

Chairman Newman called the meeting to order at 7:00 P.M.

Commission members present: Gina Newman (Chairman), Brian Skinner (Vice Chairman), Kenneth Nairne (Secretary), David White, William Cunningham (Alternate), Robert Dalfino, Sr. (Alternate), and Peter DelMastro (Alternate).

Commission member absent: Bruce Chaplinski.

Also present: Alan Weiner, City Planner, T.J. Decrisantis, Zoning Enforcement Officer, and Christopher Beauchemin, Assistant City Planner.

Chairman Newman designated Commissioner Cunningham to sit in place of Commissioner Chaplinski on all applications this evening.

I. Administrative Matters

1. Approval of Minutes

Commissioner Nairne abstained from voting due to his absence at the July 13, 2012 regular meeting of the Zoning Commission.

MOTION: Commissioner Skinner moved that the minutes of the July 13, 2012, regular meeting of the Bristol Zoning Commission be approved as submitted. Commissioner White seconded the motion.

VOTE: In favor – Cunningham, White, Skinner, and Newman. Against – none. The motion carried 4-0.

2. Zoning Enforcement Officer's Report

The Commission acknowledged receipt of the following items: a report dated February 8, 2012, entitled *"Accessory Dwelling Unit Affidavit's Received to Date"*; a Memorandum of Decision, dated February 2, 2012, from the Superior Court, Judicial District of New Britain, regarding Memorandum of Decision of City of Bristol ET AL V. Alekos Skempris ET AL; and a letter dated February 7, 2012, from Anthony Decrisantis, Zoning Enforcement Officer, regarding Superior Court Decision, City of Bristol ET AL V. Alekos Skempris ET AL.

Mr. Decrisantis summarized his monthly report for January, dated February 6, 2012. He discussed with the Commission his report concerning the filing of accessory dwelling unit affidavits; fifteen of which have not yet been filed. He explained, a second letter of notice would be sent to the homeowners later this week. He also reviewed the final court proceedings concerning the lawsuit between City and Bristol Motor Works, Alex Skempris, East Main Street, Forestville; ruled in the City's favor. He provided details concerning the condition of the site noting it contained miscellaneous debris and vehicles for sale, which would be removed in accordance with the court order. Also, he noted there was a possibility the applicant might consider discussing with the Commission the possibility of adding more vehicles for sale at the site requiring submission of a Special Permit application. Mr. Decrisantis expressed the position that the vehicles on the site were not in compliance.

The Commission commented that the sign violation on East Broad Street, Forestville had improved. Also, the Commission asked Mr. Decrisantis to investigate potential zoning violations at the Scalia Brother Trucking Company, Martin Road, concerning the condition of both the fence and detention pond.

II. Receipt of New Applications

1. Application #2105 – Change of Zone from I (General Industrial) to BG (General Business) for 330 and 344 Middle St.; Assessor's Map 3, Lot 30-1 (pt.); Middle Battisto, LLC, applicant.
2. Application #2106 – Special Permit for accessory dwelling unit at 101 Rosewood Dr.; Assessor's Map 49, Lot 39; R-15 (Residential) zone: Lynn Gaski, applicant.

MOTION: Commissioner Skinner moved that Applications #2105 and #2106 be scheduled for a public hearing for the March 14, 2012, regular meeting of the Commission. Commissioner White seconded the motion.

VOTE: In favor – Cunningham, White, Nairne, Skinner, and Newman. Against – none. The motion carried 5-0.

III. Public Hearings

1. Application #2099 – Special Permit to remove earth materials between Barnum Rd. and Farrell Ave. (renewal of App. #2034); Assessor's Map 67, Lots 54, 56 through 59, 65, 67, 69, 72 through 78, 87 through 89, and 110 through 124; R-15 (Residential) zone; Jay-Dee Realty and Development Corp., applicant (public hearing closed; decision postponed from 1-11-12).

The following item was submitted into the record: a memorandum dated February 14, 2012, from Raymond Rogozinski, Assistant City Engineer, regarding the Engineer Divisions review of the site and an attached report, from the applicant's engineer, R.R. Hiltbrand Engineers & Surveyors, LLC, dated February 2, 2012.

Mr. Weiner explained, the Commission closed the public hearing at its meeting in January, postponing a decision until this evening's meeting. The Inland Wetlands Commission requested that storm water work be completed by the end of December and the Commission postponed the public hearing in order to obtain a letter from the applicant's engineer regarding the current status of the site. He explained, Mr. Rogozinski's letter provided information regarding the storm water work; a letter from the applicant's engineer also detailed the condition of the site. The Inland Wetland's Commission has not yet had its meeting, noting the State laws pertaining to voting requirements on the application. He suggested the Commission postpone its vote until the March 14, 2012 meeting.

