

**BRISTOL ZONING COMMISSION
MINUTES
REGULAR MEETING OF MONDAY JULY 17, 2023**

CALL TO ORDER:

By: Acting Chairman White

Time: 7:00 P.M.

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

MEMBERS	NAME	PRESENT	ABSENT
REGULAR MEMBERS:	David White (Acting Chairman, Acting Secretary and Vice Chair)	X	
	Thomas Marra (Secretary)		X
	Richard Harlow	X	
	Marc Gagnon		X
	Richard Goodwin		X
ALTERNATE MEMBERS:	Joseph Kelaita	X	
	John LaFreniere	X	
	Michael DeRoehn	X	
STAFF:	Robert M. Flanagan, AICP, City Planner	X	
	Andrew Armstrong, Assistant City Planner	X	
	Edward Spyros, Zoning Enforcement Officer	X	

Acting Chairman White called the meeting to order at 7:01 P.M.

PLEDGE OF ALLEGIANCE:

Acting Chairman White reminded the Commission the next Regular Meeting of the Zoning Commission is Monday, August 14, 2023.

ADMINISTRATIVE MATTERS:

1. Approval of Minutes:

a. June 2023

Chairman White designated regular Commissioners Harlow and White to vote on the June 12, 2023, regular minutes. He also designated alternate Commissioner Kelaita to vote on the June 12, 2023, regular minutes with the absences of regular Commissioners Marra, Gagnon and Goodwin this evening.

MOTION: Move to approve the minutes of the June 12, 2023, regular meeting, as amended.

By: Harlow

Seconded: Kelaita.

For: Harlow, Kelaita and White.

Against: None.

Abstained: None.

ADMINISTRATIVE MATTERS:

2. ZEO Report

a. May 2023

b. June 2023

Acting Chairman White explained the Zoning Enforcement Officer was not in attendance this evening. He briefly reviewed Mr. Spyros reports submitted for May and June 2023. The Commission agreed to review the reports with the ZEO at the August regular meeting.

RECEIPT OF NEW APPLICATIONS:

3. Application #2472 – Site Plan for the construction of a 5,460 sq. ft. mixed use building at Lot 271-1A Clark Ave. (west of Clark Ave. and north of Terryville Ave.), Assessor's Map 66, Lot 271-1A; BN (Neighborhood Business) zone; Aamir Mumtaz, applicant.

Chairman White designated regular Commissioners Harlow and White to vote on Application #2472. He also designated alternate Commissioner Kelaita to vote on Application #2472 with the absences of regular Commissioners Marra, Gagnon and Goodwin this evening.

Attorney James Ziogas, 104 Bellevue Ave., representing the applicant for Application #2472, explained this request for approval of a Site Plan only. He had worked with Staff on the application. The comments were received today and there was insufficient time to revise the maps this evening. He explained the property received approvals from the Inland Wetlands Commission for a boundary change and an Inland Wetlands application, which had no objections. His view was this application did not require a public hearing according to the State Statutes.

Acting Chairman White understood a public hearing was not required, but the Variance was granted 35 years ago. Therefore, his view was to have a public hearing so that the application was reviewed sufficiently.

Staff explained the application was a result of a Use Variance that was granted in 1988 for the site. He explained Attorney Ziogas' client was the new property owner and was requesting to develop the property.

MOTION: Move to schedule Application #2472 for a public hearing for the August 14, 2023, regular meeting of the Commission.

By: Harlow

Seconded: Kelaita.

For: Harlow, Kelaita and White.

Against: None.

Abstained: None.

The application #2472 is scheduled for public hearing.

4. Application #2473 – Special Permit for the construction of a 9,600 sq. ft. motor vehicle repair and service facility at 375 Lake Avenue, Assessors Map 3, Lot 4; I (General Industrial) zone; H & H Equipment, applicant.
5. Application #2474 – Site Plan for the construction of a 9,600 sq. ft. motor vehicle repair and service facility at 375 Lake Avenue, Assessors Map 3, Lot 4; I (General Industrial) zone; H & H Equipment, applicant.

Chairman White designated regular Commissioners Harlow and White to vote on Applications #2473 and #2474. He also designated alternate Commissioner Kelaita to vote on Applications #2473 and #2474 with the absences of regular Commissioners Marra, Gagnon and Goodwin this evening.

