

**BRISTOL ZONING COMMISSION
MINUTES
REGULAR MEETING OF MONDAY NOVEMBER 13, 2023**

CALL TO ORDER:

By: 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 (Chairman)	X	
	Thomas Marra (Vice Chairman)	X	
	Richard Harlow	X	
	Richard Goodwin (Secretary)	X	
	John LaFreniere	X	
ALTERNATE MEMBERS:	Michael DeRoehn	X	
STAFF:	Robert M. Flanagan, AICP, City Planner	X	
	Edward Spyros, Zoning Enforcement Officer	X	

Chairman White called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE:

Chairman White reminded the Commission the next Regular Meeting of the Zoning Commission is Monday, December 11, 2023.

ADMINISTRATIVE MATTERS:

1. Approval of Minutes – October 16, 2023

Chairman White designated regular Commissioners LaFreniere, Harlow, Marra, Goodwin and White to vote on the October 16, 2023, regular minutes.

MOTION: Move to approve the minutes of the October 16, 2023, regular meeting.

By: Harlow

Seconded: LaFreniere.

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

Against: None.

Abstained: None.

2. Zoning Enforcement Officer's Report

Mr. Spyros reviewed his monthly Zoning Enforcement Officer's Report for the month of October dated October 5, 2023, with the Commission.

RECEIPT OF NEW APPLICATIONS:

1. Application #2482 – Change of Zone from R-15 (Single-Family Residential) zone to BG (General Business) zone at 27 Matthews Street, Assessor's Map 19, Lot 24; 250 Terryville Avenue, LLC, applicant.

Chairman White designated regular Commissioners LaFreniere, Harlow, Marra, Goodwin and White to vote on Application #2482.

Staff explained Attorney James Ziogas, the applicant's representative, had called earlier today and requested Application #2482 be scheduled for a public hearing. Staff explained this was a residential property and the house was demolished. The applicant is requesting to change the zone and also owns the abutting property. If approved, the properties would be merged.

MOTION: Move that Application #2482 be scheduled for a Public Hearing for the December 11, 2023, Regular Meeting Agenda of the Zoning Commission.

By: Marra

Seconded: Harlow.

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

Against: None.

Abstained: None.

The application is scheduled for public hearing.

PUBLIC HEARINGS:

2. Application #2477 – Special Permit for the construction of a Unified Residential Development consisting of 11 units at 15 Haviland Street and the corner of Haviland Street and West Street; Assessor's Map 28, Lots 137 & 137-B; R-15/BT (Single-Family Residential & Downtown/Neighborhood Transition) zone; COKEL Properties LLC, applicant.
3. Application #2478 – Site Plan for the construction of a Unified Residential Development consisting of 11 units at 15 Haviland Street and the corner of Haviland Street and West Street; Assessor's Map 28, Lots 137 & 137-B; R-15/BT (Single-Family Residential & Downtown/Neighborhood Transition) zone; COKEL Properties LLC, applicant – (Public Hearing continued from October 16, 2023).

The following persons representing the applicant reviewed Applications #2477 and #2478 with the Commission: Attorney Timothy Furey, 43 Bellevue Ave. and Charles Talmadge of Development Planning Solutions, 225 North Main St.

Attorney Furey explained the application was continued from last month to revise comments, which his team addressed. The Staff was satisfied with the response comments. There were two comments outstanding; if the applications are approved that before the plans are signed off that the properties be merged. Also, a map and deed needed to be filed on the Land Records. The design supported the goals of the PoCD and the uses in the downtown area. The plan complied with the Regulations and was also amended for one handicapped accessible unit and fencing for the neighbors. He requested approval for the applications.

Staff explained the Site Plan showed the properties as merged. The Site Plan would not be signed off until the lots were merged, so the stipulation was not necessary.

Attorney Furey reviewed the comments with the Commission.

