

**BRISTOL PLANNING COMMISSION
MINUTES
REGULAR MEETING OF MONDAY FEBRUARY 26, 2024**

1. CALL TO ORDER:

By: Acting Chairman Soares

Time: 6:00 P.M.

Place: City Hall
Council Chambers
111 North Main St.
First Floor

ROLL CALL:

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

Acting Chairman Soares designated regular Commissioners Nardi, Pose, Bacchus and Soares as voting members this evening. He also designated alternate Commissioner Rasmussen-Tuller as a voting member this evening in place of Commissioner Veits with his absence. Acting Chairman Soares called the meeting to order at 6:00 P.M.

2. Pledge of Allegiance**3. Public Participation**

There was no public participation.

4. Approval of Minutes

- a. Minutes from the January 29, 2024, Regular Meeting

MOTION: Move to approve the minutes of the January 29, 2024, regular meeting.

By: Rasmussen-Tuller

Seconded: Pose.

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

Against: None.

Abstain: None.

5. Receipt of New Applications

There were no new applications.

Staff suggested that Application #435 be heard after the three administrative items.

6. Public Hearings

- a. Application #435 – Site Plan for renovations and improvements to Page Park, 641 & 649 King Street; Assessor's Map 37, Lots 134 & 135; City of Bristol Parks, Recreation, Youth and Community Services, applicant – Public Hearing continued from January 29, 2024.

MOTION: Move that Application #435 be moved to be heard after "New Business" on tonight's agenda.

By: Pose

Seconded: Nardi.

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

Against: None.

Abstain: None.

The application #435 is moved to after New Business on tonight's agenda.

7. Zoning Commission Referrals

- a. Application #2488 – 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.

Charles Talmadge, 225 North Main St., one of the applicants, explained the prior application was withdrawn because the State Statutes timeline was ending for the application. He explained a new application was filed to make it a cleaner process.

Staff explained there were significant changes so this item was going through a new application process.

Attorney Timothy Furey, 43 Bellevue Ave., one of the applicants, reviewed the prior application that required limitations because the review was during the time of the Zoning Rewrite process. He explained the Zoning Commission liked the application but did not want to rush the application in association with the Rewrite of the Zoning Regulations. He reviewed the previous positive referral for the prior application. He reviewed the changes and safeguards added to the new application for this evening. He explained the zones that would be inappropriate in Forestville for this Regulation. He explained the Regulation would affect 30 properties in Bristol.

Commission inquiry: Mr. Talmadge explained how the water lines and the sewer lines would be connected to property.

Staff noted this would be a more aesthetical design and Staff supported the proposed amendment.

MOTION: Move to make a motion to send a positive referral to the Zoning Commission for Application #2488 – Proposed amendments to the Zoning Regulations to allow for Unified Residential Developments in the R-15/RM (Single-Family Residential/Mixed Residential) zone; Attorney Timothy Furey and Charles Talmadge, applicants.

The Planning Commission finds that the zoning text amendment, 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.

By: Pose

Seconded: Nardi.

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

Against: None.

Abstain: None.

The application is recommended for a positive referral.

8. City Council and Other Referrals

- a. Bud's Goods – 135 Cross Street – Assessor's Map 3, Lot 15 – Request to confirm that the proposed use as a product packager for a cannabis establishment is an industrial manufacturing use and confirming compliance with the Declarations of Restrictions adopted by the City Council on October 30, 1961 and recorded on the Bristol Land Records - Volume 438, Page 513.

Staff explained a memo from Attorney Thomas Conlin, Corporation Counsel Office, to remove two restrictions placed on the property on October 30, 1961. Staff reviewed the Planning Commission minutes from January 25, 2012, with the former City Planner's comments. Staff also reviewed the Planning Commission's 2012 decision after the discussion of agreement to release the restrictions.

Staff reviewed the documents from 2012. Staff explained the request required the City Council's vote and was not for a determination of use, but a property title concern and was not an 8-24 referral. He explained there would be no sales or retail use on the property and the product would only be distributed in Connecticut.

Staff read into the record the letter dated February 2024, from Attorney Richard Mann, regarding the request to remove two Declarations of Restrictions from the property.

Staff reviewed the documents from 2012 regarding the property.

Staff inquiries: Attorney Richard Mann, 845 Washington St., Newton, MA, explained the request was to remove restrictions #2 and #7 from the property.

Commission inquiries, respectively: Staff explained that cannabis is an allowed use on the property which is in an I-zone. Ms. Levesque explained the Public Works City garage was in this area.

MOTION: make a motion to release the following Declarations of Restrictions adopted by the City Council on October 30, 1961 and recorded on the Bristol Land Records – Volume 438, Page 513 for 135 Cross Street – Assessor's Map 3, Lot 15:

1. Restriction #2 – The use of the premises shall be restricted to industrial manufacturing purposes;
2. Restriction #7 – The right of reversion of title to the City of Bristol at the original purchase price, under certain events.

The Planning Commission finds that the restrictions are no longer needed due to changes in the land use approval process and the greater level of scrutiny that development applications now receive.

