

**BRISTOL ZONING COMMISSION
MINUTES
SPECIAL MEETING OF MONDAY AUGUST 15, 2022**

CALL TO ORDER:

By: Chairman 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	
	Richard Harlow	X	
	David White (Secretary)	X	
	Thomas Marra		X
	Marc Gagnon	X	
ALTERNATE MEMBERS:	Brian Skinner		X
	Aileen Abrams		X
	Richard Goodwin	X	
STAFF:	Robert M. Flanagan, AICP, City Planner	X	
	Edward Spyros, Zoning Enforcement Officer		X

PLEDGE OF ALLEGIANCE:**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 – Public Hearing continued from July 25, 2022.
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 – Public Hearing continued from July 25, 2022.

Chair Provenzano designated regular Commissioners Harlow, White, Gagnon and Provenzano to vote on Applications #2434 and #2435 this evening. She also designed alternate Commissioner Goodwin to vote on Applications #2434 and #2435 this evening in place of regular Commissioners Marra who was not in attendance this evening.

The Commission received the following new items in their electronic packets: a letter dated August 8, 2022, from Attorney Timothy Furey to the Inland Wetlands Commission, regarding an extension; a letter dated July 27, 2022, from Attorney Timothy Furey to the Zoning Commission, regarding an extension; a revised set of plans; a revised Storm Water Management report, updated August 1, 2022, entitled "Stormwater Management Report, 560-644 Redstone Hill Road, Bristol, CT, Prepared For Laurel Meadows, LLC, HEC Project #2120, dated March 18, 2022, Revised: June 23, 2022, Revised August 1, 2022, By Harry E. Cole & Son, 876 South Main St., Plantsville, CT"; a letter dated August 2, 2022, from Denise Cockayne; and a revised set of Site Plan Committee Review comments, dated August 15, 2022 – "Plans Dated: March 18, 2022; Date of Committee Review: 04/20/22 (first review); 07/21/22 (second review); 09/06/22 (third review).

Mr. Flanagan reviewed the timeline for the applications, which were accepted on April 13, 2022. He reviewed the CT Gen. Statutes time limits for the application. The applicant has 9 days left from the 65 days. It was recommended to close the public hearings this evening and accept the Inland Wetlands (IWWC) Commission report at their September 19, 2022, meeting.

He suggested the Commission review the new set of Site Plan Committee Review comments. He reviewed the new items that were submitted into the record for the applications with the Commission, which are in the electronic packets.

The Chair explained the application cannot be voted on this evening because the IWWC Commission has not voted on the applications and has not issued a report yet. The Commission would close the public hearings this evening because of the timeline, but they would not deliberate this evening. At their next meeting they would receive the IWWC Commission report and deliberate next month.

Attorney Furey explained his conversations with Mr. Flanagan earlier today. He explained the Commission does not have to act on the application until the IWWC Commission votes and then the Zoning Commission then has 35 days to vote on the applications.

He explained his discussions with staff regarding if the Commission had the right to keep the public hearing open until their next meeting, and they do. It was better to keep the public hearing open in his opinion. He had a concern because of one of the comments on the storm drainage report and Nancy Levesque, P.E., City Engineer, did not comment yet and was not in attendance this evening.

Chair inquiries: The Commission agreed if Attorney Furey and the City Planner's view was the public hearings should remain open with the Statute time limit, then it should remain open for them to review comments from Staff.

Mr. Flanagan explained he had a conversation with Attorney Furey earlier today, but he spoke with Corporation Counsel later in the afternoon regarding the State Statute and the ability of the applicant to continue the application. Mr. Flanagan agreed with Attorney Furey that the application is automatically extended an additional 35 days for the Zoning Commission because the IWWC had not made their decision and the public hearing should remain open tonight.

The following persons representing the applicant reviewed Applications #2434 and #2435 with the Commission: Attorney Timothy Furey, 43 Bellevue Ave.; Bryan Panico, P.E., of Harry Cole & Son, 876 South Main St., Plantsville.

Attorney Furey, the Commission and the applicant's engineer reviewed the Site Plan Review Committee comments, responses and the revised plans that were submitted previously.

Mr. Panico reviewed the comments from the IWWC Commission to make the Zoning Commission aware of the concerns of the pond design and the water quality. The CT Storm Water Manual specifies how to achieve water quality and the plans have been revised to meet those standards. The applicant is waiting for comments from Carol Noble, P.E., Environmental Engineer and Nancy Levesque, P.E., City Engineer, for the pond design changes, wet bottom basin and water quality standards. His view was the ponds are now overly designed for the water quality standards for any negative impacts for the inland wetlands and downstream properties. The pond redesign was the largest change.