Commission inquiries: Attorney Furey explained the entire wall would be replaced with a new wall. The parking was appropriate. He reviewed the construction schedule. Mr. Talmadge explained the wall was only on the applicant's property. He described how the design would blend with the neighborhood and reviewed the table of building form standards.

No one else spoke in favor of the application.

No one spoke against the application.

Chairman White had no concern with the applications.

The hearing #2477 is closed.

By: Marra

Seconded: Harlow.

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

Against: None.

Abstained: None.

The Commission agreed this was a well-engineered plan that would improve the success of downtown.

MOTION: Move that Application #2477 the Special Permit for the construction of a Unified Residential Development consisting of 11 units at 15 Haviland Street and the corner of Haviland Street and West Street; Assessor's Map 28, Lots 137 & 137-B; R-15/BT (Single-Family Residential & Downtown/ Neighborhood Transition) zone; COKEL Properties LLC, applicant, be approved with the following stipulation:

1. A maximum number of 11 dwelling units shall be permitted.

By: Marra

Seconded: LaFreniere.

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

Against: None.

Abstained: None.

The Application #2477 is approved with stipulation.

The hearing #2478 is closed.

By: Marra

Seconded: Harlow.

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

Against: None.

Abstained: None.

Commission inquiry: Staff reviewed the applicant's process of merging the properties and signoff of the plans.

4. **MOTION:** Move that Application #2478 – Site Plan for the construction of a Unified Residential Development consisting of 11 units at 15 Haviland Street and the corner of Haviland Street and West Street; Assessor's Map 28, Lots 137 & 137-B; R-15/BT (Single-Family Residential & Downtown/Neighborhood Transition) zone; COKEL Properties LLC, applicant, be approved, with the following stipulations:

1. As-Built drawings of each building must be submitted and reviewed prior to a Certificate of Occupancy (C.O.) being granted for any building erected on the property.
2. The Site Plan shall not be signed off until all remaining staff comments have been addressed and the plan revised accordingly.
3. 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: Marra

Seconded: Harlow.

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

Against: None.

Abstained: None.

The Application #2478 is approved with stipulations.

6. Application #2481 – Revision to an Approved Site Plan for the construction of a splash pad and pavilion at 255 West Street and 33 Jacobs Street; Assessor's Map 28; Lots 115 and 119; R-15/RM (Single-Family Residential/Mixed Residential Overlay) zone; Boys and Girls Club of Bristol, applicant. (This application was withdrawn by applicant).

The following item was submitted into the record: a letter dated October 25, 2023, from Brian Panico, P.E., regarding the request to withdraw Application #2481.

Staff explained this application was withdrawn. A letter was received to withdraw the application from Bryan Panico. He explained his conversation with the applicant regarding reviewing and filing applications.

MOTION: Move to accept the withdrawal of Application #2481 from the Bristol Boys and Girls Club, dated October 25, 2023.

By: Marra

Seconded: Goodwin.

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

Against: None.

Abstained: None.

The application is withdrawn.

5. Application #AZR 23-1 – Review, discussion and possible adoption of Phase 1 of the comprehensive rewrite of the Bristol Zoning Regulations. Initiated by: Bristol Zoning Commission.

- a. Summary of Rewrite (consultant, staff, and/or Commission)
- b. Review of Changes/Edits
- c. Public Comments

Staff recommended the application be continued to the December 11, 2023, Regular Meeting because of the items that would be discussed this evening.

Francisco Gomes of FHI Studio, the City's consultant, gave his presentation of the Re-Write of the Zoning Regulations.

Attorney Peter Olson, Land Use & Conservation Counsel, 275 Greenwood Ave., Bethel, was in attendance to answer any questions. Attorney Olson gave his presentation for the Re-Write of the Zoning Regulations.

The following persons had suggestions and questions on the application: Attorney Timothy Furey, 43 Bellevue Ave.; Chistine Thebarga, Executive Director, of St. Vincent DePaul, 19 Jacobs St.; and David Haberfeld, 110 Divinity St. Also, Charles Talmadge, Development Planning Solutions, 225 North Main St., which also represented Charles Nyberg inquiries.

