

**BRISTOL ZONING COMMISSION  
MINUTES  
REGULAR MEETING OF WEDNESDAY APRIL 13, 2022**

**CALL TO ORDER:**

By: Chairman Provenzano

Time: 7:00 P.M.

Place: City Hall

**ROLL CALL:**

| MEMBERS            | NAME                                      | PRESENT | ABSENT |
|--------------------|-------------------------------------------|---------|--------|
| REGULAR MEMBERS:   | Louise Provenzano (Chair)                 | X       |        |
|                    | Michael Massarelli (Vice Chairman)        | X       |        |
|                    | Richard Harlow                            | X       |        |
|                    | David White (Secretary)                   | X       |        |
|                    | Thomas Marra                              |         | X      |
| ALTERNATE MEMBERS: | Marc Gagnon                               | X       |        |
|                    | Aileen Abrams                             | X       |        |
|                    | Richard Goodwin                           | X       |        |
| STAFF:             | Robert Flanagan, AICP, City Planner       | X       |        |
|                    | Andrew Armstrong, Assistant City Planner  | X       |        |
|                    | Edward Spyros, Zoning Enforcement Officer | X       |        |

**PLEDGE OF ALLEGIANCE:****ADMINISTRATIVE MATTERS:**

1. Approval of Minutes – March 9, 2022

Chair Provenzano designated regular Commissioners White, Harlow and Provenzano to vote on the March 9, 2022 minutes. She also designated alternate Commissioner Gagnon to vote on the March 9, 2022 minutes with the absence of Commissioner Marra this evening.

Commissioner Massarelli noted a correction on Page one was need that stated he departed at 7:10 P.M., but he departed at 7:59 P.M.

**MOTION:** Move to approve the minutes of the March 9, 2022, regular meeting, as amended.

By: White

Seconded: Harlow.

For: White, Harlow, Gagnon and Provenzano.

Against: None.

Abstained: None.

2. March 2022 – Zoning Enforcement Officer's Report

The Commission acknowledge receipt of the following item in their electronic packets: the Zoning Enforcement Officers report dated April 1, 2022.

Mr. Spyros reviewed his report with the Commission. He explained last year there were 16 blight complaints and this year there were 5 blight complaints, which was an improvement.

1. 2022 Revised – Zoning Commission Meeting Schedule

Mr. Flanagan explained he recorded the revised meeting calendar with the City Clerk that was signed last month. He filed the revised calendars for all the Land Use Commissions. He will e-mail the Commission directions for the meetings for Board of Education meetings just prior to the first meeting. The entrance and parking to the BOE facility on Church Street are to the rear of the building. The elevator will bring Commissioners directly to the auditorium. A security guard was on site for all meetings if they needed anything. The May 9, 2022 would be their first meeting at the Board of Education building.

Chair Provenzano reminded the Commission they have a special meeting in the Council Chambers on Monday, April 18, 2022. Also, they have a Special Meeting at the Bristol Central High School on Monday, May 16, 2022. Then their regular meeting in June is at the Board of Education.

**RECEIPT OF NEW APPLICATIONS:**

2. Application #2434 – Special Permit for housing for the elderly (85 units) at 560, Lot 9B-1, 594 & 644 Redstone Hill Road; Assessor's Map 1, Lots 9B-1; 9B-2; 11+11-2+11-3; 10B-1; Laurel Meadows LLC, applicant.
3. Application #2435 – Site Plan for housing for the elderly (85 units) at 560, Lot 9B-1, 594 & 644 Redstone Hill Road; Assessor's Map 1, Lots 9B-1; 9B-2; 11+11-2-11-3; 10B-1; 594 Laurel Meadows, LLC, applicant.

Chair Provenzano designated regular Commissioners White, Harlow, Massarelli and Provenzano to vote on the receipt of new applications. She also designated alternate Commissioner Gagnon to vote on the Receipt of New Applications with the absence of Commissioner Marra this evening.

**MOTION:** Move that Applications #2434 and #2435 be scheduled for a Public Hearing at a Special Meeting of the Zoning Commission at the Bristol Central High School Auditorium, 480 Wolcott Street, Bristol on: May 16, 2022 at 7:00 P.M.

By: Massarelli

Seconded: Harlow.

For: Massarelli, White, Harlow, Gagnon and Provenzano.

Against: None.

Abstained: None.

The Applications #2434 and #2435 are scheduled for public hearings.

