

**BRISTOL ZONING COMMISSION  
MINUTES  
REGULAR MEETING OF WEDNESDAY JANUARY 9, 2019**

**CALL TO ORDER:**

By: Chairman Skinner

Time: 7:00 P.M.

Place: City Hall

**ROLL CALL:**

MEMBERS	NAME:	PRESENT	ABSENT
REGULAR MEMBERS:	Brian Skinner (Chairman)	X	
	William Cunningham (Vice Chairman)	X	
	Louise Provenzano (Secretary)	X	
	Peter Del Mastro	X	
	Michael Massarelli	X	
ALTERNATE MEMBERS	Timothy Gamache (Alternate)	X	
	Richard Harlow (Alternate)	X	
	Thomas Marra	X	
STAFF			
	Christopher Schaut, Assistant City Planner	X	
	Robert Flanagan, City Planner	X	
	Raymond Rogozinski, City Engineer	X	

**PLEDGE OF ALLEGIANCE**

Chairman Skinner designated regular Commissioners Massarelli, Provenzano, Del Mastro, Cunningham and Skinner as voting Commissioners this evening.

**ADMINISTRATIVE MATTERS:**

1. Approval of Minutes – December 12, 2018

**MOTION:** Move to approve the minutes of the December 12, 2018, regular meeting, as amended.

Commissioner Cunningham mentioned a correction on Page 2 of the December 12, 2018 minutes of the last paragraph as follows: "The following persons were not in favor or against the application:" should be "The following persons were against the application:"

By: Cunningham

Seconded: Provenzano.

For: Massarelli, Provenzano, Del Mastro, Cunningham and Skinner.

Against: None.

Abstained: None.

2. Zoning Enforcement Officer's Report

The Commission acknowledged receipt of the following item in their electronic packets: a copy of the Zoning Enforcement Officer's Report, for December 2018, undated. The Commission reviewed Ms. Holloway's report. Mr. Flanagan explained the Commission may call or to email Ms. Holloway if they had any questions or concerns.

**RECEIPT OF NEW APPLICATIONS**

1. Application #2304 – Special Permit for an accessory dwelling unit at 82 Redstone Street; R-15 (Single-Family Residential) zone; Assessor's Map 2, Lot 48/3; Mona Ferony, applicant.

2. Application #2305 – Change of Zone from R-10 (Single-Family Residential) zone to BG (General Business) zone at Lots 263 and 264-5 King Street; Assessor's Map 48, Lots 263 and 264-5; Dr. Helen Zervas, applicant.
3. Application #2306 - Proposed amendment of the Zoning Regulations to add to the Special Permit and Site Plan Uses in Section VII.B.3. in the IP-1 and IP-3 (Industrial Park) zones, a new section "(k) fuel oil and heating fuel storage facility." Attorney James Ziogas, Jr., applicant.
4. Application #AZR19-1 – Proposed amendments to the Zoning Regulations, initiated by the Bristol Zoning Commission: (1) to delete "to multi-family residential use" and replace with "non-residential principal buildings" in the BG (General Business), BHC (Route 72 Corridor Business) and I (General Industrial) zones (Sections VI.B.3.y., VI.E.3.n. & VII.A.3.k.); (2) to delete the pre-existing building coverage requirement in General Provisions – Ground Mounted Solar (Section IV.A.19.c.).

**MOTION:** Move to schedule Applications #2304, #2305, #2306 and AZR19-1 for a public hearing for the February 13, 2019, regular meeting of the Commission.

By: Cunningham

Seconded: Provenzano.

For: Massarelli, Provenzano, Del Mastro, Cunningham and Skinner.

Against: None.

Abstained: None.

The Applications #2304, #2305, #2306 and #AZR19-1 were scheduled for public hearings.

#### **PUBLIC HEARINGS:**

There were no public hearings.

#### **OLD BUSINESS**

5. Application #2301 – Change of Zone from R-15/BT (Single-Family Residential/Downtown/Neighborhood Transition Overlay) zone to BD-1 (Downtown Business) zone at (29) High Street; Assessor's Map 26, Lot 265; The Neubauer Building LLC, applicant - (Public Hearing closed; deliberations continued from December 12, 2018).