Attorney Timothy Furey reviewed his suggestion and comments with the Commission. The most important comment was he would like the Commission to view this document as a living document that required constant changes for the community. He had concerns with restrictions of Sections 1.6.2. and 1.7.3.e. He had concerns of the ZEO determinations versus Commission responsibilities. The Special Permits were unnecessary for sports courts. He had concerns of live entertainment in the BN zone. The live-work-play units were not mentioned in the Regulations. The mixed-use developments and residential developments were not in the BD zone. The hospital uses were not mentioned in the business zone. The self-storage parking was excessive. There should be a heading versus stating a Statute to prevent constant changes to the Regulations.

Mr. Talmadge explained he worked with Attorney Furey on the list of questions. He had two inquiries for Mr. Nyberg, if an existing mixed-use development would not be allowed in the BN zone. Also, if the building height changes should be illustrated. He inquired of the excessive golf course parking. He noted Section 10.5.C. compared to Section 5.6 should be illustrated the same.

Ms. Thebarga explained the concerns of senior citizens in the shelter with increased rates of leases and house prices. She reviewed the options for the senior citizens, but the Affordable Housing was not affordable to them. She inquired if multiple leases may be reviewed for the Regulation to improve situations. Homelessness was declared a public health crisis in CT. She reviewed a meeting on this concern. Mr. Haberfeld inquired of the policies that prevented leasing his house, lease to a tenant, or to traveling nurses. He attended the meeting with Ms. Thebarga.

Chairman White noted the application was not being closed this evening, so the Commission could address some of the concerns. Staff instructed Mr. Haberfeld to the City's website to review the agendas and Regulations. But, Phase III would be a good time to discuss this concern.

No one spoke against the application.

Mr. Gomes noted he would discuss the concerns with Staff. Staff explained climate control would be incorporated into the record.

Consideration of Next Steps:

- d. Discussion on continuation of Public Hearing
- e. Scheduling of additional meetings

MOTION: move to amend Application #AZR 23-1 to incorporate the following changes approved by the Zoning Commission on October 16, 2023 and became effective on November 9, 2023 (existing Regulations):

1. Page 11 – Article II Section 4.2:
Added Climate Controlled Self-Storage Facility as a Special Permit permitted use in BD zone;
2. Page 16 – Article II Section 4.3.3
Added regulations associated with Climate Controlled Self-Storage Facilities
3. Page 61 – Article III Section 13.2 – Off-Street Parking Requirements
Added parking requirement for Climate controlled self-storage facility:
(As determined by Commission)
4. Page 113 – Article V Section 19 – Use Definitions
Added a definition for Climate Controlled Self Storage Facility

The changes above have been incorporated into a revised rewrite document, along with minor typographical and syntax corrections, with a revised date of 11/3/2023. These are the only changes from the rewrite document dated 10/2/2023.

By: Marra

Seconded: Harlow.

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

Against: None.

Abstained: None.

The application is amended.

MOTION: Move to continue the Public Hearing on Application AZR 23-1 to the December 11, 2023, Regular Meeting of the Zoning Commission.

By: Marra

Seconded: Harlow.

For: Marra, Goodwin, Harlow, LaFreniere 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 PLANNER'S REPORT:

Staff explained the 2024 Regular Meeting Schedule was prepared for the Commission. The Staff recommended to start the meeting at 6:00 P.M. on Mondays for the meetings at the City Hall. Commission inquiry: Staff noted the curfew should be revised to 9:00 P.M. if necessary.

The Commission agreed to start the meetings at 6:00 P.M. on Monday evenings for 2024.

ADJOURNMENT:

MOTION: Move to adjourn at 8:54 P.M.

By: Marra

Seconded: Goodwin.

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

Against: None.

Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King
Recording Secretary

David White, Chairman

Richard Goodwin, Secretary