

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

1. Call to Order

By: Chairman White

Time: 6:00 P.M.

Place: Bristol City Hall
Council Chambers
111 North Main St.
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	

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, August 19, 2024.

2. Approval of Minutes

a. Regular Meeting – June 10, 2024

Chairman White designated regular Commissioners LaFreniere and White to vote on the June 10, 2024, regular meeting minutes. He also designated alternate Commissioners Mangiafico and Caruso to vote on the June 10, 2024, regular meeting minutes in place of Commissioner Harlow with his absence this evening and Commissioner Marra with his absence at the June 10, 2024, regular meeting.

Commissioner LaFreniere stated a correction was needed on the June 10, 2024, regular minutes on Page 3 for Applications #2494 and #2495. He noted the minutes stated he voted on Applications #2494 and #2495, but he recused himself from Applications #2494 and #2495 that evening.

MOTION: Move to approve the minutes of the June 10, 2024, regular meeting, as amended.

By: Caruso

Seconded: Mangiafico.

For: Mangiafico, Caruso, LaFreniere and White.

Against: None.

Abstained: None.

b. Special Meeting – June 13, 2024

MOTION: Move to approve the minutes of the June 13, 2024, special meeting.

Chairman White designated regular Commissioners LaFreniere and White to vote on the June 13, 2024, special meeting minutes. Chairman White also designated alternate Commissioners DeRoehn, Caruso and Mangiafico to vote on the June 13, 2024, special meeting minutes in place of Commissioner Harlow with his absence this evening.

By: LaFreniere

Seconded: Goodwin.

For: DeRoehn, Mangiafico, Caruso, LaFreniere and White.
Against: None.
Abstained: None.

2. ZEO Report
 - a. June 2024

Chairman White confirmed Mr. Brown, Chief Building Official, was not in attendance, but if the Commission had any questions the Commissioners may contact Mr. Brown.

4. Receipt of New Applications

- a. Application #2502 – Revision to an Approved Site Plan for a Car Wash at 1249 Farmington Avenue; Assessor's Map 28 Lot 49; BG (General Business) zone; Bristol Endurance, applicant.

Chairman White designated regular Commissioners Marra, Goodwin, LaFreniere and White to vote on Application #2502.

MOTION: Move that Application #2502 be placed on the August 19, 2024, special meeting agenda under New Business.

By: Marra

Seconded: Goodwin.

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

- b. Application #2503 – Special Permit for removal and processing of earth materials at south and southeast of Barlow Street, south and west of Martin Road, south of Arcadia Road, and north of Farrell Avenue; Assessor's Map 67, Lots 20, 21, 22, 23, 24, 25, 85, and all paper roads shown on Assessor's Map; R-15/OSD (Single-Family Residential/Open Space Development Overlay) zone; Trademark Acquisitions, LLC, Arcadia Group, LLC and Arcadia Acres LLC, applicants.

Chairman White designated regular Commissioners Marra, Goodwin, LaFreniere and White to vote on Application #2503.

MOTION: Move to schedule Application #2503 for a public hearing for the August 19, 2024, special meeting of the Commission.

By: Marra

Seconded: Goodwin.

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

- c. Application #2504 – Special Permit for a Civic Facility at Maltby Street; Assessor's Map 52 & 53, Lots 11, 15, 16B16A, 17, 145, 147, 150 & 151; R-40 (Single-Family Residential) zone; New Britain Water Department, applicant.
- d. Application #2505 – Site Plan for a Civic Facility at Maltby Street; Assessor's Map 52 & 53, Lots 11, 15, 16B16A, 17, 145, 147, 150 & 151; R-40 (Single-Family Residential) zone; New Britain Water Department, applicant.
- e. Application #2506 – Special Permit for Earth Removal at Maltby Street; Assessor's Map 52 & 53, Lots 11, 15, 16B16A, 17, 145, 147, 150 & 151; R-40 (Single-Family Residential) zone; New Britain Water Department, applicant.

Chairman White designated regular Commissioners Marra, Goodwin, LaFreniere and White to vote on Application #2504, #2505 and #2506.

MOTION: Move to schedule Applications #2504, #2505 and #2506 for a public hearing for the September 16, 2024, Regular Meeting Agenda of the Zoning Commission.