The Commission acknowledged receipt of the following items in their electronic packets: an electronic mail dated November 13, 2018, from Charles Talmadge, Development Planning Solutions, regarding the approval of authorization for Mr. Talmadge to sign on behalf of the applicant; a referral memorandum dated November 6, 2018, from the Zoning Commission to the Planning Commission; a referral memorandum dated September 26, 2018, (which should have been October 26, 2018) from the Planning Commission to the Zoning Commission, regarding their recommendation report; a referral memorandum dated November 6, 2018, from the Zoning Commission to Therese Pac, Town and City Clerk; a memorandum dated December 12, 2018, from Justin Malley, Executive Director, Bristol Development Authority, regarding his comments for the application; a letter dated December 12, 2018, from Deborah Prozzo, Library Director, Bristol Public Library, regarding her comments; an electronic mail dated December 12, 2018, from Patrick Snow; Tunxis Road Associates, LLC; a letter dated December 7, 2018, Darius Erami, regarding comments; a letter dated December 26, 2018, from David Hrdlicka, Ryant Properties, LLC, regarding comments and a survey map provided by the applicant entitled "Zone Change Map, Prepared or The Neubauer Building, LLC, High Street, Bristol, Connecticut, Map: 26, Lot: 265, Existing Zone: R-15/BT, Gary B. LeClair, LLC, Licensed Land Surveyors, 57 Acorn Drive, Windsor Locks, Connecticut 06096, by: ABL, Scale: 1" = 40', Date: 11-05-18, Sheet: 1 of 1, Checked: GBL and No. 218036."

Chairman Skinner requested that Commissioner Massarelli read into the record the Public Hearing Protocol, but he explained only steps #11 and #12 applied because the public hearing for Application #2301 was closed at the December 12, 2018 regular meeting. He explained this evening there would only be Commission deliberations on the application.

Chairman Skinner reviewed the zoning of the surrounding properties. He reviewed the permitted uses for BD zone property and there were uses inappropriate for this property, particularly near the residential dwelling next door. The Regulations mission statement was supposed to protect the safety, health and welfare of the community. If approved, there would be limited control on the uses allowed on a BD zone property. Also, the potential use may be the existing parking lot and the concerns may continue.

Commissioner Del Mastro explained he reviewed the allowed uses within the two zones. His opinion was the zone change would set precedence for destruction of the neighborhood because there was no guarantee this would be a parking lot. The neighborhood would be significantly changed if a business is constructed, which would be a detriment to the existing neighbors. He was opposed to the application and this was not a good plan.



Mr. Rogozinski explained he appreciated the Commission’s time and efforts, but the 10:00 curfew for the Zoning Commission should be revoked. His opinion was the December meeting was an exception, but that does not mean the Commission should be at late meetings every month. He suggested they determine during the meeting if a special meeting is needed. He reviewed when their meetings ended for the past two years with three special meetings that went beyond 10:00 P.M.

The Commission’s opinion was that they either had to have a curfew or not because they do not want to announce at 10:00 that applications on the agenda for that evening had to be continued to a special meeting. The applicants would be more displeased if they were told a meeting date was at some point in the future after having waited most of the night to be heard; The December meeting was unusually late. The Commission members had to work and have different work commitments.

After inquiries by the Commission, Mr. Rogozinski explained when he had meetings with applicants on major plans and the City Planner had to tell the applicants there was a curfew and the application may be continued/postponed. He respected the Commission’s efforts but he strongly urged the Commission to revoke their curfew.

After inquiries by the Commission, Mr. Flanagan suggested if the curfew was revoked, special meetings could be scheduled in case a meeting was continued to ensure the Commission. The Commission would want to finish a public hearing, but not start to review a new application when deciding to continue the remaining business to a special meeting. This would allow applicants to not have to wait an additional month for their application. The Commission commented there were a few meetings until 2:00 A.M. and the former city planner suggested a curfew be set to prevent this.

The Commission disagreed on providing a motion to revoke the curfew because of the lack of data. The review of procedures for administrative items was continued.

**ELECTION OF OFFICERS**

**MOTION** Move to re-elect the current slate of officers for the 2019 calendar year: Brian Skinner as Chairman; William Cunningham as Vice Chairman; and Louise Provenzano as Secretary.

By: Del Mastro Seconded: Massarelli.

For: Massarelli, Provenzano, Del Mastro, Cunningham and Skinner.  
Against: None.  
Abstained: None.

**ADJOURNMENT**

**MOTION:** Move to adjourn at 8:40 P.M.

By: Harlow Seconded: Gamache.

For: Massarelli, Provenzano, Cunningham, Del Mastro and Skinner.  
Against: None.  
Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King  
Recording Secretary

Brian Skinner, Chairman

Louise Provenzano, Secretary