

**BRISTOL ZONING COMMISSION
MINUTES
REGULAR MEETING OF WEDNESDAY JULY 14, 2021**

CALL TO ORDER:

By: Chair Provenzano

Time: 7:00 P.M.

Place: City Hall

ROLL CALL:

MEMBERS	NAME	PRESENT	ABSENT
REGULAR MEMBERS:	Louise Provenzano (Chair)	X	
	Michael Massarelli (Vice Chair)	X	
	Richard Harlow	X	
	David White (Secretary)	X	
	Thomas Marra	X	
ALTERNATE MEMBERS	Marc Gagnon		X
	Susan Tyler	X	
	Blake DellaBianca	X	
STAFF	Robert Flanagan, AICP, City Planner	X	
	Edward Spyros, Zoning Enforcement Officer	X	

Chair Provenzano reminded the Commission that the next Regular Meeting of the Zoning Commission is Wednesday, August 11, 2021

PLEDGE OF ALLEGIANCE

ADMINISTRATIVE MATTERS:

1. Approval of Minutes – June 9, 2021

Chair Provenzano designated regular Commissioners White and Marra to vote on the June 9, 2021 regular minutes. She also designated alternate Commissioners DellaBianca and Tyler to vote on the June 9, 2021 regular minutes in place of Commissioners Massarelli and Provenzano with their absences at the June 9, 2021 regular meeting.

MOTION: Move to approve the minutes of the June 9, 2021, regular meeting.

By: White

Seconded: Marra.

For: White, Marra, Tyler and DellaBianca.

Against: None.

Abstained: None.

2. Zoning Enforcement Officer's Report

The Commission acknowledge receipt of the following item in their electronic packets: the Zoning Enforcement Officer’s monthly report for June, dated July 1, 2021. Mr. Spyros reviewed his report with the Commission.

RECEIPT OF NEW APPLICATIONS:

3. Application #2407 – Site Plan for a mixed-use development containing dwelling units and one or more permitted non-residential uses at 170 Farmington Avenue; Assessor’s Map 24, Lot 74A; BG (General Business) zone; 170 Farmington Avenue, LLC, applicant.
4. Application #2408 – Special Permit for a mixed-use development containing dwelling units and one or more permitted non-residential uses at 170 Farmington Avenue; Assessor’s Map 24, Lot 74A; BG (General Business) zone; 170 Farmington Avenue, LLC, applicant.

5. Application #2409 – Special Permit for a health or fitness club at 650 Emmett Street (Unit 3); Assessor’s Map 4, Lot 1B; IP-1 (Industrial Park) zone; Three LB, LLC, applicant.

MOTION: Move to schedule Applications #2407 and #2408 for a public hearing for the August 11, 2021, regular meeting of the Commission.

By: Massarelli

Seconded: Harlow.

For: Massarelli, White, Harlow, Marra and Provenzano.
Against: None.
Abstained: None.

The applications are scheduled for public hearings.

MOTION: Move to schedule Application #2409 for a public hearing for the August 11, 2021, regular meeting of the Commission.

By: Massarelli

Seconded: Harlow.

For: Harlow, Marra, Provenzano, Massarelli and White.
Against: None.
Abstained: None.

The application is scheduled for public hearing.

PUBLIC HEARINGS:

6. Application #2406 – Change of Zone from R-10 (Single-Family Residential) zone to I (General Industrial) zone at 16 Andrews Street; Assessor’s Map 38, Lot 62-4/62/4A/61-5; 16 Andrews Street, LLC, applicant.

The Commission acknowledged receipt of the following items in their electronic packets: a referral letter dated June 2, 2021, from the Zoning Commission to the Planning Commission; a referral letter dated June 24, 2021, from the Planning Commission to the Zoning Commission, regarding a positive recommendation; an approval letter dated June 1, 2021, from the Zoning Board of Appeals and two letter from the neighbors regarding support of the application dated June 22, 2021.

Vllaznim Sadriu, 16 Andrews Street, explained the request for a Change of Zone from R-10 to I-zone. He purchased the property in 2015 as a business for maintenance, repairs and selling of vehicles. He wants to continue this business. In 2017 he received a grant from the City and repaved the parking lot. After he received the grant, he received a notice from the Inland Wetlands Department that a permit was required for the work.

He was unaware a permit was required. He hired a team of professionals to prepare plans and he wants to resolve this matter. Three Variances were approved for the lot area and two setbacks. The Planning Commission recommended approval in accordance with the Plan of Conservation and Development to encourage expansion of existing business in Bristol. He wants to make significant improvements to the property, parking and landscaping.

Attorney Dwight Merriam, 80 Latimer Lane, Simsbury, on behalf of the applicant. The applicant received a \$10,000 grant and repaved the crushed asphalt. The Inland Wetlands (IW) agent discovered the paving and notified him this was a regulated activity because the work took place in the Upland review area. Frederick St. itself is in a inland wetlands regulated area.

The two properties across the street are I-zone and are also in a inland wetlands regulated area. There were a couple of options which was to remain in an R-10 zone as a non-conforming property. If approved this evening, the applicant will apply for a Special Permit and Site Plan before the Zoning Commission. The applicant does not know how the IW Commission will vote, but any decision will affect how the final Site Plan is designed. The applicant does not want remain in the R10 zone, non-conforming, because it does not allow the ability to improve the property.