4. Application #2436 – Change of Zone from R-15 (Single-Family Residential) zone to I (General Industrial) zone at 54 West Washington Street; Assessor's Map 44, Lot 60; Jeremy Berube, applicant.

Mr. Flanagan explained the applicant would be represented by Attorney Mark Ziogas, which he had conversations with on the application. This should be schedule for the June meeting.

**MOTION:** Move that Application #2436 be scheduled for a Public Hearing at the June Regular Meeting of the Zoning Commission at the Bristol Board of Education Auditorium, 129 Church Street, Bristol on: June 13, 2022.

By: Massarelli

Seconded: Harlow.

For: Massarelli, White, Harlow, Gagnon and Provenzano.

Against: None.

Abstained: None.

The application is scheduled for public hearing.

Commissioner Abrams arrived at 7:10 P.M.

**PUBLIC HEARINGS:**

Chair Provenzano designated regular Commissioners White, Harlow, Massarelli and Provenzano to vote on all the public hearing applications. She also designated alternate Commissioner Gagnon to vote on all the public hearings this evening with the absence of Commissioner Marra this evening.

5. Application #2425 – Special Permit for drive-up facilities (ATM) at 1235 Farmington Avenue; Assessor's Map 49, Lot 30; BG (General Business) zone; 1235 Farmington Avenue BR LLC, applicant.
6. Application #2426 – Site Plan for drive-up facilities (ATM) at 1235 Farmington Avenue; Assessor's Map 49, Lot 30; BG (General Business) zone; 1235 Farmington Avenue BR LLC, applicant.

The Commission acknowledged receipt of the following items in their electronic packets: the first and second set of Site Plan Committee Review Comments dated January 31, 2022, and April 4, 2022, respectively; and an e-mail dated February 8, 2022, from Jason Julian, regarding a postponement to the March meeting.

Mr. Flanagan explained there was one comment Staff was working on with the applicant. The application was extended last month for 35 days and the public hearing signs and the legal notices were reposted. This would be a new constructed ATM near the Aroma Joe's.

Douglas Reich, RLA, Fuller Engineering and Land Surveying, LLC, 525 John Street, Bridgeport, representing the applicant, explained the facility would be southwest of the new Aroma Joe's 21.7 ft from the front setback. The required setback is 20 ft. They complied with the Zoning requirements for this use. The revised plans reflected Mr. Flanagan's and Staff's comments. They added the turning movements for the vehicles for the 15 ft. wide isle adjacent to the ATM, which is super-imposed on the existing parking lot. The parking spaces would be a net loss of two parking spaces for the shopping center, but there are a lot of buildings to the rear of the building, but an additional two parking spaces (or more) may be constructed, if required to improve the area. The plan would not affect the parking for the plaza. They submitted the plan to the State, but have not received comments yet.

Jason Julian, a principal of 1235 Farmington Avenue BR LLC, 418 Meadow St., Fairfield, representing the applicant, explained they submitted the traffic for the site to OSTA. Their traffic engineer was not able to attend the meeting this evening. With the previous size of the Webster Bank with two drive isles and ATM, the proposed ATM would be on a freestanding pad site. They spoke with OSTA and they are finishing the review to amend the exception. There is an excess of parking to the rear of the building. They recently constructed the connection from the front of the building to the rear of the building. They are waiting for glass doors for the front of the facility. The Aroma Joe's generated traffic when they opened because of staff training, but that should improve. The ATM averaged two vehicles at a time that were usually customers at the plaza.

Mr. Flanagan explained a \$14,000 bond was in place for the Aroma Joe's opening.

Commission inquiries: Mr. Flanagan explained the Webster Bank had an ATM, but it was under an old zone so this special permit would resolve any concerns. When they received State comments, the City would sign off on the permit with the stipulations, if approved.

No one else spoke in favor of the application.  
No one spoke against the application.

The hearing #2425 is closed.

By: Massarelli

Seconded: Harlow.

For: Massarelli, White, Harlow, Gagnon and Provenzano.  
Against: None.  
Abstained: None.

The Commission agreed with Mr. Flanagan this was a straightforward application. They reviewed the comments, but the traffic comments needed to be addressed including the State comments. There were no concerns with the application.

**MOTION:** Move that Application #2425 – Special Permit for drive-up facilities (ATM) at 1235 Farmington Avenue; Assessor's Map 49, Lot 30; BG (General Business) zone; 1235 Farmington Avenue BR, LLC, applicant, be approved.

By: Massarelli

Seconded: Harlow.