Commissioner Nairne read into the record memo and letter.

The Commission agreed to postpone the decision to its March meeting.

MOTION: Commissioner Skinner moved that Application #2099, the decision be postponed to the March 14, 2012, regular meeting of the Zoning Commission. Commissioner White seconded the motion.

VOTE: In favor – Cunningham, White, Nairne, Skinner, and Newman. Against – none. The motion carried 5-0.

2. Application #2101 – Special Permit for stable/riding center at 733 Hill St.; Assessor's Map 65, Lot 5-1; R-40 (Residential) zone; Shepard Meadows Therapeutic Riding Center, Inc., applicant (continued from 1-11-12).
3. Application #2102 – Site Plan for indoor riding arena for stable/riding center at 733 Hill St.; Assessor's Map 65, Lot 5-1; R-40 (Residential) zone; Shepard Meadows Therapeutic Riding Center, Inc., applicant (continued from 1-11-12).

The Commission acknowledged receipt of the following item: a letter dated February 6, 2012, from Susan Quinlan, Board President, regarding the use of the riding center.

The following item was submitted into the record: the third set of Site Plan Comments, dated February 14, 2012.

Commissioner Nairne read into the record the letter dated February 6, 2012.

David Desmarias, 333 Round Hill Road, Volunteer Facility Director, Shepard Meadows Therapeutic Riding Center, Inc., on behalf of the applicant, explained the center would conduct one event a year. He explained the goal of the center was to facilitate therapeutic riding for its clients.

After inquiries by Mr. Weiner, Mr. Desmarias explained the concern of the Commission was that the facility only be used for events that would be sponsored by the applicant. Regarding the house that exists on the property; the applicant indicated they would continue to work with the Fire Marshal's office to obtain partial compliance.

Mr. Weiner explained the applicant could hold events with other organizations offsite for the purpose of raising funds, but the Commission's concern was the use of the new facility by someone other than the applicant. He reviewed possible stipulations and suggested a one-year review of the Special Permit.

The Commission commented that the applicant's letter dated February 6, 2012 was acceptable, in that it satisfactorily clarified the type of events that could be conducted at the facility.

No one else spoke in favor of this application.

No one spoke against this application.

MOTION: Commissioner Skinner moved that the public hearing on Application #2101 be closed. Commissioner Nairne seconded the motion.

VOTE: In favor – Cunningham, White, Nairne, Skinner, and Newman. Against – none. The motion carried 5-0.

MOTION: Commissioner Skinner moved that Application #2101, Special Permit for stable/riding center at 733 Hill Street, be approved, with the following stipulations:

1. The use of the indoor riding arena shall be limited to activities, programs, and events conducted by Shepard Meadows Therapeutic Riding Center.
2. The Commission shall conduct a review of the Special Permit in one year from the date a Certificate of Occupancy for the indoor riding arena is issued.

Commissioner Nairne seconded the motion.

VOTE: In favor – Cunningham, White, Nairne, Skinner, and Newman. Against – none. The application was approved 5-0.

MOTION: Commissioner Skinner moved that the public hearing on Application #2102 be closed. Commissioner Nairne seconded the motion.

VOTE: In favor – Cunningham, White, Nairne, Skinner, and Newman. Against – none. The motion carried 5-0.

MOTION: Commissioner Skinner moved that Application #2102, Site Plan for indoor riding arena for a stable/riding center at 733 Hill Street, 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.

Commissioner Nairne seconded the motion.

VOTE: In favor – Cunningham, White, Nairne, Skinner, and Newman. Against – none. The application was approved 5-0.

After inquiry by Mr. Desmaris, Mr. Weiner explained the one-year review process. He also commended the applicant.

4. Application #2104 – Proposed amendment #6 to the Zoning Regulations: to allow certain modifications in an approved Unified Downtown Development Project (Section VI.C.10. [new]); Attorney Timothy Furey and Renaissance Downtowns at Bristol, LLC, applicants (continued from 1-11-12).

Proposed amendments to the Zoning Regulations: #1 to allow dwelling units on part of a building's street level on certain streets in the BD-1 (Downtown Business) zone (Section VI.C.2.z.); #2 to add "Unified Downtown Development Projects" as a Special Permit use in the BD zone (Section VI.C.3.); #3 to require that only non-residential uses have to comply with the minimum percentage of street-level building fenestration in the BD-1 zone (Section VI C.5.b.(5)); #4 to allow "reverse angle" parking spaces in the BD zone (Section VI.C.7.d.(3)(b)); #5 to establish minimum standards and submission requirements for Unified Downtown Development Projects in the BD zone (Section VI.C.9.); #7 to clarify the minimum parking requirement for hotels (Section VIII.B.2.d.); #8 to reduce the minimum separation distance between accessory freestanding parking structures and the principal building they serve (Section VIII.B.7.b.); and #9 to delete section re expiration of Special Permits (Section X.A.15.); Attorney Timothy Furey and Renaissance Downtowns at Bristol, LLC, applicants (public hearing closed; decision postponed from 1-11-12).

