

**BRISTOL PLANNING COMMISSION
MINUTES
REGULAR MEETING OF WEDNESDAY JANUARY 26, 2022**

CALL TO ORDER:

By: Chairman Veits

Time: 7:00 P.M.

Place: City Hall

ROLL CALL:

MEMBERS	NAME	PRESENT	ABSENT
REGULAR MEMBERS:	Chairman William Veits (Chairman)	X	
	Commissioner John Soares (Vice Chairman)	X	
	Jon Pose (Acting Secretary)	X	
	Tracey Bacchus	X	
	Jeff Hayden		X
ALTERNATE MEMBERS:	Kenneth Rasmussen-Tuller	X	
	Christopher Nardi	X	
STAFF:	Robert M. Flanagan, AICP, City Planner	X	
	Nancy Levesque, P.E., City Engineer	X	

PLEDGE OF ALLEGIANCE:

Chairman Veits designated Commissioners Pose, Soares, Bacchus, Rasmussen-Tuller and Veits as voting commissioners this evening.

PUBLIC PARTICIPATION:

There was no public participation.

Chairman Veits reminded the Commission the next regular meeting of the Planning Commission is Wednesday, February 23, 2022.

APPROVAL OF MINUTES: ---Robert these were not supposed to be approved yet---

1. Approval of Minutes - December 22, 2021 Regular Meeting

MOTION: Move to approve the minutes of the December 22, 2021, regular meeting.

By: Pose

Seconded: Soares.

For: Pose, Soares, Bacchus, Rasmussen-Tuller and Veits.

Against: None.

Abstain: None.

PUBLIC HEARINGS:

2. Application #429 – Resubdivision, 1444 Farmington Avenue (2 lots); Assessor's Map 46, Lot 75A; BG (General Business) zone; Hillcrest Development Partners, LLC, applicant.

The Commission acknowledged receipt of the following item(s) in their electronic packets: an e-mail dated December 22, 2021, from Attorney Timothy Furey to: Robert Flanagan, City Planner; regarding the request to postpone the opening of the public hearing until the January 26, 2022 meeting; a referral form dated December 8, 20, from the Planning Commission to the Capitol Region Council of Governments; a referral memo dated December 8, 2021, from the Planning Commission to the Capital Region Council of Governments (CRCOG); a referral report dated December 23, 2021, to the Bristol Planning Commission.

A referral memo dated December 8, 2021, from the Planning Commission to the Naugatuck Valley Council of Governments (NVCOG); a referral report, dated December 20, 2021, from NVCOG to the Planning Commission, CEO, and City Planner of Bristol, Capitol Region Council of Governments (CRCOG), Northwest Hills Council of Governments (NHCOG), and Naugatuck Valley Council of Governments (NVCOG) Regional Planning Commission (RPC) representatives; a referral memo dated December 8, 2021 from the Planning Commission to Paula B. Ray, Town Clerk, Farmington; a referral memo dated December 8, 2021, from the Planning Commission to Therese Pac, Town Clerk, City of Bristol; the first set of Site Plan Committee Review comments, respectively, dated November 29, 2021 and January 6, 2022; a letter dated October 26, 2021, from Store Capital to the City of Bristol Planning Dept., Wetlands Commission and Planning Commission, regarding 1444 Farmington Avenue, Bristol, CT, Assessor Map 46; Lot #75A; a report dated October 1, 2021, from Soil Resource Consultants, to Severino Bovino, P.E., regarding Evaluation of Existing Detention Basin/Stormwater Wetland, 1444 Farmington Avenue - Bristol, CT; a letter dated September 30, 2021, from Joseph Ouellette, Executive Director, OSTA, regarding Bristol Corners, 1444 Farmington Ave., Bristol, CT; and a letter dated September 30, 2021, from the State of CT, OSTA, Department of Transportation, regarding a form for Major Traffic Generator Administrative Decision Request/Checklist.

The following item was submitted into the record: a letter dated January 26, 2022, from Attorney Timothy Furey, 43 Bellevue Ave., regarding the request to withdraw Application #429, but to file applications for Special Permit and a Site Plan with the Zoning Commission next week.

