

**BRISTOL PLANNING COMMISSION
MINUTES
REGULAR MEETING OF WEDNESDAY APRIL 22 2020**

CALL TO ORDER:

By: Chairman Veits

Time: 7:03 P.M.

Place: Online via Web-Ex

ROLL CALL:

Chairman Veits called the meeting to order online via Web-Ex at 7:03 P.M.

MEMBERS	NAME:	PRESENT	ABSENT
REGULAR MEMBERS:	Chairman William Veits (Chairman)	X	
	Commissioner John Soares (Vice Chairman)	X	
	Commissioner Andrew Howe (Secretary)	X	
	Jon Pose	X	
	Terry Parker	X	
ALTERNATE MEMBERS	Jeff Hayden (Alternate)	X	
	Joseph Kelaita (Alternate)	X	
	Tracey Bacchus (Alternate)		X
STAFF	Nancy Levesque, P.E., City Engineer	X	
	Robert Flanagan, City Planner	X	

PUBLIC PARTICIPATION

There was no public participation.

Chairman Veits designated the regular Commissioners as voting members this evening of Commissioners Soares, Howe, Pose, Parker and Veits.

ADMINISTRATIVE MATTERS

1. Approval of Minutes – February 26, 2020

Chairman Veits designated regular Commissions Pose, Howe, Soares to vote on the February 26, 2020 regular minutes. He also designated alternate Commissioners Hayden and Kelaita to vote on the February 26, 2020 minutes.

MOTION: Move to approve the minutes of the February 26, 2020, regular meeting.

By: Pose

Seconded: Kelaita.

For: Hayden, Kelaita, Pose, Howe and Soares.

Against: None.

Abstain: None.

NEW APPLICATIONS

There were no new applications.

PUBLIC HEARINGS

There were no new public hearings.

ZONING COMMISSION REFERRALS

There were no Zoning Commission referrals.

CITY COUNCIL AND OTHER REFERRALS

2. C.G.S. 8-24 Review:

Future acquisition of Open Space property at Assessor's Map 60, Lots 11-REAR & 12-5 Perkins Street.

The Commission acknowledged receipt of the following item in their electronic packets: a letter dated March 12, 2020, from Therese Pac, Town and City Clerk, regarding the vote of the City Council to refer this item to the 10 Year Capital Improvement Committee, Parks Department and the Planning Commission and to place this property on the list of open space properties under an 8-24 review.

Mr. Flanagan explained this was a referral from the City Council for the potential future acquisition of open space. These properties would be an opportunity for the City to purchase and there are inland wetlands adjacent to the property.

Ms. Levesque explained the Engineering Department and the Public Works Department agreed this would be a good acquisition because it abuts existing open space and a property owned by the City. The Mattabesett Trail was near the property and the property owners have people walking there without their permission. Therefore, the existing property owners were trying to sell the property to the City, which would make this available for residents.

The Commission commented that the property abuts existing open space and adding to open space would improve the City. The Commission had concerns with the rear lot and a thirty-degree incline and of people falling off of it. The Commission were unsure if the property owners were trying to sell the property to make the liability the City's responsibility. They reviewed the property and there were no walking trails visible.

After inquiries by the Commission, Mr. Flanagan explained this was a referral from the City Council and the Planning Commission should vote on the request as submitted. If acquired, the City would likely designate the parcels as formal open space.

MOTION: Move to direct staff to forward the following report to the City Council: Pursuant to the Connecticut General Statutes Section 8-24, the Planning Commission recommends that the City place on the list of Open Space properties for future grant applications the "Schaffrick" properties, described as Map 60 & Lots 11-REAR and 12-5 Perkins Streets because providing adequate open space for all Bristol residents is a goal of the 2015 Bristol Plan of Conservation and Development, updated to April 1, 2018.

By: Soares

Seconded: Pose.

For: Howe, Parker, Pose, Soares and Veits.

Against: None.

Abstain: None.

The CT General Statute 8-24 Referral is recommended for approval.

OLD BUSINESS

There was no old business.

NEW BUSINESS

3. Application #324 – Cedar Hill Subdivision – request for extension of subdivision expiration date from June 25, 2020 to June 25, 2022; Assessor's Map 9, Lots 12, 13 & 26 through 42 – Phase 2 Corbin Ridge (19 lots) & Lots 14 through 25 – Phase 3 Tevin's Way (12 lots); Cedar Hill Developers LLC, applicant.

The Commission acknowledged receipt of the following items in their electronic packets: a letter dated April 14, 2020, from Franklin Pilicy, Esquire, of Pilicy & Ryan, P.C., Attorneys at Law, to the Planning Commission, regarding the request of a two year extension to June 2022; an attach map dated June 12, 2017; copies of the Planning Commission minutes, respectively, dated April 25, 2018, May 30, 2018, June 22, 2016, four maps, dated March 2008, entitled "Cedar Hill, Old Orchard Road and Corbin Ridge, Bristol, CT (L1 through L4)"; Chapter 126, Section 143.C.152. of the CT General State Statutes; a letter, dated February 1, 2019, from Robert Flanagan to Sachem Capital Realty, LLC, regarding bonds for the Great American Insurance Co., (attached subdivision performance bonds, dated March 8, 2019) and an e-mail dated March 20, 2020, from Stephen Wagner of AA Plus Bonding to Robert Flanagan, City Planner, regarding the bonding remaining in place.

