

**BRISTOL ZONING COMMISSION
MINUTES
SPECIAL MEETING OF MONDAY JULY 26, 2023**

CALL TO ORDER:

By: Acting Chairman White

Time: 5:30 P.M.

Place: Online with Zoom

ROLL CALL:

MEMBERS	NAME	PRESENT	ABSENT
REGULAR MEMBERS:	David White (Acting Chairman)	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 Flanagan, City Planner	X	
	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. 5/15/23

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

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

By: Marra

Seconded: Harlow.

For: Harlow, Marra and White.

Against: None.

Abstained: None.

NEW BUSINESS:

2. Review and discussion of:
 - a. Section 3.3 Prohibited Uses

Mr. Gomes wanted to discuss Prohibited Uses; how motor vehicle sales locations are approved; Senior Housing with Zoning Regulations; Special Permit and Site Plan requirements; and next steps to proceed. He used a PowerPoint presentation throughout the meeting.

Prohibited Uses: Mr. Gomes explained although discussed, there was a lack of progress on the list of Prohibited Uses throughout the City. He suggested the following language to replace the existing language. "Any use not permitted by these Regulations shall be deemed to be prohibited. Where the permissibility of the proposed use is uncertain in the zoning district the ZEO shall make the determination as to whether the proposed use is permitted in that district or is prohibited. The ZEO shall also determine the appropriate permit or Site Plan requirement. The ZEO may refer this matter to the Zoning Commission for a determination.

Commissioner Marra explained he wanted the final decision of the responsibilities of the Prohibited Uses should be by the Zoning Enforcement Officer or the Zoning Commission.

At the request of Staff, the Commission gave their direction to Mr. Gomes. The Commission liked the draft language, but these items should not go to the ZEO and rather should be brought to the Zoning Commission. The ZEO had a lot of responsibilities. Commissioner Harlow preferred the items go to the ZEO if it was within his authority. He also requested from Mr. Gomes a list of prohibited uses from towns similar to Bristol (manufacturer). The Commission agreed to use the draft language, but would review this again in Phase 2.

Staff agreed with the language because if someone disagreed with the decision, an Appeal may be filed with the Zoning Board of Appeals (ZBA.) If a determination cannot be made the item may be placed on the agenda for the Zoning Commission. He also reviewed the additional signoff requirements for these requests.

Commission Gagnon arrived at this time.

Item e. C.G.S. 14-54 – Motor Vehicle Location Approvals, was taken out of order.

- e. C.G.S. 14-54 – Motor Vehicle Location Approvals
 - i. Review recent changes to C.G.S.

Motor Vehicle Sales and Service Establishments: Mr. Gomes explained this previously required ZBA approval but was recently changed by the Legislature to the ZEO. This Section of the Regulations was updated to stipulate that the ZEO review these location requests. In addition, a Special Permit or Site Plan may be required and also would be consistent with the PoCD. Staff noted there would be a checklist for Site Plans that would include checking the Aquifer Protection Area.

Section 4.3.19 Senior Housing

Mr. Gomes explained this was discussed with the Commission for draft language. He explained it was a separate document, but has yet to be incorporated into the Regulations. He requested the Commission's direction on this item. He reviewed the categories of the proposed diagram for Senior Housing with the recent changes from the last meeting. The changes pertained to open space, permitting, Federal Code compliance, design compatibility, accessory buildings and structures, and Special Permit uses.

Staff explained there was one developer asking when this Regulation would be in place, which was in Phase I of the public hearing as he understood. Staff noted this was the fourth discussion of senior housing.

Mr. Gomes explained the maximum units were at 12 units if the developer was building accessible units. He tried to demonstrate the units would fit onto properties for more flexible designs. In response to the Commission, Mr. Gomes noted he may provide one example of ten units for this Section to match the diagram with the standards and dimensions.

- b. Section 16.2.2: Special Permit Application Requirements

Mr. Gomes explained Special Permits have quite a few standards and requirements in order for the Commission to determine if an application had met the qualifications. The Commission wanted to review the standards for Section 16.22. for application requirements with Mr. Gomes and Staff.

Commission inquiries: Staff noted they would add a few more bullet points for the PoCD for any type of bonding to be done by the applicant in lieu of the subcontractor. On an additional point, he explained the RT 6 Corridor Study was adopted into the PoCD.

Mr. Gomes would revise the bonding requirements to make sure they are in accordance with the Statutes. He explained the PoCD is a policy guide, which would likely not state a reason for denying an application.

The Commission suggested the Conservation and Development documents/narrative should be submitted with the application(s.)

- c. Section 16.3.5: Site Plan Requirements

Mr. Gomes reviewed the various procedures for the Site Plan requirements and property features. He explained structure height with the architectural plan was a concern. He would make a note to place this under exterior elevations in the Regulations.

Regarding standards for approval, Mr. Gomes reviewed the conformity of the Site Plan with the PoCD with the many various City standards. The Special Permits with Site Plan requirements had high standards of approvals.

Regarding Item 16.3.16.A.1., the Commission noted the Regulations stated the Commission may require the applicant post the bond, which is what the Commission wanted because of previous concerns. Previously subcontractors were submitting the bonds but this bond should be limited to and be revised to the applicant.

d. Rewrite schedule

Mr. Gomes explained he would provide the Commission revised draft Regulations after the discussion this evening. These revised Regulations would be revised by Attorney Peter Olson, reattained by the City as a consultant. He should be able to send the revised Regulations next week to the Commission. Once the revised document is received from Attorney Olson, he would review the document with Staff and revise the document with executive decisions. Then he and Staff would review the document with the Commission. Then the final document would be prepared for adoption and public hearing. The documents had to be reviewed by the NVCOG and surrounding municipalities, the Town and City Clerk. The document has to be posted online and then public comments are accepted. A public presentation with a public hearing(s.) are required. The document should be finished before the end of the year.

Staff noted they should give Attorney Olsen 30 to 45 days to review the revised document. Then the Commission needs to review and agree on Attorney Olson's comments. Then make any revisions to the document, if necessary. He explained the document would be distributed for review. Then potentially at the end of a regular meeting the Commission would give their view at a special meeting for either September 14th or September 18th.

Mr. Gomes stated the public hearing would be in November. Therefore, the document has to be finished in October. The document has to be sent to the City Clerk and the public, which was the version for the public hearing. Some minor changes may be made at the public hearing, but the document has to be done by then. Attorney Olson's review has to be finished and revised comments be completed.

Staff thought that potentially scheduling a meeting for September would be a good idea to review comments.

Acting Chairman White thanked the Commissioners for attending this evening. He noted this has been a lot of work and he appreciated all the Commissioners for their efforts.

OLD BUSINESS:

3. FHI Meeting Presentation
 - a. May 2023

This item was not discussed this evening.

ADJOURNMENT:

MOTION: Move to adjourn at 6:41 P.M.

By: White

Seconded: Harlow.

For: Harlow, Marra and White.

Against: None.

Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King
Recording Secretary

David White, Acting Chairman

Thomas Marra, Secretary