

**BRISTOL ZONING COMMISSION
MINUTES
REGULAR MEETING OF MONDAY APRIL 8, 2024**

1. Call To Order

By: Chairman White

Time: 6:00 P.M.

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

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	
	Sara Mangiafico		X
	Peter Caruso	X	
STAFF:	Robert M. Flanagan, AICP, City Planner	X	
	Andrew Armstrong, Assistant City Planner	X	

2. Pledge of Allegiance

Per the order of Chairman White, the meeting was called to order at 6:00 P.M.

Chairman White reminded the Commission the next regular meeting was Monday, May 13, 2024.

3. Approval of Minutes

a. Approval of Minutes – March 11, 2024

Chairman White designated regular Commissioners Harlow, Marra, Goodwin, LaFreniere and White to vote on the March 11, 2024, regular meeting minutes.

MOTION: Move to approve the minutes of the March 11, 2024, regular meeting.

By: White

Seconded: Harlow.

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

Against: None.

Abstained: None.

4. ZEO Report

a. March 2024

The Commission acknowledged receipt of the February 2024 Zoning Enforcement Officers report.

5. Receipt of New Applications

a. Application #2491 – Special Permit for a proposed 8,732 sq. ft. Civic Facility (new construction of Fire Station #3); Assessor's Map 43, Lot 16 Church Ave; R-15 (Single-Family Residential) zone; City of Bristol, applicant.

b. Application #2492 – Site Plan for a proposed 8,732 sq. ft. Civic Facility (new construction of Fire Station #3); Assessor's Map 43, Lot 16 Church Ave; R-15 (Single-Family Residential) zone; City of Bristol, applicant.

Chairman White designated regular Commissioners Harlow, Marra, Goodwin, LaFreniere and White to vote on Applications #2491 and #2492. Staff explained this plan was to replace the existing fire house and to provide a facility with more modern amenities.

Richard Hart, Fire Chief, City of Bristol, 181 North Main St., representing the applicant, explained this would expand the facilities located at 81 Church Ave. This facility would expand City services and allow for community events including increasing the capabilities of the Forestville Neighborhood Association.

MOTION: Move that Applications #2491 and #2492 be scheduled for a Public Hearing for the May 13, 2024, Regular Meeting Agenda of the Zoning Commission.

By: Marra

Seconded: Harlow.

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

Against: None.

Abstained: None.

The Applications #2491 and #2492 are scheduled for public hearing.

6. Public Hearings

- a. Application #2489 – Special Permit for Senior Housing (84 units) at 560, 594 & 644 Redstone Hill Road; Assessor's Map 1, Lots 9B-1, 9B-2, 11, 11-2, 11-3, & 10-B-1; R-10/R-15 (Single-Family Residential) zones; Laurel Meadows, LLC, applicant.
- b. Application #2490 – Site Plan for Senior Housing (84 units) at 560, 594 & 644 Redstone Hill Road; Assessor's Map 1, Lots 9B-1, 9B-2, 11, 11-2, 11-3, & 10-B-1; R-10/R-15 (Single-Family Residential) zones; Laurel Meadows, LLC, applicant.

Chairman White designated regular Commissioners Harlow, Marra, Goodwin, LaFreniere and White to vote on Applications #2489 and #2490. Staff gave a history of the applications. Staff explained litigation is pending for the property with the Inland Wetlands (IW) Agency. If the Zoning Commission applications are approved, the litigation would potentially go away. At the April IW meeting a determination was made that no IW application was necessary for this proposal, therefore, only the Zoning Commission applications were required. It was explained that the Zoning Regulations were re-written with a new senior housing amendment.

The following persons representing the applicant reviewed Applications #2489 and #2490 with the Commission: Attorney Timothy Furey, 43 Bellevue Avenue and Brian Panico, L.S., of Cole Civil and Survey, 876 South Main St., Plantsville; Charles Talmadge, president, of Development Planning Solutions, 225 North Main St. and Ramseed Mohamood, T.E., of Design Solutions, Inc., 11 Broad St., Plainville, that assisted in preparing the traffic report for Glen Unger at F.A. Hesketh Associates, LLC, of East Granby.

Attorney Timothy Furey gave a presentation for the request for senior housing on the 11.23-acre property. He explained one existing house would be demolished and two houses would remain. He explained 84 senior housing units are proposed to be constructed. He reiterated the pending IW Commission litigation, noting that last year there was a Staff discussion that about seeking a potential resolution to the case. He reviewed the details of the Zoning Regulations rewrite for senior housing, which was adopted by the Commission in January 2024. He explained this use is permitted by the Regulations in all residential zones with a Special Permit.

