

**BRISTOL ZONING COMMISSION
MINUTES
REGULAR MEETING OF WEDNESDAY AUGUST 11, 2021**

CALL TO ORDER:

By: Chairman Provenzano

Time: 7:00 P.M.

Place: City Hall

ROLL CALL:

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

PLEDGE OF ALLEGIANCE:

The Chair reminded the Commission the next Regular Meeting of the Zoning Commission is Wednesday, September 8, 2021.

ADMINISTRATIVE MATTERS:

1. Approval of Minutes – July 14, 2021

MOTION: Move to approve the minutes of the July 14, 2021, regular meeting.

By: Massarelli

Seconded: Harlow.

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

Against: None.

Abstained: None.

2. Zoning Enforcement Officer's Report

The Commission acknowledge receipt of the following item in their electronic packets: a copy of the Zoning Enforcement Officers report dated August 2, 2021.

Mr. Spyros reviewed his report with the Commission. Complaints 40% less than the previous year. Compared to last year, the Building Department permits were reduced about 64 permits and the complaints are 40% reduced.

Gary Bartley, briefly addressed the Commission regarding a neighboring property that has very large trees growing over the property line and hanging over and onto his garage. The trees are a danger to his property and he was concerned about his tenants and that he would be liable. The trees blocked the sunlight on his property. There has to be a way to resolve this issue. He spends \$700 a year to trim the trees, but they grow back quickly.

This is a civil matter, but it was agreed that it might be more appropriate to potentially resolve this issue in the form of an amendment to the City Ordinance for property maintenance. The Chair also suggested that Mr. Bartley speak with his neighbor.

RECEIPT OF NEW APPLICATIONS:

- 3. Application #2410 – Special Permit for motor vehicle repair and service facilities at 1114 Farmington Avenue; Assessor’s Map 46, Lot B1; BG (General Business) zone; J’s Auto Sales & Repair II, LLC, applicant.
- 4. Application #2411 – Special Permit for take-out and carry-out restaurant at 912 Terryville Avenue; Assessor’s Map 66, Lot 16; BN (Neighborhood Business) zone; RT 6 Plaza, LLC and Marilyn Lozado, applicant.
- 5. Application #2412 – Special Permit for boutiques or similar specialty retail establishments; arts and crafts facilities at 135 Center Street; Assessor’s Map 26, Lot 169; R-15/BT (Single-Family Residential/Downtown/Neighborhood Transition Overlay) zone; Dusty Dude Woodworks, LLC, applicant.
- 6. Application #2413 – Site Plan for parking at 52 Shelia Court; Assessor’s Map 46, Lot 72A5; A (Multi-Family Residential) zone; Meridian Tower, applicant

MOTION: Move to schedule Application #2410 for a public hearing for the September 8, 2021, regular meeting of the Commission.

By: Massarelli Seconded: Harlow.

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

The application is scheduled for public hearing.

MOTION: Move to schedule Application #2411 for a public hearing for the September 8, 2021, regular meeting of the Commission.

By: Massarelli Seconded: Harlow.

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

The application is approved scheduled for public hearing.

MOTION: Move to schedule Application #2412 for a public hearing for the September 8, 2021, regular meeting of the Commission.

By: Massarelli Seconded: Harlow.

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

The application is scheduled for public hearing.

Mr. Flanagan explained that a public hearing was not required for Application #2413 because it was the addition of 20 parking spaces. Staff will review the proposal with the Site Plan Review Committee. If the application is placed under New Business next month, the application would be reviewed when Staff comments have been prepared. This was an existing property and a public hearing was not required for parking.

MOTION: move that Application #2413 be placed under New Business on the agenda for the September 8, 2021 Regular Meeting of the Zoning Commission.

By: Massarelli Seconded: Harlow.

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

The application is placed under New Business on the September 8, 2021 Regular Meeting.

PUBLIC HEARINGS:

- 7. 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.
- 8. 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.

The following item was submitted into the record: a letter dated August 9, 2021, from Charles Nyberg, R.A., of Shadler Selnau Associates, P.C., regarding a request to postpone Applications #2407 and #2408 until the September 8, 2021 regular meeting.

Mr. Flanagan read into the record the letter dated August 9, 2021. Mr. Flanagan explained there was a Site Plan Committee review, but it was discovered that two Variances will be required. Therefore, the Commission may not vote on the applications as they are proposed now; either Variances are obtained or the plan will be revised accordingly.

MOTION: Move that the opening of the Public Hearings on Applications #2407 & #2408, be postponed to the September 8, 2021 meeting of the Zoning Commission,

By: Massarelli

Seconded: Harlow.

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

Against: None.

Abstained: None.

The Application #2407 and Application #2408 are postponed.

- 9. 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.

The Commission acknowledged receipt of the following items in their electronic packets: a narrative submitted with the application; an approved Site Plan map that was submitted with an application in 2013 and a report, entitled “Site Plan For Site Plan Modification, 170 Farmington Avenue, Assessors Map 24, Lot 74A, Bristol, Connecticut dated December 5, 2020, prepared by Robert Green Associates, LLC.”

Mr. Flanagan explained the business was existing, but the applicant needed a Special Permit in order to operate their business. There was a previous Special Permit issued when the building was built property, but it was not for this use. The applicant was unaware a Special Permit was required so they are now requesting approval.

Roland Loranger, Jr. of Three LB, LLC, 650 Emmett Street, on behalf of the applicant, reviewed the backgrounds of the staff at the facility. He explained the business was existing since 2012 and they bought it in 2018. Their intentions were to specialize in obesity reduction and he reviewed the statistics of obesity in the United States. The addition of COVID-19 has also increased these statistics.

He read the company mission statement into the record. The facility have space limitations because of COVID-19. They provide private training, exercise classes and nutrition coaching. They had 6 employees. In March 2020, they had to close their existing business and they had to relocate the business to the Emmett St. location to reduce their business and to remain in business. They have 5 classes a day at 5:30 A.M.; 8:00 A.M.; 4:30 P.M.; 5:30 P.M. and 6:30 P.M. They have been in business since 2012 and they have been at this business for three years. They provide private training and nutrition classes. They are requesting approval.

After inquiries by Mr. Flanagan, Mr. Loranger explained the business started in 2012 at 650 Emmett St.; the business was on Broad St. in 2014. Mr. Flanagan explained the business was located on Broad St. it did not require a Special Permit because it was an Site Plan use. The Emmett St. location is an IP-1 zone and it required a Special Permit.

The following person spoke in favor of the application: Minerva Cardonna, 128 Owens Way, explained she supported the application because it benefited the community. No one spoke against the application. Mr. Flanagan reviewed the standards of approval for Special Permits in the Regulations.

Commission inquiries, respectively: Mr. Loranger explained the facility was totally enclosed. The business hours are from 5:30 A.M. to 7:30 P.M. The hearing is closed.

By: Massarelli

Seconded: Harlow.

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

The Commission appreciated the applicant attending the public hearing and for the work on the application.

MOTION: Move that 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, be approved.

By: Massarelli

Seconded: Harlow.

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

The application is approved.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

There was no new business.

CITY PLANNER’S REPORT:

- 10. Bristol Zoning Regulation Initiative:
 - a. Review of Special Meeting schedule

Mr. Flanagan reminded the Commission there was a special meeting on August 16, 2021 at 5:30 P.M. He requested they review the electronic packet he e-mailed during the week, and if possible, prepare questions for discussion at the meeting.

ADJOURNMENT:

MOTION: Move to adjourn at 7:47 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, Chairman

David White, Secretary