Attorney James Ziogas, 104 Bellevue Ave., representing the applicant for Applications #2473 and #2474, explained these were requests for a Special Permit and a Site Plan. He requested a public hearing be scheduled for the applications for August.

MOTION: Move to schedule Applications #2473 and #2474 for a public hearing for the August 14, 2023, regular meeting of the Commission.

By: Harlow

Seconded: Kelaita.

For: Harlow, Kelaita and White.

Against: None.

Abstained: None.

The applications #2473 and #2474 are scheduled for public hearing.

PUBLIC HEARINGS:

6. 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.

Chairman White designated regular Commissioners Harlow and White to vote on Application #2470. He also designated alternates Commissioners Kelaita, LaFreniere and DeRoehn to vote on Application #2470 with the absences of regular Commissioners Marra, Gagnon and Goodwin this evening.

Attorney James Ziogas, 104 Bellevue Ave., explained the request was for a text amendment to the Zoning Regulations to add a definition and revise the permitted use sections in the BG zone. The current Regulation, Section VI.B.2.w., allows for the use in the BG zone, but wholesale businesses are not in the Regulations. This raised the question to what is allowed and what is not allowed. He reviewed the proposed definition to add specialty food and beverage manufacturer. This would include an establishment of no more than 2,500 sq. ft. of gross floor area with a principal business use and to manufacture a limited number of consumable products for wholesale distribution, but not be limited to baked goods, candy and similar confections.

If approved, Attorney Ziogas recommended the Commission approve in the BG Regulations Section VI.2.b.b. specialty foods beverage manufacturer to be allowed as a permitted use with a Site Plan. Any different proposed use would be required to be under 2,500 sq. ft. of gross floor area. This principal use was similar with consumable products and would be limited to baked goods, candy and similar items for wholesale distribution. Without this amendment, these uses would only be allowed in the I-zone which was not conducive to the size and location for these consumable products.

Attorney Ziogas explained this was presented to the Planning Commission and the application received a unanimous recommendation for approval. He requested approval in conjunction with the Planning Commission recommendation.

Commission inquiries: Attorney Ziogas gave an example of a specialty food of pizza dough of one of his clients manufactures to wholesale for large grocery stores. The second example was his client that manufactured a product with distillate cannabis extract under the new State Statutes. The products with the distillate cannabis extract are made on the premises and then delivered to retail businesses. The applicants cannot sell this as a retail product due to State Regulations. The extract would be secured on site and would be a wholesale business only.

Staff explained if the application is approved the applicant requires State and City Council approvals. Commission inquiry: Staff explained the review of the proximity to schools and other uses that was part of the City Council review.

The following person spoke in favor of the application: Roc Edmond, 47 Iroquois Rd. was in favor of the request because he was a civil engineer and was representing his client's concerns. He appreciated the Regulations being made clearer for these purposes.

No one spoke against the application.

Staff reviewed the documents. This included a positive referral from the Planning Commission meeting. There were no objections or impacts from the NVCOG or the CROG, which had no responses yet. The request was for the BG zones near these town lines.

The hearing is closed.

By: Harlow

Seconded: Kelaita.

For: DeRoehn, LaFreniere, Harlow, Kelaita and White.

Against: None.

Abstained: None.

MOTION: Move that 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, be approved. The text amendment to the Regulations, as presented, would be consistent with the goals, policies and action steps of the 2015 Plan of Conservation and Development, amended to April 1, 2018, and specifically:

1. Section 9.3.1.4. – Encourage the attraction of new business and industry to suitable locations in Bristol.

The effective date of the text amendment shall be: August 9, 2023.

By: Harlow

Seconded: Kelaita.

For: DeRoehn, LaFreniere, Harlow, Kelaita and White.

Against: None.

Abstained: None.

The application is approved.

7. 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.

The following persons representing the applicant reviewed the application with the Commission: Raymond Rogozinski, P.E., Director of Public Works, City of Bristol, Dept. of Public Works, 111 North Main St.; Rock Emond, A.C.E., SLR International Corporation, 99 Realty Drive, Cheshire, and Michael Keletti, 3 West 35th St., Desmond Associates, New York, NY.

Mr. Rogozinski explained this was a request for a parking garage located on Hope St. with 195 parking spaces that would be constructed on the existing surface parking area.