The Commission acknowledged receipt of the following item: a revised draft of amendment #6, entitled "*Application #2104, Revisions to Proposed Amendment #6, Prepared by Bristol Land Use Office, Draft dated February 6, 2012*" (prepared by the Bristol Land Use Office).

Mr. Weiner gave a brief overview of the application, noting amendment #6 required further clarifying and more discussion, and, as such, was continued to this evening meeting. He explained, after a Unified Downtown Development application receives its final approval, the proposed amendment would allow certain modifications to occur by right; several others would be allowed also but they would be subject to the Commission's approval. He explained staff has reviewed the proposal, noting it met the integrity of the Zoning Regulations.

Attorney Timothy Furey, 43 Bellevue Avenue, on behalf of the applicant, explained the intent of the proposal has not changed as a result of the revisions; but the definition was amended to clarify the language. He explained, if the subject application was approved, a Special Permit would be required for any development of the Depot Square site and it would also include a presentation to the Commission as well as the new modifications discussed this evening.

Mr. Weiner explained, if approved, the modifications would improve the standards to approve a Unified Downtown Development.

After inquiry by the Commission, Mr. Weiner expressed his view regarding private streets; he pointed out the streets would be built to the standards of a regular city street and if there were problems in the future, the Commission could revisit the concerns and address them accordingly.

No one else spoke in favor of this application.

No one spoke against this application.

Chairman Newman commented that she was pleased with the revised language.

Attorney Furey commented that the applicant was seeking to have control of internal streets of the project because they were near residential uses and it was for safety purposes. He explained the amendment met the intent of the Zoning Regulations and that private streets would have to provide sufficient circulation for the development and would be reviewed as part of a Site Plan.

MOTION: Commissioner Skinner moved that the public hearing on Application #2104, proposed amendment #6 to the Zoning Regulations, to allow certain modifications in an approved Unified Downtown Development Project (Section VI.C.10. [new]); be closed. Commissioner Nairne seconded the motion.

VOTE: In favor – Cunningham, White, Nairne, Skinner, and Newman. Against – none. The motion carried 5-0.

Mr. Weiner explained the other amendments did not change; he also explained the options for voting on the application.

MOTION: Commissioner Skinner moved that Application #2104, proposed amendments to the Zoning Regulations #1 through #5 and #7 through #9 as proposed by the applicant, be approved; and proposed amendment #6, as presented in the draft dated February 6, 2012, be approved, with an effective date of March 1, 2012. Commissioner Nairne seconded the motion.

VOTE: In favor – Cunningham, White, Nairne, Skinner, and Newman. Against – none. The application was approved 5-0.

Ryan Porter, Director of Planning and Development, Renaissance Downtowns at Bristol, LLC, 111 North Main Street, thanked the Commission and Mr. Weiner for their work involving the amendments.

IV. Old Business

1. Application #2016 – Special Permit to remove earth materials, north side of Farrell Ave. south of Martin Rd., Scalia Brothers Trucking Co. – request to release a performance bond (continued from 1-11-12).

Mr. Weiner explained that he spoke with Raymond Rogozinski, Assistant City Engineer, concerning the site and was informed that there were no changes as of now to report. He also spoke with Attorney James Ziogas, the applicant's attorney, explaining to him that the Commission might not be taking action on the request at this evening's meeting. He suggested that the Commission continue the item to its March meeting.

MOTION: Commissioner Skinner moved that the request to release a performance bond associated with Application #2016, Special Permit to remove earth materials, north side of Farrell Avenue south of Martin Road, be continued to the March 14, 2012, regular meeting of the Commission. Commissioner Nairne seconded the motion.

VOTE: In favor – Nairne, Skinner and Newman. Against – Cunningham and White. The motion carried 3-2.

V. New Business

1. Interim Review of Sawe's Special Permit, East St.

The Commission acknowledged receipt of the following item: a letter dated February 9, 2012 letter, regarding the previous approval of Application #2075 and an attached letter dated January 21, 2011, regarding the previous approval.

Kevin Sawe, 289 Colby Road, Burlington, explained there have been no complaints involving his auto operation and that his business was doing very good.

Mr. Decrisantis reported that he visited the site and found it to be orderly and reported there have been no complaints involving the business.

After inquiry by Mr. Weiner, Mr. Sawe explained there have been no problems with the use of the adjacent property for parking purposes and that the arrangement has worked out very well for both parties.

Mr. Weiner commented that this was a long standing Bristol business owner who operated a neatly kept site and that he had no concerns. He pointed out that the business was near the Pequabuck River and Memorial Park, and also explained the purpose of the interim review process to the Commission.

