

**BRISTOL ZONING COMMISSION
MINUTES
SPECIAL MEETING OF MONDAY, MAY 16, 2022**

CALL TO ORDER:

By: Chair Provenzano

Time: 7:00 P.M.

Place: Bristol Central High School, Auditorium,
480 Wolcott Street**ROLL CALL:**

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

PLEDGE OF ALLEGIANCE:

Chair Provenzano reminded the Commission that the next Regular Meeting of the Zoning Commission is Monday, June 13, 2022. The June Regular meeting will take place at the Board of Education (BOE) Auditorium located at 129 Church Street.

CITY PLANNERS REPORT:

1. Staff Review of Administrative Matters

PUBLIC HEARINGS:

1. 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, & 10-B-1; Laurel Meadows, LLC, applicant.
2. 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, & 10-B-1; Laurel Meadows, LLC, applicant.

Chair Provenzano explained that Applications #2434 and #2435 would be heard concurrently, but voted on separately.

Chair Provenzano designated regular Commissioners Harlow, Marra, Massarelli and White and Provenzano to vote on Applications #2434 and #2435.

The Commission acknowledged receipt of the following items in their electronic packets: four maps prepared by the Land Use Office; a public hearing sign location and quantity map, entitled "Application #2434 & #2435, Public Hearing Signs-Qty. & Location, Must be Posted by May 3, 2022"; a report undated, entitled "Elderly Housing Density Calculations" submitted by Attorney Furey;

A graphic rendering of the proposed development, undated; the first set of Site Plan Committee Review comments, dated April 20, 2022; a storm water report, dated March 18, 2022, entitled "Stormwater Management Report, 560-644 Redstone Hill Rd., Bristol, CT, Prepared for Laurel Crest, LLC, HEC Project #2120, October 12, 2021, prepared by Harry E. Cole & Son, 876 South Main St., Plantsville, CT 06479";

The following items were submitted into the record from the public: a letter with attachments received on May 11, 2022 from Joseph Smith, Robert Parenti, and William Cunningham; a letter dated May 13, 2022, from Donna Marquis, regarding the proposed development; a letter dated May 16, 2022, from Attorney Timothy Furey, regarding the outline of the Federal Fair Housing Act.

New items received today: a traffic report dated March 23, 2022, from Scott Hesketh, P.E., of F.A. Hesketh & Associates; 3 Creamery Brook, East Granby,

The following persons reviewed Applications #2434 and #2435, representing the applicant, with the Commission: Attorney Timothy Furey, 43 Bellevue Avenue; Stephen Giudice, P.E., Harry E. Cole & Son, 876 South Main St., Plantsville; Scott Hesketh, P.E., of F.A. Hesketh & Associates; 3 Creamery Brook, East Granby,

Mr. Flanagan explained that the public hearings this evening would be continued because the Inland Wetlands Commission did not vote on their pending applications for this proposed development. The applications this evening will be continued to June 20, 2022 here at the Bristol Central High School Auditorium. There will be no decisions this evening because the Zoning Commission has to receive a report or a permit from the Inland Wetlands Commission before the Zoning Commission can make a decision, pursuant to State Statute.

Attorney Furey explained that it was his duty to ask if he knew of any conflicts of interest for the sitting Commissioners or the alternate Commissioners, for this application, on behalf of his client. If he does not do that, he has waived on his right to claim a conflict in the future. He knows of no conflicts of interest but it was also the Commissioners duty if they know of any conflicts to evaluate and potentially disqualify themselves for anything of that nature. He needed to have this on the record.

The applicant posted the required public hearing signs – one for each application— clustered together in the locations established with the City Staff. They checked the signs every day and they remain posted.

Attorney Furey explained that the property was 11.3 acres and located on Redstone Hill Rd. along with 50' ft. of frontage on Silo Rd. The applicant would not access Silo Rd. except for city sewer and water connections which may be required for looping of the various utilities. Construction vehicles would not access Silo Rd. during construction except for pipe/line utility construction.

The proposed plan has 85 units with phasing plan. Phase I (northeast/drainage/utilities); Phase II (center of property/west); Phase III (west); and Phase IV (building adjacent to Stonewall Condominiums). The property owner in the single family home in Phase IV would remain in their house with a life use; the applicant owns the home. The access to the development is proposed to be at the center of the property off of Redstone Hill Road.

