

**BRISTOL ZONING COMMISSION
MINUTES
REGULAR MEETING OF MONDAY JUNE 10, 2024**

By: Chairman White

Time: 6:00 P.M.

Place: City Hall
Council Chambers
First Floor

1. Call to Order

MEMBERS	NAME	PRESENT	ABSENT
REGULAR MEMBERS:	David White (Chairman)	X	
	Thomas Marra (Vice Chairman) (technical difficulties online)	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	

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 of the Zoning Commission is Monday, July 8, 2024.

2. Approval of Minutes

a. Special Meeting - May 9, 2024

Chairman White designated regular Commissioners White and LaFreniere to vote on the minutes of the May 9, 2024, special meeting. He also designated alternate Commissioners Mangiafico and Caruso to vote on the minutes of the May 9, 2024, special meeting.

MOTION: Move to approve the minutes of the May 9, 2024, special meeting.

By: Caruso

Seconded: Mangiafico.

For: Mangiafico, Caruso, LaFreniere and White.

Against: None.

Abstained: None.

b. Regular Meeting - May 13, 2024

Chairman White designated regular Commissioners White and LaFreniere to vote on the minutes of the May 13, 2024, regular meeting. He also designated alternate Commissioners Mangiafico and Caruso to vote on the minutes of the May 13, 2024, regular meeting.

MOTION: Move to approve the minutes of the May 13, 2024, regular meeting.

By: LaFreniere

Seconded: Mangiafico.

For: Mangiafico, Caruso, LaFreniere and White.

Against: None.

Abstained: None.

3. ZEO Report

a. May 2024

The Commission had no questions on the Zoning Enforcement Officer's report from Richard Brown, Chief Building Official, and Acting Zoning Enforcement Officer, for May 2024. Mr. Richard Brown was not in attendance for the meeting this evening.

Receipt of New Applications

- a. Application #2500 – Special Permit for a Community Youth Organization at 255 West Street, Assessor's Map 28, Lot 115; R-15/RM (Single-Family Residential /Mixed Residential Overlay) zone; Bristol Boys and Girls Club Association, Inc., applicant.
- b. Application #2501 – Site Plan for a Community Youth Organization (addition of 1,350 s.f. outdoor pavilion area) at 255 West Street, Assessor's Map 28, Lot 115; R-15/RM (Single-Family Residential /Mixed Residential Overlay) zone; Bristol Boys and Girls Club Association, Inc., applicant.

Chairman White designated regular Commissioners White and LaFreniere to vote on Applications #2500 and #2501. He also designated alternate Commissioners Mangiafico and Caruso to vote on to vote on Applications #2500 and #2501 in place of regular Commissioner Marra (technical difficulties online) and Commissioner Goodwin that was absent this evening.

Mr. Flanagan explained the Commission recently revised the Zoning Regulations to include the term "Community Youth Organizations". He explained the applicant was applying for a Special Permit and Site Plan to construct a 1,350 s.f. pavilion. He suggested the Commission schedule a public hearing for the July meeting.

MOTION: Move that Applications #2500 and #2501 be scheduled for a Public Hearing for the July 8, 2024, Regular Meeting Agenda of the Zoning Commission.

By: Mangiafico

Seconded: Caruso.

For: Caruso, LaFreniere, Mangiafico, Harlow and White.

Against: None.

Abstained: None.

The applications #2500 and #2501 are scheduled for public hearing.

5. Public Hearings

- a. Application #2493 – Special Permit for an Indoor Amusement Facility (Slingshot Gallery) at 99 Main Street; Assessor's Map 30, Lot 66; BD-1 (Downtown Business) zone; F&B Slingshot, applicant.

Chairman White designated regular Commissioners White, Harlow and LaFreniere to vote on Application #2493. He also designated alternate Commissioners Mangiafico and Caruso to vote on Application #2493 in place of regular Commissioner Marra (technical difficulties online) and Commissioner Goodwin that was absent this evening.

Andrew Cislo of F&B Slingshot, 53 Chelsea Dr., Cromwell, gave an overview of the proposed slingshot gallery business. He explained this would be their third facility, the retail area would not sell slingshots to minors, and only packaged soft drinks are served. Andy is the only employee with the assistance of his wife and daughter. He reviewed the hours of Thursday to Friday 4:00 pm to 10:00 pm.; Saturday 12:00 pm to 10:00 pm; and Sunday 11:00 am to 7:00 pm. There would also be special events and parties. The business will utilize the existing large parking lot.

Mr. Cislo explained there would be low traffic impact. He noted the sessions are by appointment only. He explained an ADA bathroom would be constructed and a second bathroom would be constructed if needed. He reviewed the safety feature requirements of the facility including the overall layout of the facility, which included an office area.

