street and north of Hope Street; Map 30, Lot 5 and Map 26 Lots 6, 7 & 8; BD-1 (Downtown Business) zone; Carrier Construction Incorporated, applicant.

Chair Provenzano designated regular Commissioners White, Harlow, Marra and Provenzano to vote on Application #2462. She also designated alternate Goodwin to vote in place of Commissioner Gagnon with his absence this evening.

Attorney Timothy Furey, 43 Bellevue Ave., representing the applicant, explained this plan was for the large project on the Depot Square site. Attorney Furey explained after these plans were approved, the applicant worked on the sloping rights with Mr. Thomas Zipp, the owner of the property to the east of the railroad tracks. He explained Mr. Zipp agreed to the sloping rights. He reviewed Mr. Zipp's concerns including homeless persons living on his property; the consideration to revise the plan, removal of trees that blocked the activity; and people dumping debris. This plan required some clearing and grading on Mr. Zipp's property. He explained Mr. Zipp's right of way to Main St. and he is working with Attorney Mark Ziogas to resolve these concerns.

Attorney Furey reviewed the revised plan to improve the activities near the fence. The fence would be extended (south) towards the new City parking garage. Also, 97 arborvitaes would be placed at the top of the embankment with grading.

Commission inquiries: Attorney Furey explained behind the wall would be grading and arborvitaes. This plan would prevent homeless persons living on the property. Also, the applicant would control the property. The land swap would not impact the Site Plan.

Regarding the comments dated June 8, 2023, for the plans dated May 15, 2023, Attorney Furey explained the only comment remaining was the concern of signing off the plan with architectural certification. But, this process is done at the time of the building permits and this comment was resolved.

Mr. Flanagan explained the downtown zone has no height limits on buildings, but he was looking for the height of the building. He explained the engineer would certify the height of the building, which was an estimated building height. At the building permit stage, the Land Use Office would be contacted regarding the height of the building.

MOTION: Move that Application #2462 – Proposed revisions to the approved Site Plan for a 152,000 s.f. mixed use development at east of North Main Street and north of Hope Street; Map 30, Lot 5 and Map 26 Lots 6, 7 & 8; BD-1 (Downtown Business) zone; Carrier Construction Incorporated, applicant, the request to modify be approved and the plan be referred to staff for a final review prior to sign-off.

By: White

Seconded: Harlow.

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

Against: None.

Abstained: None.

The application is approved.

NEW BUSINESS:

6. 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.

The following item was submitted into the record: a Natural Diversity Database, dated June 9, 2023, from Connecticut DEEP to Brian Cunningham, P.E., of Robert Green Associates, LLC.

Chair Provenzano designated regular Commissioners White, Harlow, Marra and Provenzano to vote on Application #2469. She also designated alternate Kelaita to vote in place of Commissioner Gagnon with his absence this evening.

Mr. Flanagan noted that all the comments have been resolved.

Attorney James Ziogas, 104 Bellevue Ave., representing the applicant, explained this 3.1-acre property had a Special Permit approved in August 1999, for the need of the community for autistic adults and children. This facility needed to grow. The applicant would like to expand these services and consolidate their existing facility on Mix Street. The new facility (16,000 sq. ft.) would include a gymnasium, offices, and classrooms. The site has existing sewer and water services utilities. There will be some addendums comments from the Engineering Dept. The existing parking spaces complied with the Regulations (100 existing spaces/98 required spaces) and 7 handicapped parking spaces. Regarding comments, the sidewalks were only on one side of the property. The City would remove a tree where the sidewalk would be constructed with landscaping.

Mary Etter, Executive Director, BARC, 621 Jerome Ave., representing the applicant, explained the applicant was looking to provide more services to the developmental disabled. She explained that in 2023, 2024 and 2025 there are 160, 160, and 140 persons, respectively, aging out from their high schools from the north region each year. The applicant wanted to provide services for these people. This building would have smaller rooms than the existing facility, which would improve the conditions for these people. If approved, the Jerome Avenue training programs and employees would be expanded. The applicant received a \$1.5 million grant from the City of Bristol (ARPA Task Force), which would be supplemented with an additional grant (Community Investment Fund.)

Attorney Ziogas explained the proposed addition would fit with the existing building. A Variance was recently approved for the property for a 16,000 sq. ft. building.

Commission inquiries: Ms. Etter explained there are 140 existing persons on site (60 onsite and the remainder offsite at Jerome Ave./Maltby St.) This would allow for up to an additional 30 people. She explained not all these people request their support. There would not be 160 new people on site.

Mr. Flanagan explained the applicant did a nice job on the landscaping that would improve the aesthetics of the facility.

Brian Cunningham, P.E. of Robert Green Associates, LLC, 6 Old Waterbury Rd., representing the applicant, explained Staff had requested he investigate the Natural Diversity Database. He explained he checked the online mapping and there was a potential for some species. This report required some investigation and a report from CT DEEP for the species of concern.

MOTION: Move that 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, 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: Harlow.

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

The application is approved.

CITY PLANNER'S REPORT:

Mr. Flanagan explained the next special meeting for the Zoning Regulations Rewrite was on Thursday, June 29, 2023, at 5:30 P.M. He explained he spoke with Mr. Gomes and that he and Mr. Gomes would like the meeting to be a Zoom remote meeting.

Chair Provenzano encouraged the Commission to attend this meeting. She explained this would be her last Commission meeting.

Mr. Flanagan, on behalf of himself and Staff, thanked Chair Provenzano for her service to the City. He explained within her time as Chair, there has been approximately \$300 million of new investment in the City of Bristol.

Chair Provenzano expressed her gratefulness for being able to serve.

ADJOURNMENT:

Chair Provenzano designated regular Commissioners White, Harlow, Marra and Provenzano vote on the adjournment. She also designated alternate Commissioner Kelaita to vote with the absence of Commissioner Gagnon this evening.

MOTION: Move to adjourn at 7:49 P.M.

By: White

Seconded: Harlow.

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

This meeting was taped.

Respectfully submitted,

Nancy King
Recording Secretary

Louise Provenzano, Chair

Thomas Marra, Secretary