

**BRISTOL ZONING COMMISSION  
MINUTES  
REGULAR MEETING OF WEDNESDAY JUNE 9, 2021**

**CALL TO ORDER:**

By: Acting Chairman White

Time: 7:02 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 (Acting Chairman and 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	

**PLEDGE OF ALLEGIANCE:**

**ADMINISTRATIVE MATTERS:**

1. Approval of Minutes – May 12, 2021

Acting Chairman White designated regular Commissioners Marra and White to vote on the May 12, 2021 regular minutes. He also designated alternate Commissioners Gagnon, Tyler and DellaBianca to vote on the May 12, 2021 regular minutes.

Acting Chairman White noted a correction was needed on Page 1 of Commissioner DellaBianca being absent, but he was online at the meeting.

**MOTION:** Move to approve the minutes of the May 12, 2021, regular meeting, as amended.

By: Tyler

Seconded: Marra.

For: Gagnon, Marra, Tyler, DellaBianca and White.

Against: None.

Abstained: None.

2. Zoning Enforcement Officer's Report

The Commission acknowledge receipt of the following items in their electronic packets: the monthly Zoning Enforcement Officers report dated June 1, 2021.

**RECEIPT OF NEW APPLICATIONS:**

1. 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.

Acting Chairman White designated regular Commissioners Marra and White to vote on the Application #2406. He also designated alternate Commissioners Gagnon, Tyler and DellaBianca to vote on Application #2406.

**MOTION:** Move to schedule Application #2406 for a public hearing for the July 14, 2021, regular meeting of the Commission.

By: Tyler

Seconded: Marra.

For: Gagnon, Marra, Tyler, DellaBianca and White.

Against: None.

Abstained: None.

The application is scheduled for public hearing.

**PUBLIC HEARINGS:**

2. Application #2404 – Special Permit for fuel oil and heating fuel storage facility at 351 Minor Street; Map 66; Lot 263-2; Christopher Armstrong, applicant.
3. Application #2405 – Site Plan for fuel oil and heating fuel storage facility 351 Minor Street; Map 66; Lot 263-2; Christopher Armstrong, applicant.

Acting Chairman White explained that Application #2404 and #2405 would be heard concurrently, but voted on separately. He also designated regular Commissioners designated regular Commissioners Marra and White to vote on the Application #2406. He also designated alternate Commissioners Gagnon, Tyler and DellaBianca to vote on Applications #2404 and #2405.

The Commission acknowledged receipt of the following items in their electronic packets: the first and second set of Site Plan Review Committee comments, respectively, dated May 25, 2021 and June 9, 2021; a letter of opposition dated June 8, 2021, from Carolyn Perkins; a report entitled "Site Plan Site Plan and Special Permit for Fuel Transfer Facility, 351 Minor Street, Assessors Map 66, Lot 263-2 Bristol, CT, August 17, 2020, Revised November 23, 2020, prepared by Robert Green Associates, LLC"; a copy of the Best Management Practice, Fuel Delivery report, undated.

Attorney James Ziogas, 104 Bellevue Avenue, on behalf of the applicant, explained the property on Minor Street is 4.46 acres with 2.96 acres of inland wetlands. They received an approval from the Inland Wetlands Commission. There is City sewer and water services. The proposal is to develop a fuel oil supply and transfer facility for wholesale oil to supply home heating and propane services and delivery. The vehicles would be parked at this location. A new 10,250 sq. ft. building, a 1,250 sq. ft. office, a 9,000 sq. ft. garage and a 3,600-parking port for trucks would be constructed. There are three 30,000 diesel and oil tanks and two 30,000 propane tanks that would be constructed on a containment area to contain 100% of each tank (including alarms.) The Inland Wetlands Commission added a riff over the containment for storm water. The Wetland Commission also approved a detention basin. He reviewed the safety protocol report, which was quite lengthy that included spill kits, alarms and fob keys. The property required 3 acres of land. They complied with the setbacks and 14 parking spaces are required and provided.

The railroad track adjacent to the site is operated by Pan Am Railways and a spur would be constructed onto the railroad track to allow the delivery of oil and propane to make delivery feasible. He spoke with the Director of Public Works and he was satisfied with the plan. He referred then to A.J. Bellevue, to design and construct the railroad spur.

A sidewalk waiver was requested from the City Council meeting with a caveat if the City required them later to be constructed at the owners expense. There are no sidewalks in the area. The City Council referred this to the Board of Education and the Board of Public Works. Regarding the lighting plan, there is no light trespass because the property is large. An underground detention system was being constructed. The first set of comments from May 25, 2021 have been resolved. The heights are 23 ft., 18 ft. and 42 ft., respectively of the larger building, smaller building and the storage tanks.