No new construction is proposed, but improvements would be made to parking and landscaping. The Planning Commission unanimously recommended approval. The applicant cannot apply for a Site Plan until a inland wetlands application is approved.

If approved, the I-zone would be extended from across the street, which would make the property and use conforming. He reviewed the approvals from the Zoning Board of Appeals regarding the lot area and the setbacks. He reviewed Section 9.3.1.4. of the Plan of Conservation and Development with respect to retaining businesses in Bristol.

Attorney Merriam read into the record the letters dated June 24, 2021 from the Planning Commission; two letters dated June 22, 2021 and from the immediate neighbors, and the approval letter dated June 2, 2021, from the Zoning Board of Appeals. His view was the change of zone was consistent with the PoCD and it made sense for the property and the neighborhood.

After inquiries by the Commission, Attorney Merriam explained the property has been a lot since 1927; the Regulations started in 1933; and the business has been there since the applicant has owned the property since 2015. The applicant does not know when the building was built. Mr. Sadriu explained it is his understanding that the business had been there since the 1920's.

The following person spoke in favor of the application: Paul D'Aprile, 126 Frederick St., explained years ago there was a few cars being worked on at this site. Then with the next property owner, it became a one-person facility. The applicant has promised to improve the property and he believes him. This property would not affect his house. He requested the Commission to approve the application.

No one spoke against the application.
The hearing is closed.

By: Massarelli

Seconded: Harlow.

For: Massarelli, White, Harlow, Marra and Provenzano.

Against: None.

Abstained: None.

If the business were not there for so long, it would be a concern changing the zone from residential to industrial, but the use has been on the property for a long time and it made sense to zone it correctly. The three Variances were approved and the Planning Commission recommended approval. There were also letters of support from the neighbors.

MOTION: Move that Application #2406 – Change of Zone from R-10 (Single-Family Residential) zone to I (General Industrial) zone at 16 Andrews Street; Assessor’s Map 38, Lot 62-4/62/4A/61-5; 16 Andrews Street, LLC, applicant, be approved because:

The amendment to the Zoning Map, as presented, would be consistent with the goals and policies of the 2015 Plan of Conservation and Development, amended to April 1, 2018, and specifically:

- a. Section 9.3.1.4. – Encourage the retention and expansion of existing business and industry in Bristol.

The effective date of the zone change shall be August 2, 2021.

By: Massarelli

Seconded: Harlow.

For: Massarelli, White, Harlow, Marra and Provenzano.

Against: None.

Abstained: None.

The application is approved with stipulations.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

- 7. Request for electronic message board at: St. Stanislaus Church, 510 West St., Assessor’s Map 23, Lot 182; R-15/BT (Single-Family Residential/Downtown/Neighborhood Transition Overlay) zone; St. Stanislaus Church Corp. of Bristol, owner/applicant.

Walter Osenkowski, 43 Tuttle Street, on behalf of the applicant, explained the signage would be 4 ft. X 6ft. that would be the same sized signage as was the existing signage on the corner of King St. and Louisiana Ave. This would be for the same company and they want to upgrade their signage.

Mr. Flanagan explained Mr. Spyros had reviewed the request and he was comfortable with the proposal. Chair Provenzano explained the Commission may discuss these Regulations during their Zoning Regulations re-write to possibly eliminate this process and have the requests go to Mr. Spyros.

After inquiries by the Commission, Mr. Osenkowski explained there was an existing signage on the property, which would be an upgrade. The signage would be able to customize the messages similar to the signage on School St.

MOTION: Move that the Request for electronic message board at: St. Stanislaus Church, 510 West St., Assessor’s Map 23, Lot 182; R-15/BT (Single-Family Residential/Downtown/Neighborhood Transition Overlay) zone; St. Stanislaus Church Corp. of Bristol, owner/applicant, be approved.

By: Massarelli

Seconded: Harlow.

For: Massarelli, White, Harlow, Marra and Provenzano.

Against: None.

Abstained: None.

The request is approved.

CITY PLANNER’S REPORT:

- 8. Bristol Zoning Regulation Initiative:
 - a. Review and updates on recently passed legislation.

Chair explained with the re-write of the Zoning Regulations, that the Monday after the Regular meeting has been reserved for this project. She requested that Mr. Flanagan give the Commission notice of the Special Meeting contained within the e-mail with the Regular Meeting packets the week prior. There will be an August Special Meeting. The meetings will start at 5:30 P.M.

Mr. Flanagan reviewed the various State Statue changes, but no votes were required this evening. He would e-mail the data and requested the Commission to review.

- Some of the changes were: Zoning Enabling Act; Land Use Commissioner training (4 hours); Affordable Housing; Accessory Dwelling units; Traffic and Character for a proposed development; parking regulations changes.
- A small number of the Governors Emergency Orders were extended, including outdoor dining and remote/hybrid meetings.
- An Affordable Housing Report is required to be written by the Planning Commission due by June 1, 2022.

ADJOURNMENT:

MOTION: Move to adjourn at 8:15 P.M.

By: Massarelli

Seconded: Harlow.

For: Massarelli, White, Harlow, Marra and Provenzano.

Against: None.

Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King
Recording Secretary

Louise Provenzano, Chair

David White, Secretary