Comment #9, the driveway grade was reduced by half to a 5% grade for unit #508. The radius in front of unit #408 was increased to a 15 ft. radius from a 10 ft. radius for fire and truck deliveries. They added notes to the phasing plan that included that when a phase is finished, there would be no heavy equipment on the finished private streets. A temporary access road would be constructed from phase I into phase II during construction for soil erosion control and to keep trucks out of finished areas. The clearing on some phases was revised, including Phase 4. Mr. Panico summarized the phasing checklist details for Phase I to Phase 4 of comments.

Regarding Phase I, the erosion controls will be installed. The vegetation would be selectively cleared, the land would be graded, and cleaned up to construct the foundation. They would construct the utilities; detention basins; sewer system (west/towards Phase 3); rough in the street; and create the temporary access. When the construction is finished, the contractor would stabilize and check Phase I; install the erosion controls for Phase II. The contractor would continue this process for the next phases. This would protect the neighbors and the new tenants who will be potentially moving in as construction on the other phases begins.

Comment #15, the wells would be abandoned and connected to the City water system.

Comment #18 and #19, the IWWC comments for the drainage design had to be reviewed by Staff.

Comment #21, the applicants plan would direct the water away from the southwest corner of the adjacent property and reduced that by more than half. The water would be directed to the swales with a depression for the concerns of the shallow flows to the adjacent property and defuse more slowly. This would reduce the amount of runoff, which was a neighbor concern. They put the roof leaders into underground infiltrators for the neighbors.

Comment #22, this was resolved by constructing utilities in Phase I.

Mr. Panico reviewed the comments of the Building/Zoning Enforcement.

Comment #1, the building elevations were provided. Comment #2, the dumpster location was sufficient, and the applicants would assist in bringing the trash to dumpsters if necessary.

Mr. Panico reviewed the City Planner comments:

Comment #7, the applicant added to the photometric plan that the pole mounted streetlights would be 10 ft. in height. A second page was added to the photometric. The front and rear of the unit is shown with residential type fixtures attached to the building. There is no light spillage onto adjacent properties. The lighting was adequate and met the Regulations.

Comment #22, Mr. Panico reviewed the phasing plan previously.

Comment #23, the applicant removed the wall near the entrance and the area is now planning for a decorative fence with 50% transparent at 36 to 42 inches tall, which would fully comply with the Regulations.

Mr. Panico reviewed the Water/Sewer Department comments:

Comment #4, the missing laterals have been added.

Comment #6, the applicant has eliminated the pump station. There would be 3 units on private pumps with no objections for Water and Sewer to do this.

In summary, Mr. Panico explained they addressed all the comments, this was the best possible plan to address the large number of utilities, infrastructure, and units and reduce any conflicts.

At the request of Mr. Flanagan, Mr. Panico reviewed all the Water and Sewer Department comments because the comments were received this afternoon and were not responded to yet.

Regarding Water/Sewer Department:

Comment #2, the wye size of the sewer main was updated and not connected to the manholes. Regarding

Comment #3, the laterals from the buildings to the manholes were eliminated and connected to the mains.

Comment #4, the laterals were added to the buildings.

Comment #5, these are additional laterals that were going into the grinder pump structures, not the forced main, and they were added for building #5. Mr. Longo agreed with comment #5.

Comment #6, as previously mentioned the pump station was eliminated to a gravity system.

Comment #7, the two houses on the wells would be disconnected and connected to the City water system.

Comment #8, the water main was proposed at 8 inches.

Comment #9, Mr. Panico explained the water services were revised to 4 ft. as required. The separation was 10 ft. for the water and sanitary sewer main.

Regarding comment #9, Mr. Longo explained that was correct, which was his Staff's error. The water and sewer services were a 10 ft. separation distance. The water services were a 4 ft. separation distance.

Comment #10, the gate valves were installed as requested.

Comment #11, unit 81 of the 84 units there were no water laterals under any driveways, but there was one location there was a shared driveway and a curve. With the catch basin location and sanitary manholes, separation distance, and work on the driveways, there was no feasible way to do this. The concern was for lateral replacement, it would be at the owner's expense for the driveway replacement.

