

**BRISTOL ZONING COMMISSION
MINUTES
SPECIAL MEETING OF WEDNESDAY OCTOBER 4, 2023**

CALL TO ORDER:

By: Chairman White

Time: 5:30 P.M.

Place: City Hall West
Meeting Room One
Second Floor**ROLL CALL:**

MEMBERS	NAME	PRESENT	ABSENT
REGULAR MEMBERS:	David White (Chairman)	X	
	Thomas Marra (Vice Chairman) (arrived 5:39 P.M.)	X	
	Richard Harlow	X	
	Richard Goodwin (Secretary)	X	
	John LaFreniere	X	
ALTERNATE MEMBERS:			
	Michael DeRoehn	X	
STAFF:	Robert M. Flanagan, AICP, City Planner	X	
	Andrew Armstrong, Assistant City Planner	X	

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

PLEDGE OF ALLEGIANCE:

Chairman White reminded the Commission the next Regular Meeting of the Zoning Commission is Monday, October 16, 2023.

Chairman White also designated regular Commissioners LaFreniere, White, Harlow and Goodwin as voting Commissioners this evening. He also designated alternate Commissioner DeRoehn to vote in place of Commissioner Marra this evening.

PUBLIC COMMENT:

There was no public comment.

NEW BUSINESS:

1. Discussion with Commission:
 - a. Review of Draft 2023 Comprehensive Rewrite of the Bristol Zoning Regulations.

Mr. Gomes explained he has been busy with Staff, Attorney Peter Olson reviewing the draft rewrite of the Zoning Regulations. These persons worked together to make sure the draft Regulations were as compliant as possible with the State Statutes. He would later discuss the next steps and process to discuss with various Commission's in order to bring the draft Regulations for adoption at a public hearing.

Mr. Gomes explained the draft Zoning Regulations were distributed to the Commission this evening with the highlighted amendments in response to Attorney Olson's comments. Most of the changes were minor, but were made for clearer language.

- a. Current status of legal review of Draft Regulations.\

Staff explained that Attorney Olson refined the language with his experience from different towns.

Chairman White explained with regular Commissioner Marra's arrival at this time, he would replace alternate Commissioner DeRoehn as a voting member this evening with regular Commissioner Marra.

Mr. Gomes reviewed the revised amendments (Draft printed 10/02/23) with the Commission. He explained the Zoning Map boundaries would become a policy for amendments. The boundaries should be corrected with the documents.

Mr. Gomes reviewed the concerns of the Commission of the authority of the ZEO to refer items to the Commission of Prohibited Uses, Section 3.3. But, the ZEO would make the final determination. Staff reviewed Mr. Spyros' authority with the State Statutes. If this becomes a concern, the Regulations may be amended. There may be disagreement with the Commission and the ZEO on a determination. The Commission reviewed a ZEO's responsibility for the City. The Commission agreed with this amendment for now.

Regarding Section 4.1, Residences (fka Group Homes), Group Child Care Homes, and Family Child Care Homes, there were minor statutory changes. The Commission cannot require a Special Permit for Group Child Care Homes. Though, there would be Zoning Permits for all these uses. He reviewed the State Statute changes (and definitions) to these types of units effective October 1, 2023. By December 1, 2023, the Mayor/CEO has to report to the State Office of Management for compliance or will be made compliant.

Regarding Senior Housing, Mr. Gomes explained the Commission had a detailed discussion. He reviewed Attorney Olson's suggested changes to prevent liability and litigation. An applicant was required to demonstrate compliance with the Federal Code of Regulations (FCofR.) He would provide Staff a FCofR link to link on the City's Website. There is Federal reporting required for these types of units.

Regarding Sports Courts in residential areas, Mr. Gomes explained Attorney Olson recommended this be a Special Permit with the concerns of pickle ball courts and similar ball courts. Commission inquiry: Mr. Gomes explained if there were concerns from neighbors, the Corporation Counsel Office attorneys would review the use of a property.

Mr. Gomes reviewed the updated Principal Use Summary Table: Residential Districts.

Staff noted a recent application was received for Page Park that should be reviewed.

Regarding Section 5.4.10., Home Based Business or Home Office, Mr. Gomes explained there was a detailed discussion by the Commission. He explained Attorney Olson's recommendations. Commission inquiry: Staff noted the neighbors would complain to the ZEO if there were excessive truck deliveries.

Regarding Section 11, Landscaping and Site Features, Mr. Gomes explained Attorney Olson's recommendations to add species native to CT. Also, to add dark sky lighting.

Regarding Section 11.3.7, Fence Permits, Mr. Gomes explained this was changed to a "Zoning" permit from the ZEO.