By: Marra

Seconded: Goodwin.

For: Marra, Goodwin, LaFreniere and White.

Against: None.

Abstained: None.

5. Public Hearings

- a. 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 72/71, 73/70, 74/69, 75/68 & 76/67 Earl Street; R-15/RM (Single-Family Residential/Mixed Residential Overlay) zone; DGG Development, LLC, applicant – Public Hearing continued from the June 10, 2024 meeting.
- b. 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 72/71, 73/70, 74/69, 75/68 & 76/67 Earl Street; R-15/RM (Single-Family Residential /Mixed Residential Overlay) zone; DGG Development, LLC, applicant – Public Hearing continued from the June 10, 2024 meeting.

Chairman White explained that 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 Commissions Marra, Goodwin and White 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 Commissioner Harlow with his absence this evening and with Commissioner LaFreniere's recusal on Applications #2494 and #2495.

Staff inquiries: Commissioner Goodwin and Commissioner Marra verified they listened to the recordings of Applications #2494 and #2495. Commissioner Goodwin and Commissioner Marra both felt qualified to vote on Applications #2494 and #2495. Commissioner Goodwin noted he also listened to the recordings for Applications #2496 and #2497.

Attorney Timothy Furey, 43 Bellevue Ave., representing the applicant, commented he submitted a letter into the recorded requesting an extension of the public hearing to complete the public hearing to the September 19, 2024, regular meeting. He confirmed a traffic report was requested from F.A. Hesketh Associates, Inc. because of the traffic concerns at the June meeting. He requested the Commission to speak of any new concerns from the June meeting.

Commission inquiries: Attorney Furey verified the only entrance would be on Crown St. He stated a driveway on Melrose St. versus Crown St. was being reviewed. Attorney Furey reviewed that he was discussing how to incorporate the school traffic into the traffic report at this time of year.

No one spoke in favor of the application.

The following person spoke against the application: Marybeth Kelmel, 17 Melrose St.; Daniel Bailey, 64 Earl St.; Sharon Niemann-Testa, 19 Melrose St. and Elizabeth Beattie, 17 Crown St.

Ms. Kelmel was concerned that no matter where the driveway was placed there were no provisions for the neighborhood children's safety in this difficult area.

Mr. Bailey had concerns of living within 100 yds. of the site. He was unsure why the density was increased for this small property. He suggested the traffic study include Gridley St. and West St. because a multi-family unit was being constructed in that area. His concern was this would be more housing and traffic. He noted there was no green/play area for the children for the facility. His view was the facility would put more strain on the school system and the City services.

Ms. Beattie had concerns she would have blacktop and dumpsters behind her property. She noted the City wanted younger families but these units would not attract younger families. Her view was the facility was not fair to the existing neighbors.

Chairman White noted the public audience would be able to speak at the August meeting.

MOTION: Move that move that the Public Hearing on Applications #2494 and #2495 be continued to the August 19, 2024, Special Meeting of the Zoning Commission.

By: Marra

Seconded: Goodwin.

For: Marra, Goodwin, Mangiafico, Caruso and White.

Against: None.

Abstained: None.

The applications #2494 and #2495 are continued.

- c. 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 – Public Hearing continued from the June 10, 2024 meeting.
- d. 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 – Public Hearing continued from the June 10, 2024 meeting.

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

Commissioner LaFreniere resumed his seat.

Chairman White designated regular Commissions Marra, Goodwin, LaFreniere and White to vote on Applications #2496 and #2497. He also designated alternate Commissioner Caruso to vote on Applications #2496 and #2497.

Attorney Timothy Furey, 43 Bellevue Ave., representing the applicant, gave an over-view of the Zoning Regulations that were amended to construct these facilities. He noted there were limited comments remaining. His view was the plan may be approved subject to Staff review. He said a loading dock would be constructed and the turning radiuses would be improved. Attorney Furey represented the access lane would be on Prospect St. He noted if the Site Plan is approved, a revised Site Plan would be submitted with the merged lots.

Staff inquiries: Attorney Furey confirmed that the retail would be on the first floor. He commented some of the storage would be on first floor to the rear of the building. He noted the storage would be on the second and third floor and part of the fourth floor.

Commission inquiries: Attorney Furey reviewed the potential tenants for the facility.