By: Nardi

Seconded: Pose.

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

Against: None.

Abstain: None.

The application is approved.

9. New Business

- a. Application #413 – Laurentide Glen Subdivision – Assessor's Map 67; R-15/OSD (Single-Family Residential/Open Space Development) zone; Trademark Acquisitions, LLC, Arcadia Group, LLC and Arcadia Acres LLC, applicants/owners. Request for reduction of bonding for public improvements for:
 - b) Phase 1 (12 Lots) – Lots 37B-1 to 37B-11; 37B-72; Pequabuck Street;
 - c) Phase 2 (11 Lots) – Lots 12 -14, 16 – 22 Wiegert Way;
 - d) Phase 3 (20 Lots) – Lots 23-37 Stellas Way and Lots 57-61 Gino Drive;
 - e) Phase 4 (19 Lots) – Lots 38 & 40 Gino Drive and Lots 39-56 Pequabuck Street

Attorney Mark Ziogas, 88 Valley St., stated that the largest cost was for the detention pond maintenance. Therefore, the remaining costs were less than the entire project. Attorney Ziogas reviewed the required bond amounts for the project and requested to reduce the bond amount to \$265,875. He explained the project was going very well and the lots with final approvals were under contract. The project may not be finished until the sand and gravel portion are completed. The plan had two trees in front of each property.

Ms. Levesque explained she reviewed the bond amounts. She explained the city inspectors have inspected the property. She agreed with the bond amounts for this evening.

Staff reviewed the current bond amount of \$455,250 and the request to reduce the bond to \$265.875 with a 15% contingency. Staff also explained he would work with the applicant regarding the trees.

Commission inquiries: Attorney Ziogas explained the trees were not listed on the deeds. Gino Troiano, P.E., of 175 Lake Ave., 175 Lake Ave., of Trademark Acquisitions, LLC, explained there was no resolution of the mailbox situation. He explained there may be a centralized mailboxes for the Phase 4 area. He is working with a councilwoman to avoid this situation. The post office was delivering mail to Phases 1 to 3.

MOTION: move that pursuant to Subdivision Regulation 3.03 – Partial Release of the Performance Guarantee a request by the applicant for Application #413 – Laurentide Glen Subdivision – for a reduction in bonding for Phases 1, 2 3 & 4 which are being held to guarantee the completion of public improvements has been received for the following:

Phase 1 (12 lots – Pequabuck Street)

Phase 2 (11 Lots – Wiegert Way),

Phase 3 (20 Lots –Stellas Way and Gino Drive) and

Phase 4 (19 Lots –Pequabuck Street and Gino Drive)

The owner/applicant of record is: Trademark Acquisitions, LLC, Arcadia Group, LLC and Arcadia Acres LLC, applicants/owners be approved under the following parameters:

The current bond amount for Phase 1 is: \$127,075.

Bond amount for Phase 1 will remain at \$127,075 as recommended by the City Engineer.

The current bond amount for Phase 2 is: \$17,825.

The revised bond amount for Phase 2 recommended by the City Engineer will be: \$1,725.

The current bond amount for Phase 3 is: \$27,600.

The revised bond amount for Phase 3 recommended by the City Engineer will be: \$4,025.

The current bond amount for Phase 4 is: \$256,450.

The revised bond amount for Phase 4 recommended by the City Engineer will be: \$34,500.

The current bond amount for Phases 1, 2, 3 and 4 is: \$428,950

An Irrevocable Letter of Credit # 5700794077 was issued by NBT Bank of Norwich, New York on March 18, 2022 in the amount of \$454,250 and was renewed on March 18, 2023 and will be in effect until at least March 18, 2024.

A bond amount for Phases 1, 2, 3 and 4 as recommended by the City Engineer will be:

\$167,325.00. Pursuant to Subdivision Regulation 3.03, the bond being held cannot be reduced below 15 percent of the original amount of the performance guarantee (\$1,772,500.00). Calculating 15 percent of the original bond amount brings the total new bond amount to \$265,875.00

The new bond amount, as recommended by the City Engineer is: \$265,875.00

The new bond amount must be deposited with the City of Bristol on or before March 18, 2024.

Phases 1, 2, 3 & 4 are Final Approvals with an expiration date of: October 24, 2028.

Phases 5 & 6 will remain as Conditional Approvals with an expiration date of: October 24, 2025.

By: Pose

Seconded: Nardi.

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

Against: None.

Abstain: None.

The application is approved with stipulations.

The Application #435 was resumed under Item #6, Public Hearings, a.

Jon Tunsy, P.E. of Weston and Sampson, 712 Brook St., Rocky Hill, representing the applicant, gave his presentation for the renovations and improvements for Page Park. He explained the applicant received an Inland Wetlands approval for the project. State permit approvals were also required. This project was part of the City's Master Plan. He reviewed the many recreational areas, parking areas and walkways throughout the Page Park. A pickle ball area would be added to the park.

He explained there are 79 existing parking spaces. The City's Master Plan has 226 total proposed parking spaces. Directional signage would be added to the park. He reviewed the handicapped accessibility near the amenities.