Commission inquiries: Mr. Cislo explained the business may open in August 2024. He reviewed the base rates for the players and there would be leagues at some point. The lounge space will be used for a seating area. There are plans to eventually hire additional employees. He reviewed the waiver each player has to sign for safety risks. Personal equipment would not be allowed in the facility. He provided a sample view of the equipment used at the facility.

The Commission was okay with the facility including the safety features. The Commission thought this would be a good recreational facility for the downtown area. The Commission had some concern of the safety those participating in the events, but this would be an interior facility. The Commission noted this may be a fun use inside the facility but the equipment could be considered a weapon. The Commission mentioned recently a property was damaged using a sling shot. The Commission commended the applicant for not selling slingshots to minors but this was not a concern to deny the plan.

The following person spoke in favor of the application: Elizabeth Beattie, 17 Crown St. Ms. Beattie explained she has a son and this would be a good recreational opportunity for him in town. Her view was the business would improve the existing site.

No one spoke against the application.

Mr. Flanagan reviewed the new standards of approval for Special Permits.

The hearing is closed.

By: Mangiafico

Seconded: LaFreniere.

For: LaFreniere, Mangiafico, Harlow, Caruso and White.

Against: None.

Abstained: None.

MOTION: Move that Application #2493 – Special Permit for an Indoor Amusement Facility (Slingshot Gallery) at 99 Main Street; Assessor's Map 30, Lot 66; BD-1 (Downtown Business) zone; F&B Slingshot, applicant, be approved.

By: Mangiafico

Seconded: Harlow.

For: LaFreniere, Mangiafico, Harlow, Caruso and White.

Against: None.

Abstained: None.

The application is approved.

- b. Application #2494 – Special Permit for a Unified Residential Development (15 units) at Earl Street, east of Crown Street and west of Melrose Street; Assessor's Map 14, Lots 72, 73, 74, 75 & 76 Earl Street; R-15/RM (Single-Family Residential/Mixed Residential Overlay) zone; DGG Development, LLC, applicant.
- c. Application #2495 – Site Plan for a Unified Residential Development (15 units) at Earl Street, east of Crown Street and west of Melrose Street; Assessor's Map 14, Lots 72, 73, 74, 75 & 76 Earl Street; R-15/RM (Single-Family Residential /Mixed Residential Overlay) zone; DGG Development, LLC, applicant.

Chairman White explained Applications #2494 and #2495 would be heard concurrently but voted on separately. Commissioner LaFreniere recused himself from voting on Applications #2494 and #2495 to avoid a conflict of interest.

Chairman White designated regular Commissioners White and Harlow to vote on Applications #2494 and #2495. He also designated alternate Commissioners Mangiafico and Caruso to vote on Applications #2494 and #2495 in place of regular Commissioner Marra (technical difficulties online) and Commissioner Goodwin that was absent this evening.

Attorney Timothy Furey, 43 Bellevue Ave., representing the applicant, explained he would give his presentation and then request the applications be continued to the July meeting. He explained he worked with the Planning Commission and the Zoning Commission to revise the Regulations to develop the Unified Residential Developments. He explained the revised Regulations were needed for modern housing in the City.

Attorney Furey reviewed the housing examples that may be constructed, by right. He explained five 3-family houses may be constructed. The second example was four 3-family houses with a single-family house on a corner lot. The third example was to demolish the existing house and construct a fifth 3-family house. The proposed plan was a 15-unit building, with a curb cut on Crown Street, one sewer and water line to the building, and two parking spaces per unit.

Attorney Furey explained he received the comments. Buildings 1, 2 and 3 were more set back and the retaining wall was eliminated to improve the sight lines. He noted there would be one dumpster versus 15 trash barrels associated with single-family homes.

Commission inquiries: Attorney Furey explained the proposed plan had five buildings. Buildings 4 and 5 were larger than Buildings 1, 2 and 3. 31 parking spaces are provided for 15 units (2 spaces per unit and one additional space.) He explained there was not a lot of on-street parking on Melrose St. 3-family houses required the same amount of parking, but with increased curb cuts. The traffic authority had no comments for a traffic study.

Mr. Flanagan inquiries: Attorney Furey explained there would be no construction for EV charging stations.

Charles Talmadge of Development Planning Solutions, 225 North Main St., representing the applicant explained there were two units with two ADA adaptable bedrooms.

Per the request of Mr. Flanagan, Attorney Furey would request a statement from the applicant's traffic engineer regarding his view on the traffic for the project.

No one else spoke in favor of the application.