For: Massarelli, White, Harlow, Gagnon and Provenzano.

Against: None.  
Abstained: None.

The application #2425 is approved.

The hearing #2426 is closed.

By: Massarelli

Seconded: Harlow.

For: Massarelli, White, Harlow, Gagnon and Provenzano.  
Against: None.  
Abstained: None.

**MOTION:** Move that Application #2426 – Site Plan for drive-up facilities (ATM) at 1235 Farmington Avenue; Assessor's Map 49, Lot 30; BG (General Business) zone; 1235 Farmington Avenue BR, LLC, applicant, 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.
2. All site improvements which have not been satisfactorily completed by December 31, 2023, shall be bonded in accordance with Section XI.A.16. of the Zoning Regulations.

By: Massarelli

Seconded: Harlow.

For: Massarelli, White, Harlow, Gagnon and Provenzano.  
Against: None.  
Abstained: None.

The application #2426 is approved with stipulations.

7. Application #2429 – Special Permit for three-family dwelling at 20 Gridley Street; Assessor's Map 29, Lot 169/42; R-15/RM (Single-Family Residential/Mixed Residential) zone; Gridley Street 12, LLC, applicant.
8. Application #2430 – Site Plan for three-family dwelling at 20 Gridley Street; Assessor's Map 29, Lot 169/42; R-15/RM (Single-Family Residential/Mixed Residential) zone; Gridley Street 12, LLC, applicant.
9. Application #2431 – Special Permit for three-family dwelling at 26 Gridley Street; Assessor's Map 29, Lot 170/41; R-15/RM (Single-Family Residential/Mixed Residential) zone; Gridley Street 12, LLC, applicant.
10. Application #2432 – Site Plan for three-family dwelling at 26 Gridley Street; Assessor's Map 29, Lot 170/41; R-15/RM (Single-Family Residential/Mixed Residential) zone; Gridley Street 12, LLC, applicant.

The Commission acknowledged receipt of the following items in their electronic packets: the first and second set of the Site Plan Committee Review Comments dated March 28, 2022 and April 25, 2022, respectively (Applications #2430, #2432.)

Chair Provenzano explained Applications #2429, #2430, #2431 and #2432 would be heard concurrently, but voted on separately. Mr. Flanagan explained that new plans and response comments were received on Monday and those items are in the electronic packets.

Jeremy Berube, 338 Town Line Rd., Southington, the applicant, explained he owned the property a few years. One property has a garage in disrepair and one property has a single-family house. He wanted to try to clean up the West End a little bit more.

Mr. Flanagan explained the applicant required a Special Permit because the new construction of three-family dwellings required a Special Permit. There were 3 family houses on both sides of the street and there were single-family houses on Gridley St., which was not out of normal for the neighborhood. This neighborhood had houses in the front yard and parking to the rear of the houses. This plan had the parking to the front yard and the house to the rear of the parking lot. This would be a new construction

and the plan would improve the neighborhood. There are remaining Staff comments because they have not had a chance to respond yet. The Commission previously reviewed a similar plan on South St. and Willis St. that had cross easements.

Commission inquiries: Mr. Berube explained he had a lot of parking concerns because people parked on his lots to use the nearby laundromat. Mr. Berube explained he put three garage doors on the existing garage, but the structure is still in disrepair. The house was in good condition. There will be a shared parking easement, but his view was this was the best set up for the site. He wanted to construct a courtyard in the middle of the properties for both properties. If approved, he stated he would construct one house at a time.

No one else spoke in favor of the applications.  
No one spoke against the applications.

Mr. Flanagan explained the public hearing signs were posted and he received one phone call from one of the neighbors inquiring of the purpose of the applications. Commission inquiries: Mr. Flanagan explained he spoke with the Fire Marshal this morning, and they discussed the Regulations for the distances between the two proposed houses. The front of the houses had to be constructed differently to suppress any fires from spreading to the adjoining structure.

The hearing #2429 is closed.

By: Massarelli

Seconded: White.

For: Massarelli, White, Harlow, Gagnon and Provenzano.  
Against: None.  
Abstained: None.

**MOTION:** Move that Application #2429 – Special Permit for three-family dwelling at 20 Gridley Street; Assessor's Map 29, Lot 169/42; R-15/RM (Single-Family Residential/Mixed Residential) zone; Gridley Street 12, LLC, applicant, be approved.

By: Massarelli

Seconded: Harlow.

For: Massarelli, White, Harlow, Gagnon and Provenzano.  
Against: None.  
Abstained: None.

