

**BRISTOL PLANNING COMMISSION
MINUTES
REGULAR MEETING OF WEDNESDAY AUGUST 26 2020**

CALL TO ORDER:

By: Chairman Veits

Time: 7:03 P.M.

Place: City Hall

ROLL CALL:

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) (arrived 7:22P.M.)	X	
	Joseph Kelaïta (Alternate)	X	
	Tracey Bacchus (Alternate)	X	
	Robert Flanagan, City Planner	X	
STAFF	Nancy Levesque, P.E., City Engineer	X	

PLEDGE OF ALLEGIENCE

PUBLIC PARTICIPATION

There was no public participation.

Chairman Veits reminded the Commission the next regular meeting was on Wednesday September 23, 2020.

ADMINISTRATIVE MATTERS

Approval of Minutes

1. Minutes from the June 24, 2020 Regular Meeting

MOTION: Move to approve the minutes of the June 24, 2020, regular meeting.

By: Howe

Seconded: Soares.

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

Against: None.

Abstain: None.

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

NEW APPLICATIONS

There were no new applications.

PUBLIC HEARINGS

There were no public hearings.

ZONING COMMISSION REFERRALS

There were no Zoning Commission referrals.

CITY COUNCIL AND OTHER REFERRALS

There were no City Council and other referrals.

OLD BUSINESS

There was no old business.

NEW BUSINESS

2. Application #414 – Request for Final Approval: Subdivision, Pine Street, south of Mitchell Street and east of Middle Street (5 lots); Assessor's Map 3, Lots 8 and 21; R-10/BHC (Single-Family Residential/Route 72 Corridor Business) zone; John Senese and Calamar Enterprises, Inc., applicants/owners.

The Commission acknowledged receipt of the following items in their electronic packets: a letter dated August 7, 2020, from Kevin Grindle, ASLA, PLA, of Anchor Engineering Services, Inc., regarding the request; an approval letter dated August 30, 2018, from the Planning Commission; a copy of the approved Application #414; a copy of the summary for the Subdivision Application entitled "*Subdivision Application for Pine & Mitchell St., Property Map 3/Lots 8 and 21, Bristol, CT, Prepared for Calamar Enterprises, Inc., 3949 Forest Parkway, Suite 100 Wheatfield, NY 14120, dated June 11, 2018, prepared by Anchor Engineering Services, Inc., 41 Sequin Dr., Glastonbury, CT*"; a letter dated May 24, 2018, from John Ianni, MS, PSS, of Highland Soils, LLC, regarding a soil survey; the first set of Site Plan Review Committee comments, dated June 28, 2018; a letter dated July 2, 2018, from Attorney James Ziogas, regarding his representation of the Subdivision Application #414 Mitchell Street Subdivision; a letter dated August 21, 2018, from Attorney James Ziogas, regarding a request for the waiver of sidewalks on Christopher St.; the second set of Site Plan Review Committee comments, dated July 17, 2018; the third set of Site Plan Review Committee comments, dated July 31, 2018 with comments; the third set of Site Plan Review Committee comments, dated July 31, 2018; the fourth set of Site Plan Review Committee comments, dated August 21, 2018; a copy of the response comments from Anchor Engineering Services, Inc. dated June 26, 2018; a copy of the draft sewer easement, dated July 2018; a copy of the draft driveway easement dated 2018; an e-mail dated July 19, 2018, from Robert Flanagan to Christopher Schaut, former Assistant City Planner, regarding 66 Bishop St. objections to the application; an e-mail dated July 24, 2018, from Dari and Josh Plante to Robert Flanagan, regarding questions on Application #414; a letter dated July 30, 2018, from Larry and Susan Palaia, regarding objections and a copy of a Hydraflow Plan View, dated August 28, 2018; a copy of a Storm Sewer Tabulation dated August 28, 2018.

Mr. Flanagan explained that this subdivision was a conditional approval two years ago on August 29, 2018. Their representative, Kevin Grindle, of Anchor Engineering Services, Inc., is online. Mr. Flanagan gave a background of the application. Lot 4 and Lot 5 had frontage on Pine St.; Lot 3 had frontage on Christopher St. (unapproved street). Lot 1 went to Mitchell, had the 128-unit senior housing to be constructed; the property was transferred within the last few weeks.

The application was received on June 27, 2018. The subdivision map was filed on July 11, 2019 (five lots.) The conditional approval expires on August 29, 2020. There was a property transfer on August 3, 2020 for Lot 1 before the final approval, which was the request this evening. On August 11, 2020 a \$202,075 bond was received for public improvements from the property owner. After the subdivision map was filed, the City Engineer discovered an error on one metes and bounds. He recommended the Planning Commission recommend the three maps be revised and refiled on the Land Records, which would be stamped with signatures.

Ms. Levesque, P.E., reviewed the error with the Commission that had southeast versus southwest. The correction should be southwest for the metes and bounds. The maps should be re-filed for the final approval.

Mr. Flanagan explained when a subdivision required public improvements, the public improvements had to be made or bonded for prior to final approval. The applicant does not want to or does not have the ability to construct the public improvements right now. The applicant estimated the public improvements and the City Engineer reviewed it.