Regarding comment #11, Mr. Longo agreed with the comment that it was at the owner's expense for these 3 lots. If this were a public subdivision, they would be more concerned. With this being a common owner, they are not as concerned.

Comment #12, notes were added to the plan.

Attorney Furey and Chair inquiries: Mr. Longo explained the water pressure concerns of the neighbors were reviewed and discussed. This project would not affect the neighbors because the water pressure. They are not aware of any pressure problems. He explained the process of monitoring the stagnant water pressure from a water tank, which 25 psi is the minimum. There was a problem with someone at 601 Redstone Hill Rd. (2012) near the fire hydrant.

The only way to change that was to raise the water tank storage, but it would raise the water psi to over 125 for some areas. The water pressure does not change within the City. He mentioned a 12-inch line was installed on Redstone Hill Rd. to Julia Rd., which was sufficient to supply the area.

The Chair noted that there was a water pressure problem with Peter Blauvelt's property (19 Donna Ln./07/25/22 minutes) with low City water pressure of 52 psi. She noted she had the City Engineer look up the property at the last meeting for public water. Also, there were different neighbors that had water pressure concerns.

Attorney Furey reviewed his lengthy narrative and which he would submit at a later date. He summarized the 84 units on 11.23 acres with 2 single family houses being retained (east & west.) The property is mostly R-10 with a conservation area in the inland wetlands area, which abuts a residential and an industrial property, two single family houses and an open space. There would be 11 buildings and 1 maintenance building.

The units would be townhouse style buildings with 1.5 floors, a garage, and second floor. The access is on Redstone Hill Rd. There would be no access to the south, which would only be to loop the utilities and maintenance for the Water Department. The site line distances were sufficient with the traffic report submitted (649 ft. west/673 ft. east.) The Police and Fire Departments had no concerns with exception of fixing the radius, and widening the entrance road, and no parking signage on the private roads within the development. The plan complied with the Regulations including 168 parking spaces, 1 parking space (driveway) behind the garages; the revised plan provided 18 visitor parking spaces.

The property would have City sewer and water services, which the Water Department indicated no negative impacts to the adjacent properties, storm water retention and water quality plan. The applicant received an Inland Wetlands Boundary Change approval. A third party, the North Central Conservation District, Inc. of Vernon conducted an Inland Wetlands boundary review with the applicant and various representatives in attendance.

They suggestions at the inspection. He would review the IWWC Commission items for the Commission to review, the resources, protection, property enhancement, storm water systems, water quality systems, and to work with Staff on the concerns. The property has extensive landscaping, particularly near the single-family houses (east and west.) He received the letter from the neighbors from Mr. Panico but has not responded yet. Near the single-family house and industrial property, the storm water had a large reduction with in-ground infiltrators.

The walls were used for a Low Impact Development (LID.) The phasing plan was worked on to protect the Inland Wetland resources during construction. The next phases would not be constructed until the site is stabilized with Staff signatures for the previous phase. There are 2 points for the phasing plan so there are no negative impacts for anyone on and off site.

The fountain proposed at the entrance does not have any construction details, but the applicant would work with Staff. The plan complied with the Regulations, and it has the lowest density of any project in Bristol, except for the Jennings School There are no problems with any of the sites in Bristol. He included the Fair Housing Act information with the application.

Commission inquiries: Mr. Flanagan explained the IWWC Commission conditions would be part of a report received. If the applications are denied, a denial letter would be received.

No one else spoke in favor of the application.

The following persons spoke against the application: Albert Pellegrini, 171 Silo Rd.; Thomas Bentivengo, 5 Village St. (retired fire fighter); Michal Dudko, 116 Lewis Rd.; Jean Grohoski, 66 Poitras Rd.

Their concerns were the following:

Mr. Pellegrini was concerned there were no new public hearing signage on the property with the August 1st meeting date and there were not many people in attendance this evening because they did not have the information for the meeting.

This was an impressive plan, but there were many concerns of inland wetlands, land, sewage, flooding, animals, and the forest. He informed the Commission of the meeting November 2019 for a high-income building (Plan I), which the residents attended, and the plan was denied.

His view was the Inland Wetland Commission would likely not approve this plan because at the end of Silo Rd. there was a forest with single family houses. One end of Silo Rd. has \$300,000 to \$600,000 houses and this would be elderly units at the different end of Silo Rd., which does not make sense to him. This would reduce the value of their homes in the area.