The application #2429 is approved.

The hearing #2430 is closed.

By: Massarelli

Seconded: White.

For: Massarelli, White, Harlow, Gagnon and Provenzano.  
Against: None.  
Abstained: None.

**MOTION:** Move that Application #2430 – Site Plan for three-family dwelling at 20 Gridley Street; Assessor's Map 29, Lot 169/42; R-15/RM (Single-Family Residential/Mixed Residential) zone; Gridley Street 12, LLC, applicant, 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.
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 Section XI.A.16. of the Zoning Regulations. The performance bond shall be posted by the applicant with the City before the Certificate of Occupancy is issued.

By: Massarelli

Seconded: Harlow.

For: Massarelli, White, Harlow, Gagnon and Provenzano.  
Against: None.  
Abstained: None.

The application #2430 is approved with stipulations.

The hearing #2431 is closed.

By: Massarelli Seconded: Harlow.

For: Massarelli, White, Harlow, Gagnon and Provenzano.  
Against: None.  
Abstained: None.

**MOTION:** Move that Application #2431 – Special Permit for three-family dwelling at 26 Gridley Street; Assessor’s Map 29, Lot 170/41; R-15/RM (Single-Family Residential/Mixed Residential) zone; Gridley Street 12, LLC, applicant, be approved.

By: Massarelli Seconded: White.

For: Massarelli, White, Harlow, Gagnon and Provenzano.  
Against: None.  
Abstained: None.

The application #2431 is approved.

The hearing #2432 is closed.

By: Massarelli Seconded: White.

For: Massarelli, White, Harlow, Gagnon and Provenzano.  
Against: None.  
Abstained: None.

**MOTION:** Move that Application #2432 – Site Plan for three-family dwelling at 26 Gridley Street; Assessor’s Map 29, Lot 170/41; R-15/RM (Single-Family Residential/Mixed Residential) zone; Gridley Street 12, LLC, applicant., 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.
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 Section XI.A.16. of the Zoning Regulations. The performance bond shall be posted by the applicant with the City before the Certificate of Occupancy is issued.

By: Massarelli Seconded: Harlow.

For: Massarelli, White, Harlow, Gagnon and Provenzano.  
Against: None.  
Abstained: None.

The application #2432 is approved with stipulations.

Mr. Berube inquiries: Mr. Flanagan explained the Special Permit goes with the property and the Site Plan are valid for 5 years.

11. Application #2433 – Proposed amendments to the Zoning Regulations: 1) to modify the off-street parking requirements for multi-family dwellings in Section VIII B.2.b.(2); 2) to remove subsections V.D.7.d. & V.D.7.e. from the general requirements of the A-Multi-Family Residential zone; Attorney Timothy Furey, applicant.

The Commission acknowledged receipt of the following items in their electronic packets: a letter dated March 1, 2022, from Attorney Timothy Furey, regarding the request for Zoning Regulation Text Amendment re: Required parking multi-family housing; an exhibit, entitled, "Exhibit A, Application Timothy W. Furey Esq., Proposed Text Amendments, dated March 2022"; Page 76 and 35 of the current Zoning Regulations; a referral memorandum dated March 24, 2022 to the Bristol Zoning Commission from the Bristol Planning Commission, regarding Application #2433 – Proposed amendments to the Zoning Regulations: 1) to modify the off-street parking requirements for multi-family dwellings in Section VIII B.2.b.(2); 2) to remove subsections V.D.7.d. & V.D.7.e. from the general requirements of the A-Multi-Family Residential zone; Attorney Timothy Furey, applicant; a referral memorandum dated March 2, 2022 to the Bristol Planning Commission from the Bristol Zoning Commission, regarding Referral of Proposed Amendment to the Zoning Regulations; a referral memorandum dated March 2, 2022, to the Town Clerks of Farmington, Plainville, and Southington, CT and Therese Pac, Bristol Town and City Clerk, from the Bristol Zoning Commission, regarding the Referral of Proposed Amendment to the Zoning Regulations; a STAFF REFERRAL REPORT, dated March 14, 2022, from Keith D. Rosenfeld, Regional Municipal Planner, NVCOG of Waterbury, to the Planning Commission, CEO, and City Planner of Bristol, Capitol Region Council of Governments (CRCOG), Northwest Hills Council of Governments (NHCOC), and Naugatuck Valley Council of Governments (NVCOC) Regional Planning Commission (RPC) representatives, regarding NVCOC FILE NO.: BRIS-171-030822-Z; a referral memorandum dated March 2, 2022, to the Naugatuck Valley Council of Governments (NVCOC) Regional Planning Commission from the Bristol Zoning Commission Re: Referral of Proposed Amendment to the Zoning Regulations, regarding, regarding referral of proposed amendment to the zoning regulations; a Bristol Planning And Zoning Commission Report on zoning referral z-2022-30: memorandum dated April 4, 2022, from the CRCOG, Hartford, to the Bristol Planning And Zoning Commission, regarding Proposed zoning amendment pertaining to off street parking requirements with residential uses; a Zoning Referral Form, dated March 2, 2022, from the Bristol Zoning Commission to the Capitol Region Council of Governments, Hartford, from the Bristol Zoning Commission, regarding Adoption or amendment of Zoning Regulations applying to any zone within 500 feet of another Capitol Region Municipality; a Zoning Regulation Referral memorandum dated March 2, 2022, to the Capital Region Council of Governments (CRCOG, Regional Planning Commission, and Christopher Henchey – CRCOG – (via email, from the Bristol Zoning Commission, regarding Referral of Proposed Amendment to the Zoning Regulations; and a letter dated March 22, 2022, from F.A. Hesketh & Associates, regarding proposed text change amendment and parking report.