Attorney Furey reviewed densities of similar developments for elderly housing in Bristol. This plan was for elderly housing with garages and would be the only elderly housing in Bristol with garages. He reviewed the floor plans. The shifting of any school districts would not be because of this plan. Redstone Hill Rd. was an arterial street.

Attorney Furey spoke about the meetings he and the applicant have had with various neighbors and Bristol officials; the applicant will not be able resolve all the concerns on Redstone Hill Rd., but many good suggestions have come out of the meetings. He suggested the city review the Redstone Hill Rd. area. The applicant has worked with the Engineering Dept. and neighbors, respectively, to redesign the ponds and construct a black chain link fence around the ponds. The applicants view was that they have resolved most of the neighbors' concerns. Who they have met with.

Some of the concerns expressed had to do with traffic impacts, particularly on Redstone Hill Rd.; shifting of school districts; retaining most of the treed buffer that exists now and protection of the city open space on Silo Road; light trespass on properties; lighting timers. Attorney Furey briefly reviewed the prior application for a zone change that was withdrawn. The buildings at that time were larger and there was no age limit. The prior complaints were the unit's size and shifting of school districts.

F.A. Hesketh & Associates, Inc. reviewed the traffic for the proposed plan (new traffic counts) and the subdivision across the street. Their view was the traffic concerns were resolved.

The proposed buildings would have residential LED lighting for the site and typical porch lighting mounted on the buildings for each unit. The applicant would provide the site lighting during the evening for the safety of the site. The construction hours would be 7:30 A.M. to 5:30 P.M. weekdays and 8:00 A.M. to 2:00 P.M. Saturdays, mainly for clean-up of the previous weeks work.

This is would be a phased plan and will be sensitive to the tenants who may already be living in the development and the neighbors, during construction.

Attorney Furey reviewed the elderly program requirements that would comply with the Federal Fair Housing Act. At least one tenant must be 55 years or older, but someone over 18 may live with a tenant including health care providers verified/regulated by the owners (yearly basis.)

Mr. Giudice reviewed the proposed storm water system on the property; the buildings were designed to work with the topography. The plan has looped roads, sanitary sewers and water lines (to the south) and three detention basins on site. The detention basins had a zero peak runoff to be in compliance with the Regulations. There was a boulevard entrance proposed; significant landscaping plan; walking path and a gazebo. There are two dumpsters on each pad.

Mr. Giudice went onto to describe that the project would be built in consecutive phases; the plan proposed is for looped traffic, particularly for emergency vehicles. There was a discussion for a curb cut for emergency service vehicles but it is not on the plan. There is a part of the shoulder of roadway for pedestrian walkway on the main road for the development. The applicant intends to provide visitors parking spaces on site on a future plan.

Attorney Furey was unsure of the Phase I construction schedule because of the economy and associated concerns, but once the utilities were installed, the buildings would be constructed following the phasing plan. The Police Dept. had no comments and it appears that no building sprinkler are required. The Fire Dept. requested a divided entry, and 20 ft. wide travel lane. The units had one parking space behind the garage. The applicant does not want excessive dumpsters on the site.

Attorney Furey explained the Fire Dept. has requested fire hydrants on and off site; the Fire Department has also requested that there be no interior street parking and that no parking signs be posted. The applicant is trying not to over-park the site or create excessive impervious surfaces.

The Commission commented on the size of the dumpsters, locations (for seniors), and frequency of maintenance.

Mr. Hesketh, P.E., reviewed the traffic study of the roadway conditions (Redstone Hill Rd.); volume of existing and site generated traffic; and to determine the impact of site generated traffic from this development to the local roadway network, which was done with ConnDOT traffic counts for Redstone Hill Rd.

The recent report was August 2021 and the previous reports were from September 2020 and September 2015, respectively. The 2020 report was significantly lower with COVID-19 versus September 2015. Redstone Hill Rd. average traffic volumes were 5,800 vehicles per day; the morning and afternoon peak vehicles, respectively, were 413 vehicles and 606 vehicles. His office provided additional counts; also, additional traffic studies in 2019 and 2021, which averaged counts of 7,000 in 2019 and 5,250 in 2021.

Mr. Hesketh used the higher trip generation counts for the study. There was a 1% growth rate assumed for 2022. Mr. Hesketh used the Institute of Transportation of Engineers Trip Generation Report for traffic volumes. The study estimated 488 trips on a daily basis with a morning peak hour of 36 trips and an afternoon peak of 42 trips, which was added to the existing roadway traffic.