Mr. Flanagan reviewed the Subdivision Regulations for the public improvements, conditional approvals and the ability to request additional conditional approvals. The applicant has public infrastructure improvements to finish for Christopher Street for the subdivision. A conditional approval was granted, which was valid for two years. If the applicant does not want to post a bond or finish the public infrastructure improvements, the conditional approvals would be valid, but no lots may be conveyed.

If the applicant conveys a lot without final approval, they are subject to a \$1,000 fine per the State Statutes and the Subdivision Regulations.

He reviewed the infrastructure and financial aspects of the bond. The applicant estimated the public improvements and \$140,000, but the City Engineer estimated it at \$202,075, which would be for Christopher Street. There was a transfer of Lot 1 on August 3, 2020. The CT Statutes allow for a fine to the applicant.

Kevin Grindle, ASLA, PLA, of Anchor Engineering Services, Inc., 41 Sequin Drive, Glastonbury, on behalf of the applicant, property owner and the co-owners, explained the applicant has been working with Calamar for two years on this project. Mr. Grindle was satisfied with the estimate of the bond estimate provided satisfied the Christopher Street component and the specific request this evening.

As indicated, Lot 1 was transferred by to Calamar Enterprises, Inc. on August 3, 2020 prior to final approval, which was done as an error. Calamar Enterprises, Inc. has obtained their financing, which was not clear previously with the COVID-19 environment. They construct senior housing that is declining because of the COVID-19 virus, but they are constructing this plan.

After inquiries by the Commission regarding the conveyance of Lot 1, Mr. Flanagan explained the applicant may have subdivision approval, but they cannot offer the lots for sale if there is a conditional approval, but the may be conveyed if there is final approval, which required a bond in place; also, if required, the public infrastructure had to be finished. The property transfer should not have occurred.

At this time Commissioner Hayden was in attendance online.

The Commission commented the apology was unsatisfactory, but the request for final approval was acceptable. The Commission agreed they do not want to obstruct the project and to discuss the process of the fine at the September meeting.

Mr. Flanagan explained only the property owner, Mr. Senese, a letter requesting his attendance at the September meeting.

MOTION: Move that Application #414 – Request for Final Approval: Subdivision, Pine Street, south of Mitchell Street and east of Middle Street (5 lots); Assessor’s Map 3, Lots 8 and 21; R-10/BHC (Single-Family Residential/Route 72 Corridor Business) zone; John Senese and Calamar Enterprises, Inc., applicants/owners, be granted a Final Approval, subject to Subdivision Regulation 2.07 and Section 8-25(a) of the Connecticut General Statutes.

This Final Approval is based on the following criteria/stipulations:

- a. The lots associated with this subdivision for Final Approval are:
Map 3 – Lot 1; Lot 2; Lot 3, Lot 4 & Lot 5.
- b. A cash bond, in the amount of \$202,075 was submitted on August 11, 2020 by the property owner, in order to satisfy Section 2.07 of the Subdivision Regulations. The bond is being posted in order to obtain Final Approval of the Subdivision. The bond will be held in order to ensure the completion of public infrastructure improvements associated with the Christopher Street.
- c. The filed subdivision maps are Maps Q-394; Q-395 & Q-396; because a metes and bounds error was discovered after the initial filing of the mylars, the Planning Commission will require that all three maps be revised and refiled on the Land Records for the City of Bristol with the correction. Once the maps have been prepared, the Chairman or Secretary of the Commission will endorse the revised map and approve it for filing.
- d. This Final Approval is not valid until the revised maps are filed on the Land Records and no additional lots shall be conveyed until the revised maps are filed on the Land Records.
- e. This Final Approval expires on August 29, 2023. A five-year extension can be requested should the property owner need more time to develop the subdivision.

By: Soares

Seconded: Howe.

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

Against: None.

Abstain: None.

The Subdivision Application #414 is recommended for approval.

STAFF REPORTS

3. Monthly Subdivision Status Report

The Commission acknowledged receipt of the following item in their electronic packets: the updated monthly Subdivision status report dated August 12, 2020.

Ms. Levesque explained they just discussed the Calamar Enterprises, Inc. subdivision. Regarding the Bristol Crossings subdivision, there was no status; they are working with the property owners; the Inland Wetlands Commission handled a lot of the concerns; sidewalks were being constructed this week and the light plan had to be finished. Rock Builders were constructing sidewalks this week and possibly requesting a certificate of occupancy this week. Laurentide Glen has not requested any building permits yet, but have progress constructing the streets and earth materials removal.

After inquiries by Mr. Flanagan, Ms. Levesque explained regarding the Laurentide Glen subdivision the realignment of the Pequabuck Road she would discuss the paving of that with them tomorrow.

COMMUNICATIONS

The Commission acknowledged receipt of the following items in their electronic packets: a letter dated July 15, 2020, from Therese Pac, Town and City Clerk, regarding the reappointment of Jon Pose, as a regular member of the Commission and a letter dated August 13, 2020, from Therese Pac, Town and City Clerk, regarding the reappointment of Jeffrey Hayden, as an alternate member of the Commission.

ADJOURNMENT

Motion was made by Commissioner Soares to adjourn.
Motion seconded by Commissioner Parker.
Motion carried 5-0.

The meeting adjourned at 7:36 P.M.

These minutes represent the proceedings of the meeting.
This meeting was taped.

Respectfully submitted,
Nancy King

Andrew Howe
Secretary
City Planning Commission