The following persons spoke against the application: Elizabeth Beattie, 17 Crown St.; Mary Beth Kalmel, 17 Melrose St.; Amanda Watson, 224 Crown St.; Mark Edgerton, 4 Crown St.; Sandra Edgerton, 4 Crown St.; Sharon Niemann Testa, 19 Melrose St.; Stephen Cohen, 331 Main St.; Tara Iliz, 6 Earl St.; John Weeks, 105 Earl St. and Jacqueline Kenworthy, 18 Crown St.

Among their general concerns were of increased traffic, speeding traffic and traffic safety. These neighbors had concerns of the multi-family units changing the neighborhood consistency in an area where houses were being renovated. The neighbors preferred 2-family houses or single-family houses versus 5 triplexes. These neighbors had concerns for school buses and concerns of backing out of their driveways. These also had concerns of noise and odors from the dumpster versus trash barrels.

Ms. Beattie explained her property directly abutted this property. She was concerned the property would not be maintained by the applicant.

Ms. Kamel had concerns of increased on-street parking.

Ms. Watson had concerns of the number of accidents at the top of Crown Street and had concerns of pedestrian safety. She was concerned for children being bused to different school districts which would also increase traffic.

Mr. Edgerton was concerned the units would eventually turn into a project.

Ms. Egerton had concerns of the narrowness of the streets and the extra wideness of the school buses.

Ms. Niemann Testa explained the requirements of Melrose Manor in the 1980's and the concern of snow removal. She was concerned of the lease rate that tenants would rather put towards a single-family house.

Mr. Cohen's view was this was an invasion of a neighborhood that would be seen repeatedly. He also felt that the prior City Planner had started revising the zones that worked against neighbors.

Mr. Weeks noted this was probably the last chance to straighten out the concerns of Crown St. and View St., which was not the developer's concern. He had concerns of no recreational area for the neighbors.

Ms. Kenworthy had concerns of the noise and the lighting in the parking lots. She also had concerns of the water pressure from the additional units.

Chairman White explained to the neighbors with these types of applications there are always concerns of traffic that has to be controlled by various agencies.

Attorney Furey responded to the neighbor comments. He explained how the dumpster would be enclosed and screened near a retaining wall. He explained the dumpster trash would be removed twice a week or more if necessary. He explained the lighting plan would have limited impact on the neighborhood. He noted there was one curb cut versus the five curb cuts allowed by right. Regarding storm drainage, he explained the applicant had to design a system for 100 yr. storms, which was not yet resolved. He is working with the Sewer and Water Departments and there were no concerns yet besides possibly connecting in two areas.

Mr. Flanagan reviewed the State Statutes time limits for the application.

MOTION: Move that the Public Hearing on Applications #2494 and #2495 be continued to the July 8, 2024, Regular meeting of the Zoning Commission.

By: Mangiafico

Seconded: Harlow.

For: Mangiafico, Harlow, Caruso and White.

Against: None.

Abstained: None.

The application #2494 and #2495 are continued.

- d. Application #2496 – Special Permit for Climate Controlled Self-Storage Facilities at 238 Main Street and 13 Prospect Street at Assessor's Map 30, Lots 181, 183, 184, 185, 187-187A and 188; BD-1 (Downtown Business) zone; Carrier Construction Incorporated, applicant.
- e. Application #2497 – Site Plan for Climate Controlled Self-Storage Facilities at 238 Main Street and 13 Prospect Street at Assessor's Map 30, Lots 181, 183, 184, 185, 187-187A and 188; BD-1 (Downtown Business) zone; Carrier Construction Incorporated, applicant.

Chairman White explained Applications #2496 and #2497 would be heard concurrently but voted on separately.

Commissioner LaFreniere resumed his seat for Applications #2496 and #2497.

Chairman White designated regular Commissioners White, LaFreniere and Harlow to vote on Applications #2496 and #2497. He also designated alternate Commissioners Mangiafico and Caruso to vote on Applications #2496 and #2497 in place of regular Commissioner Marra (technical difficulties online) and Commissioner Goodwin that was absent this evening.

Attorney Timothy Furey, 43 Bellevue Ave., representing the applicant, explained he would give his presentation and then request the applications be continued to the July meeting. He explained he worked on amending the BD zone Regulations with the Commission to permit warehousing as part of the adaptive use of buildings.

Attorney Furey explained 5,000 sq. ft. of the building would be maintained on Main St. and Prospect St. The applicant received a grant from the City to improve the building façade that was part of the project but was not part of this application.

He would review those plans next month. He explained there would be 24 parking spaces (15 existing spaces/7 spaces to be constructed.) He noted the parking would be sufficient for the one employee and one customer at a time. If approved, he explained the lots would be merged. He reviewed the wooded buffer to the rear of the property that would be retained and cleaned up. He reviewed the proposed modification for the right of way that would be improved for the property owner and abutting property owner.

