

**BRISTOL ZONING BOARD OF APPEALS
MINUTES
REGULAR MEETING OF TUESDAY JANUARY 7, 2025
DRAFT MINUTES**

By: Chairman Rafaniello

Time: 6:00 P.M.

Place: City Hall
111 North Main St.
Council Chambers
First Floor

MEMBERS		PRESENT	ABSENT
REGULAR MEMBERS:	Jerald Rafaniello (Chairman)	X	
	David Pecevich (Vice Chairman) (arrived 6:50 P.M.)	X	
	Richard Raymond (Secretary)	X	
	Alfred Radke, III	X	
	Richard Balsam		X
ALTERNATE MEMBERS:	Rory Ghio	X	
	Liza Salgado-Sirko	X	
STAFF:	Brandon Peate, Zoning Enforcement Officer		X
	Andrew Armstrong, Assistant City Planner	X	

1. Call to Order

Per the order of Chairman Rafaniello, the meeting was called to order at 6:00 P.M.

Chairman Rafaniello reminded the Board the next Regular Meeting of the Zoning Board of Appeals is Tuesday, February 4, 2025.

2. Public Hearings

- a. Application #3814 – Request for two (2) variances for: 1) Reduction of required front yard; 2) Maximum height allowed for an accessory structure at 41 Brewster Road (Bristol Hospital); Assessor's Map 25A, Lot 214; R-15; Single-Family Residential zone; Bristol Hospital, Inc., applicant.

Chairman Rafaniello designated himself, regular Commissioners Raymond and Radke with alternate Commissioners Ghio and Salgado-Sirko to vote on Application #3814.

Attorney James Ziogas, 104 Bellevue Ave., representing the applicant, overviewed the request for Variances to install a generator on the Bristol Hospital property. Attorney Ziogas explained the applicant was required to have backup generators by State and Federal laws. The attorney noted the generators would be located on the corner of Bradley St. and Brewster Rd. The purpose of the backup generators was for lifesaving support with the power required to be restored to have equipment always working. The attorney explained the effects of power outages would damage equipment, operations and records.

Attorney Ziogas read into the record the memorandum dated November 8, 2024, to the City Council.

Attorney Ziogas reviewed the reasons for limited alternative locations that may not be in the building but had to be near the mechanical room and power supply. Attorney Ziogas said the hardship was the site was mostly a front yard with no rear yard or side yards. The attorney indicated there was no available area near the boiler room. He stated the topography of the front yard and the height of the wall limited the placement of the generators.

Board inquiries: Attorney Ziogas noted the existing generators would be replaced with new larger generators that would run 48 hours each per month. The attorney stated the hardship was the extensive front yard with no side yards or rear yards, so there are no alternative locations near the boiler room. The attorney added there is a steep front yard and the wall height limited alternative locations. Attorney Ziogas was unsure if there was sufficient area on the opposite side of the building. The Variance request would be greater if it was placed towards the street.

The attorney reviewed generators are classified as an accessory structure with a 14 ft. height limit. The height of one generator was 16.4 ft. high and the other generator was slightly higher because they are placed on diesel tanks and then on a pad. Therefore, the Variance for the maximum height was 2.4 ft. The attorney said the front yard encroached varied from 15.1 ft. (east) and 19.3 ft. (west.) Attorney Ziogas' view was this was a critical improvement for the facility.

Christopher Gamber, D'Amato Construction, 10 Main St., representing the applicant, explained the weight and the vibration from the generators may damage the water lines that are parallel with the wall. Mr. Gamber noted the noise level was 98 decibels.

Attorney Ziogas noted the noise level would be minimal in the context of public disturbance.

Board inquiries: Mr. Gamber noted the existing generators were in the basement at the emergency room entrance. Mr. Gamber said the new generators would not fit in the basement inside the building. Attorney Ziogas noted safety and ventilation were a concern if the generators were inside the building.

No one else spoke in favor of the application.

