

**BRISTOL ZONING COMMISSION
MINUTES
REGULAR MEETING OF MONDAY DECEMBER 11, 2023**

CALL TO ORDER:

By: Chairman White

Time: 6:00 P.M.

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

MEMBERS	NAME	PRESENT	ABSENT
REGULAR MEMBERS:	Chairman White (Chairman and Secretary)	X	
	Thomas Marra (Vice Chairman)	X	
	Richard Goodwin		X
	John LaFreniere	X	
	Richard Harlow	X	
ALTERNATE MEMBERS:	Michael DeRoehn	X	
	Sara Mangiafico	X	
	Robert M. Flanagan, AICP, City Planner	X	
STAFF:	Edward Spyros, Zoning Enforcement Officer	X	

Chairman White called the meeting to order at 6:00 P.M.

PLEDGE OF ALLEGIANCE:

Chairman White reminded the Commission the next regular meeting was Monday January 22, 2024.

ADMINISTRATIVE MATTERS:

- a. Approval of Minutes – November 8, 2023
- b. Approval of Minutes – November 13, 2023

Chairman White designated regular Commissioners Harlow, Marra, LaFreniere and White to vote on the November 8, 2023, special minutes. He also designated alternate Commissioner DeRoehn to vote on the November 8, 2023, special minutes.

MOTION: Move to approve the minutes of the November 8, 2023, special meeting.

By: Harlow

Seconded: DeRoehn.

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

Against: None.

Abstained: None.

Chairman White designated regular Commissioners Harlow, Marra, LaFreniere and White to vote on the November 13, 2023, regular minutes. He also designated alternate Commissioner DeRoehn to vote on the November 13, 2023, regular minutes.

MOTION: Move to approve the minutes of the November 13, 2023, regular meeting.

By: DeRoehn

Seconded: Marra.

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

Against: None.

Abstained: None.

- c. Zoning Enforcement Officer's Report

Mr. Spyros reviewed his Zoning Enforcement Officer's report for October dated November 1, 2023.

Chairman White explained he would be Secretary this evening in place of Commissioner Goodwin. Also, he would do a roll call vote for each application.

RECEIPT OF NEW APPLICATIONS:

1. Application #2483 – Special Permit for an existing motor vehicle repair and services facility for display or sale of new or fully operable used motor vehicles at 137 Terryville Road; Assessor's Map 67, Lot 16; I (Industrial) zone; Charles R. Ebersol, Jr., applicant.

Chairman White designated regular Commissioners Harlow, Marra, LaFreniere and White to vote on Application #2483. He also designated alternate Commissioner DeRoehn to vote on Application #2483.

Mr. Flanagan explained the applicant's attorney, Charles R. Ebersol, Jr., was not in attendance this evening. He explained that one of the sites was an existing auto use for about 30 years. The applicant was looking to purchase the abutting property which was already being used by the applicant. The applicant wanted an updated approval for both properties. A Site Plan would be filed in 2024. If approved, the properties would be merged. Staff met with the City Engineer and her comments were on the application. The applicant sent letters to both the CT Dept. of Public Health and the City of Bristol Water Dept.

MOTION: Move that Application #2483 be scheduled for a Public Hearing for the January 22, 2024, Regular Meeting Agenda of the Zoning Commission.

By: Marra

Seconded: Harlow.

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

Against: None.

Abstained: None.

The application is scheduled for public hearing.

2. Application #2484 – Special Permit for an existing motor vehicle repair and service facility for display or sale of new or fully operable used motor vehicles at 121 Terryville Road; Assessor's Map 67, Lots 14 & 16B; I (Industrial) zone; Charles R. Ebersol, Jr., applicant.

Chairman White designated regular Commissioners Harlow, Marra, LaFreniere and White to vote on Application #2484. He also designated alternate Commissioner DeRoehn to vote on Application #2484.

MOTION: Move that Application #2484 be scheduled for a Public Hearing for the January 22, 2024 Regular Meeting Agenda of the Zoning Commission.

By: Marra

Seconded: Harlow.

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

Against: None.

Abstained: None.

The application #2484 is scheduled for public hearing.

3. Application #2485 – Special Permit for the reconstruction of a new Northeast Middle School facility at 532 Stevens Street; Assessor's Map 50, Lot A+A; R-15 (Single Family Residential) zone; City of Bristol Board of Education, applicant.
4. Application #2486 – Site Plan for the reconstruction of a new Northeast Middle School facility at 532 Stevens Street; Assessor's Map 50, Lot A+A; R-15 (Single Family Residential) zone; City of Bristol Board of Education, applicant.

Chairman White designated regular Commissioners Harlow, Marra, LaFreniere and White to vote on Application #2485 and Application #2486. He also designated alternate Commissioner DeRoehn to vote on Application #2485 and Application #2486.

