BRISTOL ZONING BOARD OF APPEALS
MINUTES
REGULAR MEETING OF TUESDAY, JULY 5, 2022

CALL TO ORDER:

By: Chairman Rafaniello Time: 7:00 P.M. Place: City Hall

ROLL CALL:

Chairman Rafaniello called the meeting to order at 7:03 P.M.

MEMBERS	NAME	PRESENT	ABSENT
REGULAR MEMBERS:	Jerald Rafaniello (Chairman)	X	
	Jeffrey Twombly (Vice Chairman)	X	
	Richard Raymond		X
	Alfred Radke, III	X	
	David Pecevich (Secretary)	X	
ALTERNATE MEMBERS:			
	Richard Balsam		X
	Christopher Callahan	X	
STAFF:	Edward Spyros, Zoning Enforcement Officer		X
	Robert Flanagan, AICP, City Planner	X	
	Andrew Armstrong, Assistant City Planner	X	

Chairman Rafaniello gave a moment to the passing of the former Mayor Ward that was the Chairman of this Board, which taught them the values of teamwork and preparation for these positions to understand the decision making and applications. Vice Chair Twombly explained the former Mayor Ward had appointed him when he was on the City Council.

PUBLIC HEARINGS:

1. Application #3788 – Variances of 1) building fenestration requirements (minimum of 65%); 2) building frontage-lot frontage ratio (minimum of 65%) and 3) build-to-line (maximum of 10' ft.) to allow for the construction of a medical office building at 1 Hope Street; Map 30, Lot 4; BD-1 (Downtown Business) zone; Wheeler Clinic, Inc., applicant.

The Board acknowledged receipt of the following item in their electronic packets: an additional narrative for Wheeler Clinic, Inc., Variance Request Variance from VI.C.b.(5).

Chairman Rafaniello designated regular Commissioners Radke, Pecevich, Twombly and Rafaniello to vote on Application #3788. He also designated alternate Commissioner Callahan to vote in place of Commissioner Raymond for Application #3788 with his absence this evening.

Attorney Lawrence Shipman of Shipman, Shaiken & Schwefel, LLC, 433 South Main St., West Hartford, representing the applicant, explained they are requesting three Variances. Attorney Shipman stated the hardship is with the land and curvature on Hope St. where the building would be constructed. There was also a previous application approved for the build to line Variance being requested. Though, they are requesting an additional build to line Variance as the building moved further away from the build to line. They were unsure if it was necessary, but at that time they were unsure of the building orientation as shown on the previous plan. The Board had requested the building be squared up with North Main Street. With that change, the building would be set back an additional 10 ft., which would create the public space to the North. Regarding the windows and doors along Hope St. they are required to have a maximum of 65% fenestration though this would not maintain patient privacy for the use of medical offices on the first floor, which requires less visual intrusion.

Regarding the third Variance of the lot length to the building frontage ratio, the hardship is along Hope St. where it is difficult to reach the 65%. The length of the building would have to be increased by 50 ft. to conform to the curve of the street. Because this is a corner lot there are limitations to the ability to design to the frontage requirement.

Rock Emond, Associate Engineer, of SLR of 99 Realty Dr., Cheshire, reviewed the build to line and the lot length ratio. He reiterated to the Board they had previously approved a build to line Variance, but they want to straddle the property line along North Main St. slightly so the building was squared up. This would allow the building to come forward about 17.5 ft. away from North Main St. to adjust the angle of the building toward North Main St. and were now 21.7 ft. away from Hope St. and would also allow for an improved amenity space. The hardships identified were the North Creek conduit on North Main St., the rotation of the building, and the curvature on Hope St. that gives a continuation of the frontage. Regarding building frontage, the plan complies with the building frontage on North Main St. (65%) and (81%) On Hope St., the percentage due to the curvature is (53.6%).