No one else spoke in favor of the application.

No one spoke against the application.

Commission inquiries: Staff validated he had no concerns. His view was this would be a good project for the downtown area.

Staff reviewed the documents for the applications.

The hearing #2496 is closed.

By: Marra

Seconded: Goodwin.

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

Against: None.

Abstained: None.

Chairman White's view was this was a long overdue project to rehabilitate a historical building.

MOTION: Move that 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, be approved.

By: Marra

Seconded: Goodwin.

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

Against: None.

Abstained: None.

The application #2496 is approved.

The hearing #2497 is closed.

By: Marra

Seconded: Goodwin.

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

Against: None.

Abstained: None.

MOTION: Move that 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, be approved with stipulations.

1. The site plan shall not be signed off until all remaining comments have been addressed and the plan revised accordingly.
2. 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 Article 4, Section 16.3.16. of the Zoning Regulations.

By: Marra

Seconded: Goodwin.

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

Against: None.

Abstained: None.

The application #2497 is approved with stipulations.

- e. Application #2498 – Change of Zone from R-15 (Single-Family Residential) zone to A (Multi-Family Residential) zone at east of Old Wolcott Road and south of Wolcott Street; Map 7, Lot 45 (Old Wolcott Road) and Assessor's Map 7, Lots 44-2, 44-1 & 44 (Wolcott Street); Crown Estates, LLC, applicant.

Chairman White designated regular Commissions Marra, Goodwin, LaFreniere and White to vote on Application #2498. He also designated alternate Commissioner Caruso to vote on Application #2498.

The following item was submitted into the record: a traffic report dated May 13, 2024, from F.A. Hesketh Associates, Inc. (submitted by Attorney Timothy Furey.)

The following persons reviewed Application #2498 representing the applicant: Attorney Timothy Furey, 43 Bellevue Ave. and Charles Talmadge of Development Planning Solutions, 225 North Main St.

Attorney Furey reviewed the request for the Zone Change application for the 3.9-acre property. He reviewed the property had been for sale for a long time. He noted three lots abutted Wolcott St. and one lot is on Old Wolcott Rd. He made clear the intent was not to use Old Wolcott Rd. He reviewed the facilities and housing in the area. He commented the Planning Commission reviewed the request in May and made a positive referral to the Commission.

Mr. Talmadge reviewed the methods he used to determine there was a need for new multi-family housing. He reviewed a report from the Partnership for Strong Families indicating Hartford County was at 3% for constructing new housing versus the surrounding communities.

Staff reminded the Commission the determination this evening was only for the Change of Zone application.

Commission inquiries, respectively: Attorney Furey confirmed there were no inland wetlands on the site.

Staff inquiries: Attorney Furey commented if an approval is received the lots would be merged.

No one else spoke in favor of the application.

The following persons spoke against the application: Matthew Small, 15 Old Wolcott Rd.; Dawn Lloyd, 25 Old Wolcott Rd.; Kiana Small, 15 Old Wolcott Rd.; Eric Granados, 99 Old Wolcott Rd.; Kimberly Doucette, 47 Old Wolcott Rd.; Salvatore Raimondi, 25 Old Wolcott Rd.; Matthew Brunetto, 26 Old Wolcott Rd.; Kathleen Malone, 489 Wolcott St. (Southridge Condominium) and Lisa Freimuth; 47 Old Wolcott Rd.

Mr. Small was concerned his existing storm water drainage would get worse. He had concerns of decreased property values. He was concerned the tree buffer would be cleared. He had concerns of increased crime. He had concerns of increased traffic and children in the area.

Ms. Lloyd had concerns of increased persons on their properties with the potential building. She was concerned for the peacefulness and the wildlife being disrupted.

Ms. Small reviewed the UCONN CT Data Report regarding traffic incidents from 2021 to 2024 in the area. She was concerned about the strain on the school system and the City services. She was concerned of privacy.

Mr. Granados was concerned with increased storm water drainage on Old Wolcott Rd. and Rt. 229. He was concerned for pedestrian safety. He was concerned about additional traffic going onto Rt. 69.

Ms. Doucette concerned for the conservation area and the stream for the area wildlife.

Mr. Raimondi was concerned of the plans being changed after the zone change is approved.