Regarding Section 16.2.5, Standards for Earth Removal, Mr. Gomes explained the Regulation that applied to facilities from the 1990's was removed. Staff reviewed an Appeal application that was denied that someone could appeal. But this reference had to be deleted because this was not applicable.

Regarding Section 16.2.2., Applicable Requirements, Site Plans and Special Permits, Mr. Gomes explained there was a detailed discussion by the Commission. Under Item E., the Site Plan requirements were made more substantial. The Commission agreed to delete the redundant item.

Regarding Section 16.3.11, Referrals, Mr. Gomes reviewed the revised Regulation for potential expert third-party reviews and deposits for applications.

Regarding Section 16.3.16, Bonding Requirements, Mr. Gomes explained more specific language was provided for performance bonds for public improvement and site improvements.

Regarding Section 16.3.17, Expiration of Site Plan, Staff reviewed the approval and expiration dates stamped on the approved plans. He noted the improvements would be on the plans.

Regarding Section 17.1.2., Enforcement, Mr. Gomes reviewed the updated language to enforce the Zoning Regulations. Staff noted the ZEO would need to know the limits of inspecting properties or if a search warrant was necessary.

b. Summary of staff edits/changes.

Mr. Gomes reviewed the renumbering of the revised Zoning Regulations and definitions that were discussed this evening. The revised Regulations were also documented in the zoning Change Log – Section Guide. There is also a document with the comments as to what was revised and the purpose for the revised definitions/Regulations.

Staff explained the document reviewed was on the City's Website with the revised Appendix.

c. Review/discussion/possible revisions of Draft Regulations.

Mr. Gomes explained CT General Statute for Electric Vehicle Charging Stations, was not mentioned. Staff explained the Fire Marshal had concerns of EVC stations being on the first floor and should be on the upper floors outside until more advanced technology was available. Commissioner DeRoehn reviewed the difficulty for the fire service responders to extinguish fires from electric vehicles. His view was EVC stations were a good addition to the Regulations. He was in favor of EVC stations though the fire safety concerns for the associated electric batteries should be considered. Mr. Gomes reviewed the nuances of the requirements of the Building Code, State Statutes, references and the Zoning Regulations.

Mr. Gomes summarized the refined language and language deleted from the Zoning Regulations.

d. Review of rewrite schedule.

Mr. Gomes reviewed the next steps for the review of the Zoning Rewrite schedule. This was to make final changes to the document, an Appendix, and one final quality control review. Then finalize the document.

Staff inquiries: Mr. Gomes explained the revised amendments would be added to the back of the document.

e. Possible scheduling of public hearing for Draft Regulations.

If the document as presented is adopted on November 13, 2023, the document may be effective December 1, 2023.

f. Referral of the Draft Regulations pursuant to the General Statutes of Connecticut.

This required the referral to the Planning Commission by November 9, 2023 for an advisory review. The document had to be referred to NVOG for an advisory review. Staff explained he would also send the documents to the surrounding towns because of all revised Zoning Regulations.

After a discussion with Staff and Mr. Gomes, Mr. Gomes noted this document would not be revised again, unless there were additional changes to be suggested.

MOTION Move to schedule a Public Hearing for Monday, November 13, 2023, at 6:00 P.M. at the Bristol Board of Education Administration Building, 129 Church Street on the adoption of Phase 1 of the comprehensive rewrite of the Bristol Zoning Regulations as revised to October 2, 2023 and through this evening, incorporating into the document the changes to the text agreed upon by the Commission. This action is initiated by the Bristol Zoning Commission. This application shall be known as AZR 23-1.

By: Marra

Seconded: Goodwin.

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

Against: None.

Abstained: None.

g. Referral of the Draft Regulations pursuant to the General Statutes of Connecticut.

Staff explained the document would be referred to the NVCOG, CRCOG, NHCOC, the surrounding towns and the Bristol Planning Commission. Also, tomorrow he would file the referral letter, revised Zoning Regulations and the revised Appendix with the Bristol City Clerk. In addition, he would notify the various Land Use Boards and Commission of the public hearing for any public comments that was allowed as individual persons.

Commission inquiry: Staff explained there would likely be sufficient seating for an excess of public attendance.

CITY PLANNERS REPORT:

Staff thanked the Commission for their volunteer efforts and enjoyed working with the Commissioners. He also thanked Staff for all their efforts. Chairman White also thanked Staff and Mr. Armstrong for their efforts. He particularly thanked Mr. Gomes for all his efforts.

ADJOURNMENT:

MOTION: Move to adjourn at 6:55 P.M.

By: White

Seconded: Marra.

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

Against: None.

Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King
Recording Secretary

David White, Chairman

Richard Goodwin, Secretary