Attorney James Ziogas, 104 Bellevue Ave., representing the applicant, reviewed the requests to renovate the Northeast Middle School facility. When the school was constructed, there was no Special Permit obtained for the property. To make the property more compliant, the applicant filed a Special Permit and Site Plan. He requested the applications be scheduled for public hearing at the January 22, 2024, meeting. This was an \$80 Million project. He sent an application to the State of CT, Bristol Water Board and the New Britain Water Board, but there were no responses yet.

Mr. Flanagan explained at the review it was discovered that half the property was determined to be in the Aquifer Protection Area. There was also a water shed area. He would schedule a public hearing with the Aquifer Protection Agency before the Zoning Commission meeting. This would allow time for agencies to respond.

MOTION: Move that Application #2485 be scheduled for a Public Hearing for the January 22, 2024, Regular Meeting Agenda of the Zoning Commission.

By: Marra

Seconded: Harlow.

For: Harlow, Marra, DeRoehn, LaFreniere and White.
Against: None.
Abstained: None.

The Application #2485 is scheduled for public hearing.

MOTION: Move that Application #2486 be scheduled for a Public Hearing for the January 22, 2024, Regular Meeting Agenda of the Zoning Commission.

By: Marra

Seconded: DeRoehn.

For: Harlow, Marra, DeRoehn, LaFreniere and White.
Against: None.
Abstained: None.

The Application #2486 is scheduled for public hearing.

PUBLIC HEARINGS:

5. Application #2480 – Proposed amendments to the Zoning Regulations to allow for Unified Residential Developments by Special Permit and Site Plan in the R-15/RM (Single-Family Residential/Mixed Residential Overlay) zone; Attorney Timothy Furey and Charles Talmadge, applicants – (Public Hearing continued from October 16, 2023)

Chairman White designated regular Commissioners Harlow, Marra, LaFreniere and White to vote on Application #2480. He also designated alternate Commissioner DeRoehn to vote on Application #2480.

The following persons reviewed Application #2480 with the Commission: Attorney Timothy Furey, 43 Bellevue Ave., the applicant's attorney and Charles Talmadge, president of Development Planning Solutions, 225 North Main St.

Attorney Timothy Furey reviewed the request for the proposed amendments to the Zoning Regulations. The application was continued to refine the application with input from the Commission, Staff, neighbors and the public audience. The Special Permit and Site Plans would be in the R-15/RM zone.

If approved, the amendment would apply to that property and other properties beyond that. The applicant is working with Staff for added incentives for this zone. The amendment would not increase the densities. It would allow for several properties to be developed with unified residential development.

Mr. Flanagan explained in order to change a zone in the RM zone, a zone change application was required. He explained a zone change application would be required to change a zone near the Silo St. area.

Commission inquiries: Attorney Furey explained there are 2,000 properties in the R-15/RM zone. There would likely not be a lot of applications to construct large developments. If there is any concern with continuing the application with inclement weather, the application would be withdrawn and refiled.

Mr. Talmadge explained this area was in the Forestville Center that was 100% built out.

MOTION: move that the Public Hearing on Application #2480 be continued to the January 22, 2024, Regular meeting of the Zoning Commission. (Note: The applicant will need to grant an extension for 42 days, if the application is continued.)

By: Marra

Seconded: Harlow.

For: DeRoehn, Harlow, LaFreniere and White.

Against: Marra.

Abstained: None.

The application is continued.

Item #7 under Public Hearings was taken out of order.

7. 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.

Chairman White designated regular Commissioners Harlow, Marra, LaFreniere and White to vote on Application #AZR 23-1. He also designated alternate Commissioner DeRoehn to vote on Application #AZR 23-1.

The following persons presented Application #AZR 23-01 with the Commission: Robert Flanagan, City Planner; Francisco Gomes of FHI Studio; and Attorney Peter Olson.

Mr. Flanagan reviewed Mr. Gomes presentation because Mr. Gomes had audio difficulties at this time. He explained this was the end of Phase I and Phase II would be short.

Mr. Gomes dialed into the meeting. He explained there were no impactful effects on the Regulations. He thanked Attorney Timothy Furey and Charles Talmadge for their suggestions. He reviewed his presentation that included the comments, updates, corrections, and requested amendments. The adoption of the Regulation was scheduled to become effective January 15, 2024. He reviewed the next steps of the Re-Write of the Zoning Regulations.

Mr. Flanagan reviewed the documents for the application. He reviewed the line-by-line revised Regulations. He reviewed the timeline for the Zoning Regulations Re-Write.

The following persons spoke in favor of the application: Attorney Timothy Furey, 43 Bellevue Ave. and Charles Talmadge, Development Planning Solutions, 225 North Main St.

Attorney Furey explained he and Mr. Talmadge spoke at the opening of the public hearing. He was pleased the document was considered a living document now but there was more work to do on the Regulations. Attorney Furey and Mr. Talmadge thanked the Staff and the Commission for their efforts.