Charles Talmadge of Development Planning Solutions, explained the meeting with the abutting property owner from the Schaffer Beacon Co. to discuss the right of way.

The following person spoke in favor of the application: Stephen Cohen, 331 Main St. Mr. Cohen thought this was a good plan because the building was underutilized for years. He explained this was one of the few remaining original buildings in the downtown area. His view was this was the best plan now and this would ensure the building's future.

No one spoke against the application.

MOTION: Move that the Public Hearings on Applications #2496 and #2497 be continued to the July 8, 2024, Regular meeting of the Zoning Commission.

By: Mangiafico

Seconded: Harlow.

For: LaFreniere, Mangiafico, Harlow, Caruso and White.

Against: None.

Abstained: None.

The applications #2496 and #2497 are continued.

6. New Business

- a. Application #2499 – Revision to an Approved Site Plan for a Car Wash at 1255 Farmington Avenue; Assessor's Map 49 Lot 28; BG (General Business) zone; Ryan Schmitz, applicant.

Kevin Hixson, P.E., Senior Accounts Manager of B.L. Companies, 99 Research Parkway, Cheshire, representing the applicant explained the approval received for the property in March 2023. The request this evening was for the car wash at 1255 Farmington Ave. for a revision for Platinum Car Wash. The applicant has an existing facility on Pine St. that he wanted to expand the business.

Mr. Hixson explained this would be a separate lot with cross easements. He reviewed the revised changes to the plans. The building was increased by 100 sq. ft. and the parking was increased by 3 parking spaces and an ADA parking space. He reviewed the response comments with the Commission and explained the process of the two hydrodynamic water-separators for water treatment. He noted the water separators discharged into the inland wetlands area.

Mr. Hixson explained during the original approval Mr. Flanagan requested that the owner and the applicant be made aware that the site was in a Level "B" Aquifer Protection Area (APA.) He explained that once this aquifer area becomes a Level "A", a registration will be required.

Commission inquiries: Mr. Hixson explained the plan all along was to have the roof water discharge into the inland wetlands.

Mr. Flanagan commended the applicant for designing the plan in preparation for the Level "A" APA area. He explained additionally the Water Dept. may have some outstanding comments. Staff was comfortable with provided response comments.

Mr. Hixson explained there were response comments provided to the Commission in a letter.

Ryan Schmitz of Platinum Car Wash, 20 Litchfield Hollow Rd., Litchfield, reviewed the reclaimed water system. He explained this reduced the amount of water used for the site and also reviewed the underground tanks and water separators. This was a smaller but similar facility to the Pine St. car wash facility.

Commission and Mr. Flanagan inquiries, respectively: Mr. Schmitz explained there was queuing capacity for 8 vehicles but there were never more than 2 or 3 vehicles. He explained about 1.5 to 2 million gallons of water is used per year for the proposed site and on Pine St.

Mr. Hixson explained a traffic signal would be synchronized across from Shelia Court that would add to the safety of the area. The traffic light received an OSTA permit and a ConnDOT permit approval.

Mr. Flanagan reviewed the documents for the application and commended Mr. Hixson for his cooperation on the application.

MOTION: Move that Application #2499 – Revision to an Approved Site Plan for a Car Wash at 1255 Farmington Avenue; Assessor's Map 49 Lot 28; BG (General Business) zone; Ryan Schmitz, applicant, be approved with the following stipulations:

1. This Farmington Avenue property is located within a Level "B" Aquifer area (non-regulated at this time); when this property becomes a Level "A" Aquifer area (regulated), the businesses on site will need to be complete the Registration Form for Regulated Activities in an Aquifer Protection Area; those activities on-site will then be evaluated for a Level "A" registration.

2. The site plan shall not be signed off until all remaining 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 16.3.16. of the Zoning Regulations.

Commission inquiries:

Mr. Flanagan reviewed the requirements for the application if the property changes to a Level "A" Aquifer Protection Area.

By: Mangiafico

Seconded: Harlow.

For: Caruso, LaFreniere, Mangiafico, Harlow and White.

Against: None.

Abstained: None.

The application is approved.

7. Old Business

There was no old business.

8. Staff Reports

Mr. Flanagan explained there were no staff reports but there would be a Special meeting in August in place of the Regular meeting because of the early voting that would take place. He reminded the Commission of the special meeting on Thursday, June 13, 2024, on Zoom, regarding the Rewrite of the Zoning Regulations.

9. Communications

There were no communications.

10. Adjournment

MOTION: Move to adjourn at 8:45 P.M.

By: Mangiafico

Seconded: Harlow.

For: Caruso, LaFreniere, Mangiafico, Harlow and White.

Against: None.

Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King
Recording Secretary

David White, Chairman

Richard Goodwin, Secretary