With the background traffic and site traffic, he reviewed the service levels at the intersection of Redstone Hill Rd. and Birch St.; in the morning would be a level service "C" with 18 seconds delays and continued to be a level service "C" with 19 second delays post development.

The intersection of Redstone Hill Rd. and DiPetro Ln. would be level service "C" or better with minimal delays and remain at level service "C." The Redstone Hill Rd. and the proposed site driveway would be a service level "A" or "B." The driveway for the proposed development would have a stop sign and site distances that were in excess of 500 ft.

He reviewed the average speeds, required site distances and recent area accident reports. With the various factors, his view was the development would not have a detrimental effect to the local roadway network and the development can accommodate the traffic volumes associated with the development without detriment to public safety or welfare.

Commission inquiries: Mr. Hesketh explained the 2015 ConnDOT were the highest volumes, but 2009 and 2011 were higher. The volumes and turning movements they observed in 2019 were higher than the ConnDOT volumes. Attorney Furey clarified Mr. Hesketh used the ConnDOT statistics, but based the report on his highest found numbers.

Attorney Furey reiterated that the Commission cannot vote this evening until the Inland Wetlands Commission has a provided a report or a permit. The applicant is working with Staff to improve the plan, which include the landscaping on the west side of the property, marking on the plan where the proposed property clearing will occur, potential berms and the landscaped buffers.

The Commission, Attorney Furey and Mr. Flanagan discussed the public participation process. The Commission agreed that the process would be to allow the public to speak again at the next Public Hearing; new speakers would be able to speak first at the and those who have already offered comment would be next. Chair Provenzano noted the public audience was allowed 3 minutes each because of the number of audience members who may want to speak.

The following person spoke in favor of the application: Timothy Gamache, 1389 Stafford Ave. Mr. Gamache had concerns on the locations of the dumpsters because he lived in an elderly housing unit with dumpsters nearby.

The following persons spoke against the application: Greg Cyr, 812 Redstone Hill Rd.; Thomas Bentivengo, 5 Village St., Natalia Majancik, 635 Redstone Hill Rd.; Jeannie Johoski, 66 Poitras Rd.; Fernando Alers, 366 Village St.; Amanda Kern, 176 Diane Ln.; Adam Serwinski, 96 Daisy Circle; Evalina Dauphine, 757 Redstone Hill Rd.; Susan Cormier, 22 Trelly Ln.; and Peter Blauvelt, 19 Donna Ln.

Mr. Cyr stated that he heard that someone from the city told the owner across the street not to start the project. Redstone Hill Rd. is a mess and the city should repair the road, and he hoped the city would repair the road, and get an independent analysis done.

Mr. Bentivengo noted the neighbor concerns previously that this was an R-10 & R-15 zone and the applicant is proposing to build apartment houses. They bought the land for a zone change in an existing residential single family desirable area that added and holds value for the area. He was unsure a multi-family development would add area value or desirability. The applicant wanted this legacy for their children, but the neighbor's children may lose their legacies. The senior housing or apartments does not belong in this area. There was a concern they would get storm water run-off from Silo Rd.

Ms. Majancik lived across the street from the proposal and it would change the neighborhood character. They understood the property would be developed, but it should be single family houses or a reduced number of units. She understood the traffic study, but there are vehicles on the road more than every 86 seconds. Regarding pollution, after the Inland Wetlands area is destroyed there would not be any trees, which may increase cancer in the area. The neighbors care for their houses and with these units it would be tenants that are not there a long time. The 55-age limit was not guaranteed.

She also explained that the 1960's pump station keeps adding on houses, and this is a problem for the sewer lines, flushing toilets or laundry. The older homes have problems, new houses are being constructed, and the pump station is not updated. They are on a well and the new buildings were on City services, but any chemical treatments used on the property would go into their wells. The project was too large for the area.

Mr. Alers had concerns of low-income housing being constructed and property values going down. If it is a gated, traffic will be backed up into the street.

Mr. Serwinski reviewed newspaper articles in the Bristol Observer, January 17, 2020 and April 23, 2021. His view was the applicant was constructing for the sake of development. If area housing was needed, (and no statistics were provided) the city would not be protecting 100 acres of property on Chippens Hill, if this was the case.