Attorney Furey explained the plan would need public sewer and water services. He received comments from the Sewer and Water Department and explained the Director of the Water and Sewer Dept. attended a prior meeting to assure residents the water system would be sufficient. He explained 125 parking spaces were required and 135 parking spaces were provided. If necessary, 18 future parking spaces would be constructed. He reviewed the floor plan.

Attorney Furey reviewed the landscaping design/open space plan. He detailed the buffer that would utilize existing trees with an added landscaping design. He requested the Commission's suggestion for the buffers and the property design. He explained about 80% of the site would be preserved. He reviewed the proposed amenities.

Attorney Furey reviewed the traffic report. He explained the traffic engineer determined with the original traffic report that the traffic and sight lines were appropriate. The new traffic report vehicle counts were reduced from the previous report. He explained the traffic engineer used higher traffic counts and the traffic report had no concerns from Staff.

Attorney Furey explained there was no evidence of negative effects on housing values. He reviewed the proposed construction phases. He explained Staff needed to re-review the plans. He explained the construction vehicle access would be on the property of the house to be demolished.

Commission inquiries: Attorney Furey explained there would be EV stations for the facility. He explained the applicant hired a full-time construction manager to control vehicles during construction. He reviewed the business/construction hours.

Attorney Furey outlined Mr. Panico's design work and the storm water system plan, which complied with the State water quality and quantity Regulations. Staff noted there are 35 days to close the public hearing.

No one else spoke in favor of the application.

The following persons spoke against the application: Thomas Bentivengo; 5 Village St.; Keith Brault, 546 Redstone Hill Rd.; Zina Corriveau, 250 Dino Rd.; Denise Lepito; 707 Redstone Hill Rd., Forestville; Jeffrey Taylor, 625 Redstone Hill Rd.; Albert Pellegrini, 171 Silo Rd.; Jason Newton, 698 Redstone Hill Rd.; Cathy Sileo, 154 Redstone Hill Rd., Plainville; Argirios (Archie) Halkias, 30 DiPietro Ln.; Thomas Lepito, 707 Redstone Hill Rd., Forestville; James Sherman, 712 Redstone Hill Rd.; Mark Pelletier, 64 Redstone Hill Rd.; Jordon Martin, 67 Hepworth St.; Douglas Capsalors, 14 Fireside Ln.; Brian Lavigne, 117 Redstone Hill Rd.; Rosalie Panioto, 241 Birch St. and Jorge Contina, 181 Silo Rd.

Among all their general concerns were the following:

Mr. Bentivengo had concerns that a business was potentially being allowed in a residential area without a Special Permit. He requested limits for these types of applications/constructions in residential areas.

Mr. Brault had concerns of being unable to pave his driveway because of the condition of the applicant's property.

Ms. Corriveau had concerns of the environmental impacts and the eco-system changing in the neighborhood from prior construction and this application, regardless of the engineer's report.

Ms. Lepito had concerns of the buffer being insufficient and the deforesting of the area. She had concerns of the water levels in the area because of the stream coming from the site. She had concerns of traffic safety, no sidewalks, property values, animal displacements and the applicant's houses and properties being in disrepair, which may be an indication of the proposed property maintenance.

Mr. Taylor reviewed his concerns of the PoCD and preserving single family residential housing.

Mr. Pellegrini was concerned this area was a pass-way to Plainville and Southington for a lot of traffic. He requested that the number of units be reduced.

Mr. Newton was concerned the plan would create increased traffic safety problems.

Ms. Sileo was concerned with mosquitos in the proposed retaining ponds. She had safety concerns of egress/ingress of her driveway being right near a stop sign. She was disappointed in rewrite of the Zoning Regulation to allow the units in residential areas with a Special Permit.

Mr. Halkias had concerns of child safety. He had concerns of the area traffic safety which was not being discussed. He inquired if additional future units would be constructed.

Mr. Lepito was concerned the plan was for persons 55 years old and not 62-year-olds. His view was the Commission would have to make an exception on their Special Permit vote with all these people against the application.

Mr. Sherman had concerns of the Special Permit approval encroaching on a neighborhood.

Mr. Pelletier had concerns of who would be responsible for any damage to the area wells. He had concerns of the well water quality and water levels in the area.

Mr. Martin had concerns of speeding traffic and if this plan was being constructed within 5 acres distance of a similar property. Because if it was not a similar property, his view was this would be an encroachment to the neighbors. His view was this type of construction would not be able to be stopped in residential areas.

Mr. Capsalors had concerns of emergency vehicles not being able to get through traffic in the area in time.

Mr. Lavigne had concerns of the streets needing repair in the area.

Ms. Panioto explained she spoke with the traffic division about traffic in the area. She had concerns of having safe housing for the elderly but not in her neighborhood. She supported the applications however.

Mr. Contina had concerns of the applicant representatives were not directing their questions to the Commission. His view was the Commission represented the public audience.