Mr. Emond explained when he received an existing condition plan, he would review it with the Commission. He reviewed the existing facilities and construction in the area. There are 75 existing parking spaces and a sidewalk from Main St. to Hope St. There is a rail line to the east of the property. The lot line was revised from 1.6 acres to 1.44 acres from the City of Bristol transferring land to Carrier Construction Co. The proposed parking garage would be 71,900 gross sq. ft., 195 parking spaces, EV charging stations and ADA parking spaces. The pedestrian accesses were on North Main St. and Hope St. A few trees would be relocated. The easement on the south property line would be relocated to the west of the site. He reviewed the proposed underground stormwater system for infiltration for the property in order to help reduce the impervious surface. This system would also protect the slope on the property.

Mr. Keletti reviewed the ADA parking spaces. He explained the second-floor wall (20% open for ventilation), EV charging stations and utility rooms. The third floor would have utility rooms and was the only floor with an enclosure for inclement weather. He explained the building elevations of the precast building would be a similar design to the Carrier Construction building. There would be an elevator in this structure. The wall in the middle of the structure was necessary for the building construction. The parking would be at a 90-degree angle and with 2-way traffic and the drive isle width is 25 ft. wide.

Commission inquiries, respectively: Staff would request the height of the structure for the comments. Mr. Emond explained the height of the structure was about 38.7 ft. The drainage system would be reconfigured and the impervious surface would be improved. Mr. Keletti explained the floor to ceiling height on grade was for van parking, but the remainder of the height was 7 ft. The stand pipes would be installed for the Fire Department. Mr. Rogozinski explained the construction would start in the springtime and be finished next year. There would be no fees for the public to park in order to develop an active downtown area. The infrastructure would be in place to construct additional EV charging stations located on the second floor. The purpose of structure was to support the parking for various Center Square developments some of which included Wheeler Clinic and Carrier Construction Co. Staff noted the parking spaces would be used for public parking in the evening.

The Commission had concerns of the ceiling height for larger vehicles and trucks. A canopy was suggested for the structure with a solar roof.

Commission inquiries: Staff reviewed the downtown setback requirements, but the setback was 7 ft. from the building corner. He spoke with Staff members and there were no major concerns, but comments were not received yet.

Staff explained there were no comments received yet from the City Engineer, Fire Dept. or the Water Dept. The City Council has to approve 8-24 referrals for municipal improvements. The Planning Commission had a positive referral to the Zoning Commission. There were 2 Variances approved for the property from the Zoning Board of Appeals.

Mr. Rogozinski requested to continue the application to the August meeting.

Staff inquiries: Mr. Rogozinski explained the project amount was about \$8.5 Million. The Commission agreed to continue the application to the August meeting.

The following person spoke in favor of the application: Charles Talmadge, Development Planning Solutions, 225 North Main St., representing Center Square Village, LLC, owned by the Carrier Corporation. He explained they were in favor of the plan. He wanted to commend the cooperation by Carrier Corp., City Staff and the design team. There were some cross easements and lot line revisions. There is a sidewalk that connected the properties. There has been cooperation and that would continue to resolve the comments. He and Carrier Corporation were in favor of the project.

No one spoke against the application.

MOTION: Move that 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, be continued to the August 14, 2023, Regular meeting of the Zoning Commission.

By: Harlow

Seconded: Kelaita.

For: DeRoehn, LaFreniere, Harlow, Kelaita and White.

Against: None.

Abstained: None.

The application is continued.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

There was no new business.

CITY PLANNERS REPORT:

8. Zoning Regulation Rewrite:

c. Meeting schedule and process update

Staff would like to schedule a special meeting on Wednesday, July 26, 2023, at 5:30 P.M., that would be online only. This would be one of the final reviews of the Zoning Regulations Rewrite with the City's consultant, Francisco Gomes, ASLA, AICP, of FHI Studio. This was for a final legal review. Then the plan would go to a public hearing. He would send the Commission a meeting invite and Mr. Gomes notes.

ADJOURNMENT:

MOTION: Move to adjourn at 8:10 P.M.

By: Kelaita

Seconded: Harlow.

For: DeRoehn, LaFreniere, Harlow, Kelaita and White.

Against: None.

Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King
Recording Secretary

David White, Vice Chairman
Acting Chairman and Acting Secretary

Thomas Marra, Secretary