Mr. Flanagan explained that Director of Public Works, the City Engineer and himself were working with the applicants to try to resolve some of the issues with this subdivision, which the Planning Commission had previously approved a two year extension to June 25, 2020. The request before the Commission this evening is for an additional two-year extension to June 25, 2022.

Staff had a phone conference with the applicants on April 20, 2020. Staff preferred a six-month extension to December 31, 2020 and this was also discussed with the applicant; also, the applicant is requested to return back to the Commission in October 2020 for a status report and a potential additional six-month extension at that time.

He reviewed the General Statutes of Connecticut with respect to legislation that extended the time limits for Site Plans and Subdivisions for up to four additional years because of the economic recession in 2008. He reviewed the time limits on the application with the Commission. His opinion was the subdivision should be finished because it creates connectivity to adjoining neighborhoods and for emergency service connectivity.

Ms. Levesque explained there were some existing concerns on the property; project managers have come and gone and the subdivision name was changed. If the six-month extension is approved, it would allow the property owner to work through this construction season. On their phone conference with the property owner, Staff suggested weekly site progress meetings with the project manager and the Inland Wetlands Enforcement Officer on site because of the erosion control concerns. The goal was for site stabilization; opening Corbin Ridge to through traffic; installation of sidewalks; installation street lights; establishment of the street right of way; erosion controls and regrading of yards.

About five certificates of occupancy's were issued and Staff wants to keep the applicants accountable for the plans. After the construction season, they would review the plans and possibly recommend additional extensions.

Mr. Flanagan stated that there are approximately \$970,000 bonds for the subdivision: approximately \$550,000 for Corbin Ridge and approximately \$420,000 for Tevin's Way to finish the subdivision and infrastructure improvements. If the subdivision were allowed to expire, the applicant would have to finish the road infrastructure and have the streets accepted by the City, prior to expiration.

After inquiries by the Commission, Mr. Flanagan explained he had contacted the bonding company and the bonds are still in effect. The bond confirmation is in tonight's packet. The bonding company only wants to work with Staff with respect to any releases of the bond, but the bond would not be released or signed off on until the City was satisfied with the completion of the subdivision. The applicants are aware of the concerns.

The Commission agreed with the six-month extension that Staff has suggested. They had concerns of the problems getting worse if the issues were not corrected, but agreed with the request. They were concerned the subdivision would not be finished and a new developer would have the same challenges. They had concerns if the applicant does not finish the work with the proposed first six-month extension, then they would likely not finish the work with a second requested extension.

After inquiries by Mr. Flanagan, Ms. Levesque estimated the problems with the subdivision were that the developer was focusing on building houses and not on the development of the entire subdivision. Mr. Flanagan explained the applicants would also be requested to attend the June 2020 meeting and give a status update, in addition to the October 2020 appearance already agreed to. Staff will communicate the June 2020 requested appearance at the Planning meeting to the applicant directly.

MOTION: Move to approve an extension of Application #324 for six months from June 25, 2020 to December 31, 2020, of the subdivision approval originally approved on June 25, 2008.

This six-month extension is for **Application #324** – Bristol Crossing Subdivision (aka - Cedar Hill Subdivision) – Phase 2 – Corbin Ridge Assessor's Map 9, Lots 12, 13 & 26 through 42 (19 lots) and Phase 3 – Tevin's Way Map 9 Lots 14 through 25 (12 lots) – Sachem Capital, applicant. The extension is granted pursuant to the Connecticut General Statutes Section (C.G.S.) 8-26c (e) which allows for extensions of subdivision approvals.

The applicant/property owner (Sachem Capital) shall attend the October 28, 2020 Planning Commission meeting and provide an update to the Commission on the applicant's efforts to bring the project into compliance with the approved subdivision plan. The Planning Commission further specifies that the applicant should also work closely with the City of Bristol Engineering staff to resolve all remaining issues associated the development during this six-month time period.

By: Howe

Seconded: Soares.

For: Howe, Parker, Pose, Soares and Veits.

Against: None.

Abstain: None.

A six-month extension is approved.

STAFF REPORTS

4. Monthly Subdivision Status Report

There was no monthly Subdivision Status report.

COMMUNICATIONS

Chairman Veits reminded the Commission of the next regular meeting on Wednesday, May 27, 2020 with the WebEx process.

ADJOURNMENT

Motion was made by Commissioner Howe to adjourn.

Motion seconded by Commissioner Soares.

Motion carried 5-0.

The meeting adjourned at 8:01 P.M.

These minutes represent the proceedings of the meeting.

This meeting was taped.

Respectfully submitted,

Nancy King

Andrew Howe
Secretary
City Planning Commission