The following item was submitted into the record: a traffic report dated March 22, 2022, from F.A. Hesketh & Associates, Inc., regarding Proposed Text Change Amendment (submitted by Attorney Timothy Furey.)

Attorney Timothy Furey, 43 Bellevue Avenue, explained this was a zone text amendment. He explained Mr. Flanagan made referrals to the Bristol Town and City Clerk; regional planning agencies; and the abutting towns. The planning agencies found the amendment consistent with the State Plan of Conservation and Development. The Bristol Planning Commission found the request consistent with their Plan of Conservation and Development.

Attorney Furey explained he spoke with his traffic engineer, Scott Hesketh that recently reviewed this area, which was the report provided for 1.7 vehicles per unit (National Institute.) The Commission required 1.5 vehicles per unit (BD zone). The applicant is proposing 1 parking space per bedroom and not more than 2.5 parking spaces because the Commission was had the State Regulations placed on them. They tried to balance this without large amounts of pavement, but they need parking spaces for tenants.

The remaining two Regulations they are proposed for removal is to eliminate of the parking behind a garage door may not be counted (A zone), but the owner would control this area. Also, a drive isle may not be within 20 ft. of a door or a window. Both of these items seemed unnecessary.

Mr. Flanagan explained there were landlords in the City that do not provide sufficient parking for their tenants and Staff wants to make sure there is sufficient parking spaces, while also being flexible. The Commission voted on the State opt out last month because the proposal decreased it significantly the amount of parking that would have been required for multi-family dwellings.. The City Council voted to opt out last night at their meeting and for accessory dwelling units.

No one else spoke in favor of this application.  
No one spoke against the application.

The hearing is closed.

By: Massarelli

Seconded: Harlow.

For: Massarelli, White, Harlow, Gagnon and Provenzano.  
Against: None.  
Abstained: None.

The Commission commented this would be a good amendment.

**MOTION:** Move that Application #2433 – Proposed amendments to the Zoning Regulations: 1) to modify the off-street parking requirements for multi-family dwellings in Section VIII B.2.b.(2); 2) to remove subsections V.D.7.d. & V.D.7.e. from the general requirements of the A-Multi-Family Residential zone; Attorney Timothy Furey, applicant, be approved, the text amendment to the Regulations, as presented, would be consistent with the goals, policies and action steps of the 2015 Plan of Conservation and Development, amended to April 1, 2018, and specifically:

1. Section 10.3.2.1. – Housing Design: Require that parcels for multi-family residential development be of suitable size and configuration to accommodate good site layout and design.

The effective date of the text amendment shall be: May 3, 2022.

By: Massarelli

Seconded: White.

For: Massarelli, White, Harlow, Gagnon and Provenzano.  
Against: None.  
Abstained: None.

The application is approved.

**OLD BUSINESS:**

There was no old business.

**NEW BUSINESS:**

There was no new business.

**ADJOURNMENT:**

**MOTION:** Move to adjourn at 8:05 P.M.

By: Massarelli

Seconded: Harlow.

For: Massarelli, White, Harlow, Gagnon and Provenzano.  
Against: None.  
Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King  
Recording Secretary

---

Louise Provenzano, Chair

---

David White, Secretary