MOTION: move to accept the withdrawal of Application #429 – Re-subdivision, 1444 Farmington Avenue (2 lots); Assessor's Map 46, Lot 75A; BG (General Business) zone; Hillcrest Development Partners, LLC, applicant.

By: Pose

Seconded: Soares.

For: Pose, Soares, Bacchus, Rasmussen-Tuller and Veits.

Against: None.

Abstain: None.

The application is withdrawn.

3. Application #430 – Subdivision (Perkins Meadow), west of Perkins Street, south of James P. Casey Road (9 lots); Assessor's Map 62, Lots 7 & 8; R-25 (Single-Family Residential) zone; Lincoln and D'Amato, LLC, applicant.

The Commission acknowledged receipt of the following items in their electronic packets: two approval letters (attached stipulations) dated January 12, 2022, from the Inland Wetlands Commission (Apps. #1952 and #1958) and the first and second set of Site Plan Review Committee Staff comments, respectively, dated January 13, 2022 and January 25, 2022.

Attorney James Ziogas, 104 Bellevue Avenue, representing the applicant, explained the property was 12.2 acres for a proposed 9 lot subdivision. They received approvals from the Inland Wetlands Commission on January 5, 2022. The property location does not require public improvements. There are existing City streets; one rear lot and City sewer and water services. The houses are on the plan to show the property may be developed as residential houses with roof leaders to dry wells.

There is a zero increase in storm water runoff. The lots are compliant for the zone. Regarding the rear lot, it is 1.531 acres; the access way is 6,409 sq. ft.; it is 25 ft. wide; and the buildable area is 66,681 sq. ft. (double the lot size for the zone.) Regarding the Inland Wetlands Commission, a proposed conservation easement is on the north property line; it is 3.6 acres (excess of Regulations) and would be 10 ft. from inland wetlands at intervals of 75 ft. The open space requirement is 1.83 acres.

He explained the concerns that James P. Casey Rd. had existing sidewalks, but if sidewalks were required on Perkins St. Their view was sidewalks and a waiver were not required because the Subdivision Regulations do not require them if there is an existing City street. If the City wanted sidewalks constructed, there are City Ordinances including processes with the City Council.

An additional Police Dept. concern was traffic congestion near the driveway and intersection locations on James P. Casey Rd. The applicant's view was this is a suitable use for the R-25 zone and the proposed use was a permitted use. He reviewed the Ordinance for driveways to an intersection, but it was in excess of 130 ft., which the Subdivision Regulations do not specify.

Regarding comments, a storm water maintenance plan was drafted and a conservation easement was on the plans. The remaining comments were housekeeping matters. The initial plan was revised for the IW Commission with the driveway near the intersection. The driveway was the suggestion of the City to improve the plan for potential approval.

Robert Hiltbrandt, P.E., of Robert Hiltbrandt Engineers and Surveyors, LLC, 575 North Main St., was in attendance to answer any questions for the Commission.

Mr. Flanagan explained the conservation easement was a way to protect the open space. There are sidewalks on one side of Perkins St. Attorney Ziogas explained the Subdivision Regulations do not require a conservation easement, but the IW Commission requested it. The plan complied with all the Regulations. The rear lot access was by driveways only. There would be three new driveways on Perkins Street and there would be six driveways on James P. Casey Mr. Hiltbrand reviewed the location of the existing fire hydrants.

Mr. Hiltbrandt explained the dry wells and low impact development features for maintenance was based on the house locations, which would be maintained by the property owners. If it were near the City storm drainage or sewer, a permit was required. These would not require any maintenance by the City.

Mr. Flanagan reviewed the comments he e-mailed to Attorney Ziogas this afternoon, but the City Engineer comments were not reviewed yet. 15% open space (required; 22.5% provided.) The conservation easement designations were added to the plan. A traffic report was not provided. Regarding sidewalks, he referred the comment with respect to sidewalks to the Corporation Counsel Office and a response was received late in the afternoon, but the memo should be reviewed with other Staff.