Edward Widofsky, Senior Project Manager, Tecton Architects, 34 Sequassen St., Hartford, explained there were three hardships. The first floor would be medical offices with administrative offices on the remaining floors, but they want to provide privacy for clients on the first floor. With the construction on Hope St., the majority of the building was facing the street. The grading was a concern with the parking lot sloped down to Main St. There is approximately a 2 ft. to 10 ft. area of the building where they would not be able to have windows on the first floor. This area is impacted by the basement level grade which affects the area where fenestration is required.

Mr. Flanagan explained the applicant complied where possible, but the remainder they requested a Variance. Their attorney and team worked with Staff to provide an appropriate plan. Mr. Armstrong explained the Staff reviewed the requests and there were no concerns. Staff supports the application.

Board inquires: Mr. Flanagan explained that there were cross connections with the parking lots.

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

The hearing is closed.

By: Twombly Seconded: Pecevich.

For: Radke, Callahan, Pecevich, Twombly and Rafaniello.
Against: None.
Abstain: None.

The Board explained from the previous application the lot had challenges with the frontage to North Main St. and the underground conduit. The new plan was more in line with North Main St., the property elevation and the curvature of the road to the side and rear of the property. The Board agreed and the new plan fits better with these recommendations. The applicant straightened the building as requested. They wanted the hardships on the record. The concerns were the shape of the property causing the hardship and the size of the building and the underground conduit impacting the property.

MOTION: Move to approve Application #3788 – Variances of 1) building fenestration requirements (minimum of 65%); 2) building frontage-lot frontage ratio (minimum of 65%) and 3) build-to-line (maximum of 10' ft.) to allow for the construction of a medical office building at 1 Hope Street; Map 30, Lot 4; BD-1 (Downtown Business) zone; Wheeler Clinic, Inc., applicant, in accordance with the plot plan and information submitted.

By: Pecevich Seconded: Twombly.

For: Radke, Callahan, Pecevich, Twombly and Rafaniello.
Against: None.
Abstain: None.

The application is approved.

MISCELLANEOUS:

Chairman Rafaniello welcomed alternate Commissioner Callahan to the Board.

Item #3, Election of Officers was taken out of order.

3. Election of Officers

Chairman Rafaniello explained the election of officers would be continued to the August meeting because regular Commissioner Raymond was absent this evening.

Commissioner Twombly announced he was resigning from the Board and that this would be his last meeting. He enjoyed working with Staff and the community. He had this position for thirty years. He will submit his letter to City Clerk tomorrow and August 1st, would be his last day. He commended Chairman Rafaniello for his leadership and thanked everyone.

The Chairman noted that he and Mr. Twombly had worked for many years together on the Board and it was a pleasure to serve with him. Mr. Armstrong thanked Commissioner Twombly and have enjoyed working with him and would be sad to see him leave the Board. Mr. Flanagan explained Commissioner Twombly was very much appreciated when he was the acting chairman; he will also be known as Mr. Hardship.

Chairman Rafaniello explained that hardship was part of this job because this was a leadership position. Each Board member must take the time to learn this job and it is volunteer work. Mr. Twombly recommended the Wesleyan Land Use Seminars to the new and regular Commissioners, which helped him develop a better understanding of how the Board works.

The Board resumed Item #2, Approval of Minutes

2. Approval of Minutes – June 7, 2022

Chairman Rafaniello designated regular Commissioners Radke, Pecevich and Rafaniello to vote on the on the June 7, 2022, regular minutes.

MOTION: Move to approve the minutes of the June 7, 2022, regular meeting.

By: Pecevich Seconded: Radke.

For: Pecevich, Radke and Rafaniello.
Against: None.
Abstain: None.

ADJOURNMENT:

Chairman Rafaniello designated regular Commissioners Radke, Pecevich, Twombly and Rafaniello to vote on the adjournment. He also designated alternate Commissioner Callahan to vote in place of Commissioner Raymond on the adjournment with his absence this evening.

MOTION: Move to adjourn at 7:43 P.M.

By: Twombly Seconded: Pecevich.

For: Radke, Callahan, Pecevich, Twombly and Rafaniello.
Against: None.
Abstain: None.

Respectfully submitted,

Nancy King
Recording Secretary

Jerald A. Rafaniello, Chairman

David Pecevich, Secretary