He reviewed the Best Management Practice Report, which included employee training, inventory control, cleaning the tanks, driver and safety protocols, and inspections. The property is secluded with low traffic. The 8 ft. fence would not have barb wire. A lot of thought went into the plan for safety purposes for some control on the plan. This would be a 24-hour facility (persons on call.)

After inquiries by the Commission, respectively, Mr. Flanagan explained there was not a minimum distance from a school that he was aware of, but 30 ft. from a side-yard and a 50 ft. rear yard setback for Zoning. Attorney Ziogas explained the materials brought on site were certified to be contaminant free would be put on the plans. The design is for 100% of the containment area and was in the report and may be placed on the plans. It was an underground vortex system. Mr. Bellevue is the on-site construction coordinator. The spur would be on the property.

Christopher Armstrong, 113 North Riverside Avenue, Terryville, explained the product would be brought to the site by the train and by 3,000-gallon fuel trucks depending on product availability. This was a pump system with a short distance. In response to the Commission, if there is a minor spill it would go to an underground containment system. If there is a leak not in the containment area, it would be cleaned where it occurred.

Mr. Flanagan reviewed the narrative for the property and building sizes; diesel, oil and propane tanks in a containment area; He reviewed the comments, noted that a sidewalk waiver was being requested. There were questions on the lighting plan. Barb wire is not allowed. The fence was requested to be set back 3 ft. from the front property line. The rail tower height had to be determined. The Inland Wetlands Commission was pleased with their landscaping plans in the inland wetlands area. The property was a good distance from the residential area. He had e-mailed a letter to Attorney Ziogas from a concerned citizen that lived in the area and he had contacted her, but she was unable to attend the meeting this evening.

Mr. Flanagan read into the record the letter dated June 8, 2021.

No one else spoke in favor of the application.  
No one spoke against the application.

After inquiries by the Commission and Mr. Flanagan, Attorney Ziogas explained the attachments to the plan would make them contingent before construction may begin. The railroad spur construction would be separate from this approval, but the location and the geometry would be in the Site Plan. The Public Works Board would have an application for the railroad spur.

The hearing #2404 is closed.

By: Marra Seconded: DellaBianca.

For: Marra, Tyler, DellaBianca, Gagnon and White.  
Against: None.  
Abstained: None.

**MOTION:** Move that Application #2404 - Special Permit for fuel oil and heating fuel storage facility at 351 Minor Street; Map 66; Lot 263-2; Christopher Armstrong, applicant, be approved.

By: Tyler Seconded: Marra.

For: Marra, Tyler, DellaBianca, Gagnon and White.  
Against: None.  
Abstained: None.

The Application #2404 is approved.

The hearing #2405 is closed.

By: Tyler Seconded: Marra.

For: Marra, Tyler, DellaBianca, Gagnon and White.  
Against: None.  
Abstained: None.

**MOTION:** Move that Application #2405 – Site Plan for fuel oil and heating fuel storage facility 351 Minor Street; Map 66; Lot 263-2; Christopher Armstrong, applicant, be approved with the following stipulations:

1. The Site Plan shall not be signed off until all remaining staff comments have been addressed and the plan revised accordingly.
2. All site improvements which have not been satisfactorily completed by the time a Certificate of Occupancy is applied for shall be bonded in accordance with Section XI.A.16. of the Zoning Regulations. The performance bond shall be posted by the applicant with the City before the Certificate of Occupancy is issued.

By: Tyler

Seconded: Marra.

For: Marra, Tyler, DellaBianca, Gagnon and White.  
Against: None.  
Abstained: None.

The Application #2405 is approved with stipulations.

**OLD BUSINESS:**

There was no old business.

**NEW BUSINESS:**

There was no new business.

**CITY PLANNER'S REPORT:**

4. Bristol Zoning Regulation Initiative:
  - a. Scheduling information for upcoming Special Meetings and status updates.

Mr. Flanagan explained there would be a special meeting on Monday, June 14, 2021 at 7:00 P.M. and he would e-mail the Commissioners an agenda. He requested the Commission review the RFP document prior to the meeting on Monday.

**ADJOURNMENT:**

**MOTION:** Move to adjourn at 8:16 P.M.

By: Gagnon

Seconded: Tyler.

For: Marra, Tyler, DellaBianca, Gagnon and White.  
Against: None.  
Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King  
Recording Secretary

---

Louise Provenzano, Chairman

---

David White, Secretary