The following persons were not against the application but had questions: Laura Carter and Alex Mullaney, 27 Condon Rd. Ms. Carter had concerns about not knowing the generator decibels and the vibration noise levels. The neighbor suggested mitigation to reduce the new noise levels. Ms. Carter had health concerns because the existing noise level. The neighbor read into the record information about decibels. Ms. Carter wanted to be contacted on who to speak with about her concerns. Mr. Mullaney inquired if the energy generated would be used to sell energy back to an energy company to reduce costs. The neighbor inquired if the 93 decibels would be a nuisance to the public.

Raymond Gorski, Director of Facilities and Construction Management, 20 Lakeview Dr., Farmington, representing the applicant, verified the noise level of 93 decibels. Mr. Gorski noted the generators run once a month separately for 30 minutes with a 15-minute cooldown on Thursday at 6:00 A.M. The representative noted there is a muffled exhaust system.

Ms. Carter inquiries: Mr. Armstrong explained a Special Permit was not required for this accessory structure. Attorney Ziogas explained the decibels may not be lowered. The attorney noted it was unlikely a lower decibel generator was available. Mr.

Mullaney inquiries: Attorney Ziogas explained there was no intention to sell the energy to an energy company.

Mr. Armstrong inquiries: Attorney Ziogas said the slope on Goodwin St. prevented any sustainable landscaping. The attorney noted behind the generator was a steep slope to decrease the sound levels.

No one spoke against the application.

The hearing is closed.

By: Raymond

Seconded: Ghio.

For: Radke, Ghio, Salgado-Sirko, Raymond and Rafaniello.

Against: None.

Abstain: None.

The Board agreed the hardship was the front yard and the location needed to be near the boiler room to connect the generators. A member agreed with the hardships that alternate locations were not possible because of the topography and the underground lines may be damaged. If there are any future noise problems, the Board noted the sound levels would be handled by the Police Department. A member said the energy would not be sold back to an energy company. The Board understood the concerns of noise but if there were an emergency the whole neighborhood would hear other generators noise as well. A member pointed out if there was a power outage, the neighborhood generators would likely be louder than the applicant's generator. The Board stated the generator was needed more than it was not needed. A member was pleased the representatives answered the questions and reviewed the hardships. The Board had no concerns with the application.

MOTION: Move to approve Application #3814 – Request for two (2) variances for: 1) Reduction of required front yard; 2) Maximum height allowed for an accessory structure at 41 Brewster Road (Bristol Hospital); Assessor's Map 25A, Lot 214; R-15; Single-Family Residential zone; Bristol Hospital, Inc., applicant, in accordance with the plot plan and information submitted.

By: Raymond

Seconded: Ghio.

For: Radke, Ghio, Salgado-Sirko, Raymond and Rafaniello.
Against: None.
Abstain: None.

The application is approved.

3. Miscellaneous

a. Regular Meeting Minutes – December 3, 2024

Chairman Rafaniello designated himself, regular Commissioners Raymond and Radke with alternate Commissioners Ghio and Salgado-Sirko to vote on the December 3, 2024, regular meeting minutes.

Chairman Rafaniello noted there were no corrections, but commented the minutes stated the Board had no concerns because the area had many front porches. The Chairman reminded the Board the review of applications was for an individual property. Chairman Rafaniello stated the approvals and hardships were for the property under review and the neighborhood was not relevant for the review.

MOTION: Move to approve the minutes of the December 3, 2024, regular meeting.

By: Raymond

Seconded: Ghio.

For: Raymond, Radke, Ghio, Salgado-Sirko and Rafaniello.
Against: None.
Abstain: None.

4. Adjournment

Chairman Rafaniello designated himself, regular Commissioners Raymond and Radke with alternate Commissioners Ghio and Salgado-Sirko to vote on the adjournment.

MOTION: Move to adjourn at 7:00 P.M.

By: Ghio

Seconded: Raymond.

For: Raymond, Radke, Ghio, Salgado-Sirko and Rafaniello.
Against: None.
Abstain: None.

This meeting was recorded.

Respectfully submitted,

Nancy King
Recording Secretary

Jerald A. Rafaniello, Chairman

Richard Raymond, Secretary