No one spoke against the application.
The hearing is closed.

By: Marra

Seconded: Harlow.

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

Against: None.

Abstained: None.

MOTION: make a motion to approve Application #AZR 23-1 – the 2023 Phase 1 Draft – Comprehensive rewrite of the Bristol Zoning Regulations; Initiated by: Bristol Zoning Commission.

The Zoning Commission finds that finds that the 2023 Phase 1 Draft – of the Comprehensive rewrite of the Bristol Zoning Regulations, as presented, would be generally consistent with the goals and policies of the 2015 Plan of Conservation and Development (POCD), amended to April 1, 2018.”

The effective date of the Regulations is: January 15, 2024 at 12:01 A.M.

By: Marra

Seconded: Harlow.

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

Against: None.

Abstained: None.

The application is approved.

Mr. Flanagan noted there would be no January and February 2024 special meetings to allow for training on the new Zoning Regulations.

Item #6 was resumed under Public Hearings

6. 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 Harlow, Marra, LaFreniere and White to vote on Application #2483. He also designated alternate Commissioner DeRoehn to vote on Application #2482.

Attorney James Ziogas, 104 Bellevue Ave., representing the applicant, reviewed the Change of Zone application. The property is .47 acres and is adjacent to the applicant’s additional adjacent property. The purpose of the request was to extend the existing business. Though, the Regulations have requirements for certain uses. If approved, this would extend the existing seasonal business or a future business. A Site Plan would be required. The site has a 20 ft. slope and is heavily wooded. A 25 ft. rear buffer would be required. There would be no access from Natalie Court. There is a traffic light at the intersection. The referral to the Planning Commission was recommended for approval.

Attorney Ziogas explained there were access from Route 6 and Matthews St. If approved, the properties would be merged. The applicant’s additional property was the triangular shaped property.

In response to the Commission, Attorney Ziogas requested the application be continued to address the Commission’s uncertainty of the use. Also, this would allow time for a more developed plan abutting a residential property. He noted Zone Change applications had uncertainty of uses or future uses of properties.

No one else spoke in favor of the application.

The following persons spoke against the application: Cheryl Woodward, 15 Natalie Court; Claudia Calvo, 28 Matthews St.; Elga Brookas, 10 Natalie Court; Brian Madden, 24 Matthews St.; Felicia Licki, 39 Natalie Court and Kevin Licki, 39 Natalie Court.

Ms. Woodard had concerns of a commercial business near her backyard and of increased traffic including during snow storms. In addition, the house values decreasing. Ms. Calvo (most impacted) had concerns of existing and new traffic not being controlled by a traffic light. She had concerns of no area safety features for the children’s bus stop and the deaf people in the area. Ms. Brookas had environmental concerns if a gas station is constructed, health, and noise concerns.

She had concerns for the privacy of residents was being affected. She hoped the existing facility would remain. Mr. Madden was concerned his property was bought for a commercial use, but then a zone change had decreased his property value.

If approved, his property value would be decreased again because of the commercial business. Also, he had concerns of the flood zone in this area. If the property is leveled, the storm water would go on neighbor’s properties. Ms. Licki was okay with construction of a greenhouse. She was opposed to a commercial business that would increase traffic and criminal activity.

Also, the river may be affected. Mr. Licki had concerns of changing the zone because it provides a buffer for the neighbors. The neighbors were not requesting to stop construction or not to improve the lot but are asking to retain the buffer or construct a residential house. Though, no one wants to buy a house near a business.

Attorney Ziogas explained the 1.4 acres was a BG zone, which allowed gas stations and commercial businesses. If this property is developed, there are Site Plan requirements. He would provide a revised plan at the January meeting.

MOTION: move that the Public Hearing on Application #2482 be continued to the January 22, 2024, Regular Meeting Agenda of the Zoning Commission.

By: Marra

Seconded: LaFreniere.

For: DeRoehn, Harlow, LaFreniere and White.

Against: Marra.

Abstained: None.

The application is continued.

Chairman White appreciated the public for stating their considerations for the Commission to vote on for all parties concerned. Mr. Flanagan noted the meeting would be January 22, 2024, at 6:00 P.M., in the City Hall, Council Chambers.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

There was no new business.

CITY PLANNER'S REPORT:

Commission inquiries: Mr. Flanagan reviewed the buffer of the Fine Fettle facility at 1214 Farmington Ave. from the Mountain View School that was reviewed by the City Council.

Mr. Flanagan explained the City was initiating a new system for agendas and minutes. The City did this so that all the City agendas and minutes would have the same standard look to them. Chairman White welcomed Commissioner Mangiafico to the Zoning Commission.

ADJOURNMENT:

MOTION: Move to adjourn at 7:52 P.M.

By: White

Seconded: DeRoehn.

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

Against: None.

Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King
Recording Secretary

David White, Chairman

Richard Goodwin, Secretary