Attorney Furey addressed the public comments. He noted the plan included sidewalks that needed Commission approval in phase one. The east side of the site was maintained but the center property was a placeholder for now. Both buildings had first floor storage and elevators.

He reviewed the reasons the applicant designed elderly housing plans and that the traffic design would address traffic concerns. He explained the plans complied with the Zoning Regulations and Federal Regulations and he would provide data to manage the construction vehicles. He explained building future units on the property would be a difficulty. He requested to continue Applications #2489 and #2490 until the May 13, 2024, meeting to address the comments.

Staff reviewed the documents for the application, which are posted on the City's Website.

Chairman White informed the public their comments were important to the Commission. He explained the difficult position the Commission is in with respect to neighbors, applicants and developers. He reviewed the requirements for the Commission vote. He requested the public let the Commission do their job as fairly as possible. He noted the next public hearing is May 13, 2024.

Commission inquiries, respectively: Mr. Mohamood, T.E., explained the installed traffic counter from 2019, 2021 and 2024. Mr. Mohamood explained he used the highest traffic volumes as a conservative number. Attorney Furey explained the conservation markers were removed from the property, but there was no activity in that area. He explained a conservation easement was not necessary for the property.

MOTION: move that the Public Hearing on Application #2489 be continued to the May 13, 2024, Regular meeting of the Zoning Commission.

By: Marra

Seconded: Harlow.

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

The Application #2489 is continued.

MOTION: move that the Public Hearing on Application #2490 be continued to the May 13, 2024, Regular meeting of the Zoning Commission.

By: Marra

Seconded: LaFreniere.

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

The Application #2490 is continued.

Attorney Furey requested the public communicate with Staff for any concerns on Applications #2489 and #2490. Staff explained he has received many communications from the public on Applications #2489 and #2490.

- c. Application AZR 24-1 – Proposed revisions to the Zoning Regulations to add and amend the following:
 - i. Add to Section 19 Use Definitions: Community Youth Organization: A non-profit organization dedicated to providing educational, social, and recreation opportunities to children with facilities such as classrooms, activity space, and fitness and recreation space in support of that function.
 - ii. Amend Section 4.1 to include Community Youth Organization in the table of permitted principal uses and allow in the R-10, R-15, R-25, and R-40 (Single-Family Residential) zones by Special Permit (SP).
 - iii. Amend Section 4.2 to include Community Youth Organization in the table of permitted principal uses and allow in the BD (Downtown Business) zones by Zoning Permit (ZP), in the BG (General Business) and BHC (Route 72 Corridor Business) zone by Zoning Permit with a Site Plan requirement (ZP+S), and in the BN (Neighborhood Business) zone by Special Permit (SP) – Initiated by: Bristol Zoning Commission.

Chairman White designated regular Commissioners Harlow, Marra, Goodwin, LaFreniere and White to vote on Application #AZR 24-1.

Staff explained the request was initiated by the Zoning Commission due to an oversight during the Zoning Re-Write process that made the Bristol Boys and Girls Club property non-conforming for zoning. He explained the City's consultant discussed this with him and the concern was brought to the Commission.

Staff read into the record the letter dated February 7, 2024, from Francisco Gomes, regarding the concerns.

Staff explained that the Bristol Boys and Girls Club has been consulted regarding the property becoming non-conforming due to the rewrite of the Zoning Regulations. He explained the revised definition was improved for this use. The use tables are also being updated for this use by Special Permit.

He explained the Regulations were also being amended for community youth organizations. If the application is approved, this would allow the Bristol Boys and Girls Club to apply to become a conforming use. He explained the facility and Staff were in favor of this amendment. The applicant's architect had technical difficulty online at this time.

Staff reviewed the documents for the application.

No one else spoke in favor of the application.

No one spoke against the application.

MOTION: move to close Application #AZR 24-1.

By: White

Seconded: Goodwin.

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

Against: None.

Abstained: None.

MOTION: move that Application #AZR 24-1 be approved because: the Zoning Commission finds that the zoning text amendment, as presented, would generally be 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 amendment is: May 13, 2024.

By: Marra

Seconded: Harlow.

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

Against: None.

Abstained: None.

The application is approved.

7. Old Business

There was no old business.

8. New Business

Chairman White explained for 3 years he was the representative for the Regional Planning Commission and the Naugatuck Valley Council of Governments and that the Regional Planning Commission was going to be discontinued.

Chairman White designated regular Commissioners LaFreniere, Goodwin, Marra, Harlow and White to vote on the adjournment.

MOTION: Move to adjourn at 8:24 P.M.

By: Marra

Seconded: Harlow.

This meeting was taped.

Respectfully submitted,

Nancy King
Recording Secretary

David White, Chairman

Richard Goodwin, Secretary