Commission inquiries: Mr. Tunsy explained how the increase in parking spaces would be accomplished by distributing the parking spaces throughout the park. He explained 60 parking spaces were provided near King St. and the basketball area and baseball areas. The baseball areas and softball areas would not be improved with this plan.

No one else spoke in favor of the application.

The following persons were not in favor or against the application, but had inquiries: Michael Griffin, 333 Woodland St. and Claude Bourret, 58 Page Ave.

Mr. Griffin inquired if the disk golf hole would be relocated away from his property (and neighbor's properties) or if fences may be constructed to prevent littering and property damage. He suggested a more appropriate area. He detailed his requests for a fence or to relocate a disk golf hole away from his yard to the Parks, Recreation and Youth and Community Services.

Ms. Bourret inquired if there would be walkways to the rear of the park where the disk golf is located. She inquired if any roads would be changed or closed because the roads were very narrow. She inquired how parking lots would be constructed near the pavilion with the elevation and ledge in that area.

Mr. Tunsy explained only the disk golf holes near the access drive near the pavilion would be relocated. The lighting and paved walkway throughout the park should improve the visibility for the neighbors.

Commission inquiries: Mr. Griffin explained his discussion with the Park Commission on relocating the disk hole on the opposite side of the property near his property.

Sara Larson, Deputy Superintendent, City of Bristol, 51 North Main St., Parks Recreation and Youth and Community Services, answered questions for the Commission. Ms. Larson explained regarding Mr. Griffin's property that vehicles were unable to access Orchard Rd. for maintenance. She described the access road near Dewitt St. and explained her dept. may place increased trash receptacles near Mr. Griffin's property. Also, the debris would be removed from Mr. Griffin's property. She reviewed the decision of the Park Board and the decision of the City Council for Mr. Griffin's property.

Commission inquiries: Ms. Larson explained she would work with Mr. Griffin and the Disk Golf Association on Mr. Griffin's concerns. She explained some responsibilities of the Disk Golf Assoc. that included limited cleanup/maintenance during non-tournaments.

Mr. Tunsy explained the walkways to Ms. Bourret. He explained the street in the West Minister Rd. would be closed and replaced with a multi-use trail and how the parking area would be constructed near the pavilion area.

Staff explained the plans were on the City's Website with a link on the Planning Commission Webpage.

Ms. Levesque explained there were no major comments. She worked with the applicant to make sure the latest revised plans were verified. She wanted to make sure this was a safe project throughout the phases.

Staff inquiries, respectively: Regarding comment #9, Ms. Levesque explained the roadway remained a concern. Mr. Tunsy explained there were no complaints to the City for the pickle ball areas. Regarding Mr. Armstrong's comments, he explained the 4 parking spaces were handicapped accessible. Ms. Larson explained EV charging stations would be reviewed for future plans. The plan was estimated at \$19 Million. She reviewed the Capital Improvement Project (CIP) process for this item with the Commission.

Commission inquiries, respectively: Mr. Tunsy explained the truck entrance through King St. during construction. He reviewed the restroom security system. He briefly reviewed the RFP and potential alternate plans. Ms. Larson reviewed the security system and the building layout of the restrooms. She explained the existing security cameras in the park and the potential of increased security cameras.

Staff reviewed the documents for the application. Staff noted they would work with the applicant to resolve comments. A Level B, Aquifer Protection Area is located in the park. Staff explained that a Level A, Aquifer Protection Area, is not in the park and therefore unregulated at this time.

The application is closed.

By: Pose

Seconded: Rasmussen-Tuller.

MOTION: Move that Application #435 – Site Plan for renovations and improvements to Page Park, 641 & 649 King Street; Assessor's Map 37, Lots 134 & 135; City of Bristol Parks, Recreation, Youth and Community Services, be approved with the following stipulations:

1. The Site Plan shall not be signed off until all remaining staff comments have been addressed and the plan revised accordingly.

By: Pose

Seconded: Nardi.

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

Against: None.

Abstain: None.

The application is approved with stipulations.

10. Old Business

There was no old business.

11. Staff Reports

Acting Chairman Soares reminded the Commission the next Planning Commission Meeting was on Monday, March 25, 2024.

Ms. Levesque reviewed the monthly Subdivision Status report, dated February 21, 2024, with the Commission. She explained there was no status with exception of the bond of the Laurentide Glen Subdivision. She explained a request for bond would be received soon for Blossom Estates on Redstone Hill Rd.

Staff explained App. #431, Meadow View Farms Subdivision, had started work on the subdivision. Ms. Levesque explained the applicant was working with the Sewer and Water Dept. The report would be updated for next month's Subdivision report.

12. Communications

There were no communications.

13. Adjournment

Motion was made by Commissioner Pose to adjourn.

Motion seconded by Commissioner Nardi.

Motion carried 5-0.

The meeting adjourned at 7:45 P.M.

These minutes represent the proceedings of the meeting.

This meeting was taped.

Respectfully submitted,
Nancy King

William Veits
Chairman
City Planning Commission