Attorney Ziogas explained he received the memo from the Corporation Counsel and he read it into the record. As such, a request for waiver of the sidewalks was not submitted for something that was not required and Corporation Counsel Office agreed.

Mr. Flanagan again reiterated that he has not yet discussed the memo from the Corporation Counsel's office with the Director of Public Works, or any other staff. He requested the application be continued in order to prepare a proper resolution for the Commission to consider next month, and allow time be able to discuss the memo on a staff level. He reviewed with the Commission their options for the application. He also reminded the Commission that State Statute grants the Commission 35 days to close a Public Hearing, so there is already time built into the legal process to continue the hearing to February.

Attorney Ziogas disagreed because it was unfair to the applicant.

Edward D'Amato, Jr., 10 Main Street, inquired if this concerns of Staff could be handled with a motion that could be put in place in order to receive an approval this evening.

The Commission commented that during these difficult economic times they would like to work with the applicant, but they would also like the City staff to complete their process. The Commission to review all the items necessary in order to make a decision. Their view was due diligence was the best way to proceed and they agreed with the City Planner's advice to continue the hearing until February.

No one else spoke in favor of the application.
No one spoke against the application.

MOTION: move that the Public Hearing on Application #430 – Subdivision (Perkins Meadow), west of Perkins Street, south of James P. Casey Road (9 lots); Assessor's Map 62, Lots 7 & 8; R-25 (Single-Family Residential) zone; Lincoln and D'Amato, LLC, applicant, be continued to the next Regular meeting of the Planning Commission on February 23, 2022.

By: Pose

Seconded: Soares.

For: Pose, Soares, Bacchus, Rasmussen-Tuller and Veits.

Against: None.

Abstain: None.

The application is continued.

ZONING COMMISSION REFERRALS:

There were no Zoning Commission referrals.

CITY COUNCIL AND OTHER REFERRALS:

There were no City Council and other referrals.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

4. Application #424 – Subdivision – Request for an additional 90-day extension to file project mapping to May 25, 2022 for: 505-545 Redstone Hill Road (18 lots); Assessor's Map 2, Lots 133, 133-1, 133-2 & 133-3; R-15 (Single-Family Residential) zone; 505-545 Redstone Hill Road, LLC, applicant.

The Commission acknowledged receipt of the following item in their electronic packets: a letter dated January 6, 2022, from Attorney Andre Dorval to William Veits, Chairman, regarding Subdivision Application #424, 505-545 Redstone Hill Rd., Bristol, CT; a letter dated October 5, 2021, from Attorney Andre Dorval to William Veits, Chairman, regarding Subdivision Application #424, 505-545 Redstone Hill Rd., Bristol, CT; a letter dated July 21, 2021, from Attorney Andre Dorval to William Veits, Chairman, regarding Subdivision Application #424, 505-545 Redstone Hill Rd., Bristol, CT; a letter dated June 8, 2021, from Attorney Andre Dorval to William Veits, Chairman, regarding Subdivision Application #424, 505-545 Redstone Hill Rd., Bristol, CT; a Preliminary Cost Estimate, dated July 26, 2021, for Proposed Residential Subdivision at 505-545 Redstone Hill Rd., Bristol, CT, prepared by H.E. Cole & Son; an e-mail dated August 2021, from William Cunningham, P.E., F.ASCE., to Robert Flanagan, City Planner and Andrew Armstrong, Assistant City Planner; regarding Letter to Planning Commission, Application #424, sidewalks (with attachments) and the first set of Site Plan Committee Review comments, dated July 8, 2021.

The following item was submitted into the record: a letter dated January 6, 2022, from Attorney Andre Dorval, regarding the request to continue the application to the February meeting.

Mr. Flanagan explained Attorney Dorval was requesting an extension to file the Mylar mapping on the Land records. There were two 90-day extension allowed and this was the second 90-day extension.

