



City of Bristol
BRISTOL, CONNECTICUT 06010

**BRISTOL REAL ESTATE COMMITTEE
MINUTES
MEETING OF TUESDAY, JANUARY 21, 2025**

1. CALL TO ORDER:

By: Chairwoman Tyler

Time: 5:03 pm

Place: City Hall
111 North Main Street
Meeting Room 1-1

	NAME	PRESENT	ABSENT
MEMBERS	Councilwoman Susan Tyler, Chairperson	X	
	Councilman Erick Rosengren	X	
	Councilman Mark Dickau	X	
STAFF	Raymond Rogozinski, Dir. Of Public Works	X	
	Robert Flanagan, City Planner	X	
	Ryan Heller, Town Surveyor	X	
	Attorney Jeffrey R. Steeg, Asst. Corp. Counsel	X	
	Noelle Bates, Recording Secretary	X	

The meeting started with standing for the Pledge of Allegiance.

ADMINISTRATIVE MATTERS:

1. Approval of Minutes – 12/17/24

Approval of Minutes – Special Meeting – 1/14/25

MOTION: To approve the minutes of the Regular Meeting of December 17, 2024 and the Special Meeting of January 14, 2025.

BY: Rosengren

Seconded: Dickau

For: All in favor

Against: None

Abstained: None

PUBLIC PARTICIPATION:

Continued discussion with the neighbors of these two neighborhoods was conducted as in previous months.

Mark Krystanowitz, 127 Daisy Circle, maintains that he has been doing the upkeep on the property for decades. He met with the Town Clerk's office to see if there are anything in the minutes of the City Council regarding Frank Nicastro stating that he could use the open space land for his own use.

Robert Dreschler, 242 Candlewood Drive, discussed the impact on the neighbors. He stated that they may have unintentionally put items on land that is the City. But the items have been on the land for over 15 years and the City is just noticing it now? He feels that there is some middle ground to a solution that is amicable to both parties. The neighbors are willing to pay for any fees to resolve this but want reassurance from the City that if they do, the City will go through with allowing them to have the land.

Jennifer Van Gorder, 272 Candlewood Drive discussed the access to the open space property and the lack thereof.

Stephanie Roberts, 258 Candlewood Drive discussed the impact on her children by cutting the back yard in half.

Mayor Jeff Caggiano, 27 Cricket Hill Road stated that he researched with Corporation Counsel's office what amount of space is designated as open space at the time of the development. In the 1980s it was 1 acre for every 50 houses. The open space requirement currently is 15% of the development. The goal of the Planning Commission is to ensure there is open space. The intent of this meeting is to find a win/win conversation.

Joe Van Gorder, 272 Candlewood Drive stated that his main concern is that there was oversight for years. Permits were granted for these items. When he bought his house, there was a fence there so they presumed there was a permit for it. He feels like the neighbors are getting railroaded.

NEW BUSINESS:

None.

OLD BUSINESS:

1. **Candlewood Drive**
2. **127 and 111 Daisy Circle**

Chairwoman Tyler created a list of questions that that transpired from the meeting last week that she sent to City staff to address. Raymond Rogozinski, Robert Flanagan and Ryan Heller were in attendance to address these questions.

- Q1) What is the definition of Open Space? More specifically why was the Open Space pieces in this development chosen when the subdivision was built?
Answer: Raymond Rogozinski gave the definition of open space which is "space with no buildings".
- Q2) What is a municipalities obligation to "stick with" the designated Open Space in a subdivision and our ability to change those lines at a later time?
Answer:
- Q3) What is the % of Open Space for a subdivision/developer? Who made the decision to put the lines where they are now.

Answer: Robert Flanagan state the percentage for open space is currently 15% of the development. At the time of the subdivision, it was 1 acre per every 50 houses.

Q4) Does Bristol's Plan on Conservation have an impact on these parcels?

Answer: Raymond Rogozinski stated there is a whole chapter in the Plan of Conservation and Development about the impact of open space. It is very important to have. Even the State has laws regarding open space that a municipality is required to follow.

Q5) Does the municipality have certain responsibilities in regards to Open Space, such as; required maintenance and have to provide an access point?

Answer: Raymond Rogozinski said the City has different maintenance requirements for open space dependent on the type of land. If it is Park owned land where there are walking trails then Public Works would maintain the property. If open space does not have any walking trails and the space was meant to be a buffer, then Pubic Works would just safeguard the property and keep it in its natural state.

Q6) Are there any Wetland concerns/prohibitions on what can be done (regardless of owner) in regards to the "swamp" on Candlewood or the pond on Daisy Circle of requirements for structures.

Answer: Raymond Rogozinski stated that any work within 100 feet of a wetlands area requires a permit irrespective of who the property owner is.

Q7) What is the requirement for maintaining the amount of Open Space? If we did boundary line adjustments totaling 1 acre, are we required to swap it equally for an acre of Open Space somewhere else in Bristol?

Answer: Raymond Rogozinski answered that the City can swap land in any part of the City for Open Space.

Ryan Heller addressed the Committee and informed them that he had arial photos of the property at 127 Daisy Circle. He showed the Committee the photos to create a timeline as to when the structures went on the property. Some had permits pulled and others didn't.

Chairwoman Tyler stated that it wasn't the responsibility of the Building Department to check that the sheds are being erected where they are supposed to be. She said the Building Department relies on the applicant to know where to put the structures.

Councilman Rosengren asked if swapping open space, can it be done anywhere in the City, or did it have to be on the same development. Ray responded that it could be anywhere.

Chairwoman Tyler read a motion into the record.

MOTION: I HEREBY MOVE that the City of Bristol adopt the following enforcement policies when the owner of adjoining private property has installed structures or has personal property encroaching City of Bristol property, then the following enforcement actions shall be taken:

1. If the encroached city owned property has been permanently conserved as "open space" or the city owned property has wetlands, ponds, lakes or streams, then the encroaching adjoining property owner must remove all structures and personal property off of the city owned property;
2. If the adjoining private property owner has structures or personal property which is encroaching city owned property not considered as "open space" or does not have wetlands, ponds, lakes or streams, then the city has two options depending on the unique circumstances of the encroachment;
 - a. The city can pursue removing all structures and personal property off of the city owned property; or

- b. Enter into a boundary line adjustment with the encroaching neighbor with all expenses, including but not limited to survey costs, attorney's fees, recording fees, etc. being the responsibility of the encroaching property owner.

I FURTHER MOVE that this matter be referred to the Corporation Counsel to effectuate this new policy.

By: Rosengren

Seconded: Dickau

For: Rosengren, Dickau and Tyler.

Against: None.

Abstained: None.

ADJOURNMENT

MOTION: To adjourn at 5:52 P.M.

By: Rosengren

Seconded: Dickau

For: Rosengren, Dickau and Tyler.

Against: None.

Abstained: None.

This meeting was recorded via Zoom.

Respectfully submitted,

Noelle Bates

Recording Secretary