Mr. Bentivengo explained he reviewed an article in the Bristol newspaper on July 29, 2022, regarding the Commission having workshops to review the items from 1990 to revise for 2022. The Commission should police themselves and the Commission has questions on how an elderly housing was in a residential area. This was a special interest proposal because the age starts at 55 years old. With these workshops, he hoped some of these items would not be in the Regulations, cleared up, or to reduce them. This will not mean much to the developer if the project goes in 8 to 10 months later.

Mr. Dudko had concerns of hearing about these applications from the Inland Wetlands meeting and that this was an R-10 zone. He was unaware of the project across the street with 18 houses. His view was this should remain R-10 zone property. He preferred the Inland Wetlands Commission setback be 100 ft. The 81 units on 11 acres was too dense. This area does not need this type of development because Redstone Hill Rd. has existing multi-family developments. There is not much green area on this plan versus single family houses. They should retain the R-10 zone on this property.

Ms. Grohoski had concerns of having projects on this property for 30 years of zone changes and special permits. There has been a lot of push back for this development. The neighbors are not saying to not develop the property, but the developer has only reduced this plan by one unit. If the Commission was doing their jobs, they should have reduced these plans because no one was listening to the 100's of neighbors against the application. There are different CT towns that vote with the neighbor's views. She wanted to understand why the Commission does not make applicants reduce projects because the neighbors are upset. She was not against the development but the development size.

The Chair explained to Ms. Grohoski the Commission is not paid employees of the City, but appointed to Commissions, but Staff in attendance were paid employees.

The Chair, Commission, Mr. Flanagan and Attorney Furey reviewed the neighbor's concerns and answered inquiries.

At the request of the Chair, Mr. Flanagan reviewed the requirements for the public hearing postings, legal notices, and electronic notices for applications in general. Although not required, the applicant re-posted public hearing signage and the City ran legal notices for each public hearing date, location and time provided in the notice. He noted the next meetings were announced at the public hearings.

Attorney Furey reviewed the Inland Wetlands Commission and Zoning Commission requirements for the public hearing postings, which were different, and the various postings and notices. He described his discussions regarding the public hearing signs with Mr. Flanagan.

There was a prior request for a 22-unit development in an A-zone. Most of this property was R-10 zone (east) with an R-15 zone, which would remain. The zone would not be changed unless there was a zone change application. The change is a Special Permit that allows for certain uses in this zone if the applications complied with the Regulations.

This use may be revised in the Regulation re-write. This plan did not discourage the Zoning Commission for opportunities like this for appropriate housing. Also, to find additional opportunities for dense housing within the community because there are very few A-zones.

Regarding Mr. Pellegrini and Ms. Grohoski, the reasons for all the meetings and the changes were the various Staff and team members had to comment and review the plans for appropriateness and the Regulations.

Regarding Mr. Dudko, the Statutes and the Regulations identified the Inland Wetlands boundary of 100 ft. The IWWC has jurisdiction over those boundaries. The original plan was reviewed and revised to reduce the buildings in and adjacent to the conservation areas, which had a separation distance for storm water system and water quality systems.

Some of those buildings were relocated on the site and would not negatively affect the Inland Wetland resources and the IWWC may allow activity in the upland review area as long as there are not any negative effects on the Inland Wetland resources.

Regarding Ms. Grohoski, they worked with Staff and their team for appropriate safety standards for many various aspects so that the plan was properly engineered and protected the resources on site.

The Chair explained to Ms. Grohoski the Commission's job was to review applications within the Regulations, and the Regulations allow for this Special Permit in this zone. These applications would be continued to their next regular meeting in September at the Board of Education. If they are interested, they can call the City Planner and review the meeting schedule on the City Website and in the newspaper.

Mr. Flanagan noted agendas are posted online on the City's Website. Attorney Furey agreed to allocate any days allowed if needed to get them to the next meeting but thought they were unnecessary.

MOTION: Move that the Public Hearings on Application #2434 and #2435 be continued to the Regular Meeting of the Bristol Zoning Commission on September 19, 2022, at the Bristol Board of Education, Auditorium, at 129 Church Street, at 7:00 P.M., pursuant to Section VIII.D.7.e. of the CT Gen. Statutes.

By: White

Seconded: Gagnon.

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

Against: None.

Abstained: None.

The Application #2434 and Application #2435 are continued.

ADJOURNMENT:

MOTION: Move to adjourn at 8:57 P.M.

By: White

Seconded: Gagnon.

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

Against: None.

Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King
Recording Secretary

Louise Provenzano, Chair

David White, Secretary