MOTION: Move that Application #424 – Subdivision – Request for a 90-day extension to file mapping for the Conditional Approval granted on August 25, 2021 for: 505-545 Redstone Hill Road (18 lots); 505-545 Redstone Hill Road, LLC, applicant be approved. The new deadline to file the mapping associated with this project shall be May 25, 2022.

By: Pose

Seconded: Rasmussen-Tuller.

For: Pose, Soares, Bacchus, Rasmussen-Tuller and Veits.

Against: None.

Abstain: None.

The application is approved.

5. Application #324 – Bristol Crossing Subdivision – Acceptance Memo for Phase 2 – Corbin Ridge: Assessor's Map 9, Lots 12, 13 & 26 through 42 (19 lots); Sachem Capital Realty, LLC; owner/applicant.

The Commission acknowledged receipt of the following item in their electronic packets: a memo dated January 12, 2022, from Nancy Levesque, P.E., City Engineer, to the Planning Commission and the Board of Public Works, regarding Street Acceptance – Portion of Corbin Ridge; and supporting documentation dated from November 29, 2021 to June 28, 2017.

Mr. Flanagan explained an approximately \$60,000 deposit has not been made into the Storm Water Trust.

Ms. Levesque explained that her department inspected the roadway and that is passible and is being used. The final top course was installed. The lighting is working. There have been inspections and as builds submitted, but there has not been a deposit into the Storm Water Trust; there is also an additional caveat for plantings inspected the first year in the wetlands mitigation area.

She prepared the sketch in the packet that depicts the roadway (Corbin Ridge – Phase 3) that is the subject of potential acceptance. The yellow portion is what would be accepted with Corbin Ridge as a City street. The green portion was a former easement to be abandoned when Corbin Ridge was developed and connected to Old Orchard Rd., which was abandoned. That property owner's yard was re-established. There were a few outstanding comments and are working with the applicant.

There are sidewalks on both sides of the street. Mr. Flanagan explained he spoke with the applicant's attorney, but they did not have the payment ready for this evening. They requested to continue the request to the February meeting. A new street may be accepted next month.

MOTION: move that Application #324 – Bristol Crossing Subdivision – Acceptance Memo for Phase 2 – Corbin Ridge: Assessor's Map 9, Lots 12, 13 & 26 through 42 (19 lots); Sachem Capital Realty, LLC; owner/applicant; that the consideration of the proposed acceptance of Corbin Ridge as a city street which is associated with Application #324 - Bristol Crossing Subdivision – Acceptance Memo for Phase 2 – Corbin Ridge: Assessor's Map 9, Lots 12, 13 & 26 through 42 (19 lots); Sachem Capital Realty, LLC; be moved to the February 23, 2022 Planning Commission Agenda.

By: Pose

Seconded: Soares.

For: Pose, Soares, Bacchus, Rasmussen-Tuller and Veits.

Against: None.

Abstain: None.

The application is moved to the February 23, 2022 agenda.

STAFF REPORTS:

6. Monthly Subdivision Status Report

The Commission acknowledged receipt of the following item in their electronic packets: the updated monthly Subdivision status report dated January 20, 2022.

Ms. Levesque explained that the Rock Builders for Great Pyrenees Way and roads in Burlington were being constructed. Lauretide Glen, Phase 1, has sold all the properties. They are constructing Phase 2 and would make a request for Phase 3 for next month. The Calamar site has no activity on the site.

7. 2022 Affordable Housing Report: Schedule Update

Mr. Flanagan explained Glenn Chalder of Planimetrics, the City's consultant, would like to review a Draft of the 2022 Affordable Housing Plan with the Commission an hour before their regular meeting on February 23, 2022, at 6:00 P.M.

COMMUNICATIONS:

There were no communications.

ADJOURNMENT:

Motion was made by Commissioner Pose to adjourn.

Motion seconded by Commissioner Rasmussen-Tuller.

Motion carried 5-0.

The meeting adjourned at 8:09 P.M.

These minutes represent the proceedings of the meeting.

This meeting was taped.

Respectfully submitted,
Nancy King

John Pose (Acting Secretary)
City Planning Commission