Ms. Dauphine was against the development because this area was the most sought-after area and making changes to accommodate anything different than residential housing would decrease neighborhood values versus 30 single houses; this development would require increased resources, traffic, and city services. This development would decrease property values and desirability of the area.

The phases could take years to build. The construction vehicles shaking the houses and constant noise and disruption would also be an issue. The well water being compromised remains a concern. The traffic studies were done in the summer, but most people are on vacation, but busier in February/March were not reviewed. She preferred single family houses versus elderly housing.

Ms. Cormier's concerns was that elderly housing could become low-income housing.

Mr. Blauvelt's concerns of the water supply being compromised because it was the lowest in the City at 52 – 55 psi; Chippens Hill had 120 psi. He had difficulty with his heating system last year with insufficient psi and adding 85 units would make it worse. The City needed to upgrade their systems. If the City would not do this, who would pay for the upgrade? The traffic study was done, but the traffic and parking would increase in this area with an addition with 170 vehicles with no visitor parking.

Attorney Furey reviewed the public audience concerns: to Mr. Cyr he explained if the street is affected by the applicant during construction, the applicant would repair the street and comply with all ordinances. The applicant was not going to repave Redstone Hill Rd., if it has been improperly maintained. Eversource may be bringing natural gas up Redstone Hill Road from the Plainville area. The Fire Department does not want parking on the interior looped street, and the applicant will provide the proper signage.

The Police Commission would be contacted for parking problems on Redstone Hill Rd. Mr. Benivengo's concerns on Village St. of the zone change were with a prior application that was withdrawn. The request this evening was for a permitted use in the R-10 and R-15 zones and a Special Permit is required. He reviewed various multi-unit family units without garages currently in Bristol.

The water pressure would comply with Engineering standards and the Water Dept. and their engineers are reviewing this concern at this time. Regarding the sewer service: it is currently being designed.

Attorney Furey stated that this this would not be a gated community. Policing persons over 18 would be the landlord's responsibility.

The waste removal would be done by a private company; regarding a construction schedule, he did not want to be disingenuous, but the COVID-19 and the economy affected this issue.

Attorney Furey continued that a zone change was part of a prior application which is not the current proposal and this would not be low-income housing, but elderly housing, which had a need in the city.

Commission inquiries: Attorney Furey explained the pump stations, sewage and the water psi, all has to comply with local Regulations and also with the comments of Carol Noble, P.E. and Nancy Levesque, City Engineer, and their reviews of drainage, grading, erosion control, pollution treatment for offsite neighbor affects.

Attorney Furey reviewed that the storm drainage system would actually improve the runoff (also the sewer treatment program), which their engineers and the Bristol Water Dept. engineers are working on (also, locations of material, adequate capacity without negative impacts). Regarding statistics of elderly housing, he was unsure this was required because this was a permitted use.

Attorney Furey stated he would get a report for the standard psi for the water pressure for each area single-family house; he also stated that these were attached single family houses and do not require a sprinklers system, but fire hydrants with integrated into the plan and hard wired smoke detectors and carbon monoxide detectors are also built in. These are not condominiums, but leased elderly housing units managed by the applicants.

The Commission commented they had concern of the water pressure on the property and wanted some comments on that for the next meeting because it was affecting the neighbors.

Mr. Flanagan advised the Commission not to speak about these applications because these were open public hearings, but to call him to speak with him on the applications if they have any questions.

MOTION: Move that 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, & 10-B-1; Laurel Meadows, LLC, applicant, be continued to a special meeting of the Zoning Commission on June 20, 2022, at 7:00 P.M. at Bristol Central High School, Auditorium, 480 Wolcott Street, Bristol, CT.

By: Massarelli

Seconded: Harlow.

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

Against: None.

Abstained: None.

The application #2434 is continued.

MOTION: Move that 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, & 10-B-1; Laurel Meadows, LLC, applicant, be continued to a special meeting of the Zoning Commission on June 20, 2022, at 7:00 P.M. at Bristol Central High School, Auditorium, 480 Wolcott Street, Bristol, CT.

By: Massarelli

Seconded: Harlow.

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

Against: None.

Abstained: None.

The application #2435 is continued.

ADJOURNMENT:

MOTION: Move to adjourn at 9:15 P.M.

By: Massarelli

Seconded: Harlow.

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

Against: None.

Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King
Recording Secretary

Louise Provenzano, Chair

David White, Secretary