Mr. Brunetto was concerned of the small piece of land turning into an access road to the condominiums. If a street is constructed, he had concerns of his children in this area. He was concerned of water storm drainage.

Ms. Malone was concerned of the increased traffic from Application #2494.

Ms. Freimuth reviewed that she just purchased the empty lot with Kimberly Doucette and Christine Finely. She noted her intent was to keep the property residential.

Chairman White reminded the public audience this was a Change of Zone application. He noted many of the concerns would be reviewed at a Special Permit or Site Plan, if a Zone Change was granted.

Attorney Furey responded to comments. He observed these types of plans helped resolve the storm water drainage concerns. He commented F.A. Hesketh reviewed the accesses but the State data for the school area needed to be reviewed.

Attorney Furey stated if the A-zone was on an arterial street, this would be considered "spot-zoning." He confirmed this property was on an arterial street with adjacent A-zones that would be an extension of a like zone and not be considered "spot-zoning."

Commissioner Goodwin disagreed with there being only 5 properties to develop in the A-zone to convert to apartment units. He was unsure if he was in favor of the application.

MOTION: Move that the Application #2498 be continued to the September 16, 2024, Regular meeting of the Zoning Commission. The applicant's attorney, Timothy Furey, has granted a 35-day extension to keep the public hearing open.

By: Marra

Seconded: LaFreniere.

For: Marra, Caruso, LaFreniere and White.

Against: Goodwin.

Abstained: None.

The application #2498 is continued.

- f. 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.
- g. Application #2501 – Site Plan for a Community Youth Organization (addition of 1350 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 explained that Applications #2500 and #2501 would be heard concurrently but voted on separately.

Chairman White designated regular Commissions Marra, Goodwin, LaFreniere and White to vote on Applications #2500 and #2501. He also designated alternate Commissioner Caruso to vote on Applications #2500 and #2501.

Staff stated he discussed with Attorney Ziogas today a concern with the 20 ft. buffer near the house. Staff reviewed a 2012 motion that was approved for the property. Mr. Flanagan noted there was insufficient area for the 20 ft. buffer. He suggested to flip the landscaping and irrigation and to relocate the building towards the street, which would help the neighbor. He suggested the landscaping on both sides would improve the plan.

Brian Panico of Cole Civil and Survey, 876 South Main St., Plantsville, reviewed the intent of the landscaping was for screening from the street. Mr. Panico noted a fence was supposed to be constructed. He detailed the plan would be modified if vehicles had to get into the area. He reviewed the outstanding comments from the Water and Sewer Dept. to reuse the existing water line.

Staff inquiries: Peter Amara, AIA, of Amara Associates, LLC, 199 Park Rd., Middlebury, confirmed the facility would need to be winterized. He noted there was a small storage room for the plan.

Staff will speak with Attorney Ziogas to grant a 7-day extension for the application.

The hearing #2500 is closed.

By: Marra

Seconded: Goodwin.

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

Against: None.

Abstained: None.

MOTION: Move that 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, be approved.

By: Marra

Seconded: Caruso.

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

Against: None.

Abstained: None.

The application #2500 is approved.

MOTION: Move that the application fees be waived for Application #2500 and Application #2501 for \$620.00, be approved.

By: Marra

Seconded: Caruso.

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

Against: None.

Abstained: None.

The application fees of are waived for Applications #2500 and #2501.

MOTION: Move that Application #2501 be continued to the August 19, 2024, Special meeting of the Zoning Commission

By: Marra

Seconded: Caruso.

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

Against: None.

Abstained: None.

The application #2501 is continued.

6. Old Business

There was no old business.

7. New Business

There was no new business.

8. Staff Reports

Staff reminded the Commission there was a special meeting on Thursday July 11, 2024, at 5:00 P.M., with Mr. Gomes for the Re-Write of the Zoning Regulations.

9. Communications

10. Adjournment

Chairman White designated regular Commissioners Marra, Goodwin, LaFreniere and White to vote on the adjournment. He also designated alternate Commissioner Caruso to on the adjournment in place of Commissioner Harlow with his absence this evening.

MOTION: Move to adjourn at 8:52 P.M.

By: Marra

Seconded: Caruso.

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

Against: None.

Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King
Recording Secretary

David White, Chairman

Richard Goodwin, Secretary