The Commission commended the applicant on a well kept site.

2. CBS Outdoor digital billboards

The Commission acknowledged receipt of the following item: a letter dated December 12, 2011, from Jon Antal, General Manager, CBS Outdoor, regarding the conversion of a proposed digital billboard; three attached photographs (existing Billboards #1046P, #1039P, and #1059P); and an attached map entitled "*CBS Outdoor, CBS Location Map*", undated.

Mr. Weiner reviewed the proposal with the Commission regarding the three existing billboards owned by CBS Outdoor; under the proposal, one of the billboards would be converted to a digital display. The Commission was being asked to give its preference regarding the site it felt was most appropriate for the digital conversion.

Jon Antal, General Manager, CBS Outdoor, 355 Washington Avenue, North Haven, presented information regarding the project explaining the three proposed locations were existing billboards at Farmington Avenue-Stafford Avenue; North Street near Maple Ave.; and at the King Street-Middle Street intersection. He explained the sites were chosen for their proximity to shopping and commercial areas. He explained the billboard structures were constructed on steel beams that were capable of supporting the new digital equipment requiring only some minor structural reconstruction.

The general consensus of the Commission was the billboard at Middle Street-King Street was viewed as best suited for a digital display (Billboard #1059P) and, as such, was the billboard they recommended to CBS Outdoor for their digital conversion project.

After inquiry by Mr. Weiner, Mr. Antal explained that his company was not partial to any of the three billboards.

Mr. Weiner explained the Farmington Avenue structure was near Shop Rite Plaza; the panel near King Street was near Middle Street. Also, a vote was not required, but a Building Permit would likely be required for the structural work and associated alterations from the Building Department. He explained he would provide Mr. Antal with a letter concerning the Commission's stated preference regarding the request.

3. Discussion of the Status of the Terry House, Middle St./Mountain Rd.

The Commission acknowledged receipt of the following item: a letter dated February 8, 2012, from Attorney Timothy Furey, regarding the Terry House on Middle Street/Mountain Road.

Attorney Timothy Furey, 43 Bellevue Avenue, explained the history regarding the previous zone change on the site, and how the Terry House was involved in being relocated to the subject site on Middle Street. He explained the applicant's conducted several structural and engineering inspections of the structure that found the house to be structurally un-savable due to the level of work required in a complete restoration. He explained that he spoke with the Bristol Historical Society about their level of interest in the building sharing with them the engineering data and reports. They also contacted Terry Fletcher, relative of the historic owner of the homestead, and he also understood the concerns. Also, the Historical Society was allowed to perform an inspection and review

items that might be saved from the house for future public display. He also noted that a plaque could be placed on the site commemorating where it once stood.

Chairman Newman was disappointed the house was not preserved, but understood the safety concerns, and felt the plan to save some internal components of the house was a good way to preserve some of the history of the house.

The Commission briefly discussed the history of the Terry house and commented on the existence of another Terry House that house parts could possibly be donated to. Also, they suggested the applicant place an article in the newspaper to notify city residents about the plan for the building to be demolished.

After inquiry by the Commission, Attorney Furey explained the history of the Terry House and the many modifications that were made to it over the years. He was unsure if the original Terry House was on the National Register of Historic Places. He explained that he would continue to work with the Bristol Historical Society and with James Calciano, to implement the Commission's suggestions.

VI. City Planner's Report

1. Route 72 Corridor Zoning Amendments

The Commission acknowledged receipt of the following item: a draft of the proposed amendments to the Zoning Regulations, entitled *"AZR12-1: Proposed Amendments to the Bristol Zoning Regulations, Bristol Zoning Commission, Draft dated February 1, 2012, Scheduled for Public Hearing on"* (attached Figures (1) and (2)).

Mr. Weiner explained, the application will be assigned Application #AZR12-01. He summarized the background leading to the creation of the proposed amendments and gave a brief description of the presentations he conducted at the two public informational meetings that were held in January. The first of the two meetings was held at Nuchie's, with Commissioners Newman, Dalfino, and White, in attendance, along with about twenty members of the public. The second meeting was held at the Tunxis Community College Conference Center at Downtown Bristol; Commissioner Skinner and approximately six other people attended that meeting. He stated that the Commission was now ready to bring the amendments to a public hearing. Also, the amendments involved changes to the Zoning Map; various zone changes would be proposed and the new Route 72 Access Management Overlay Zone, amendment #9, would be delineated on the map. He requested the Commission schedule a hearing for its March 14, 2012 regular meeting. He thanked the Greater Bristol Chamber of Commerce for their support and involvement in the process.

MOTION: Commissioner Skinner moved that the Zoning Commission schedule a public hearing for its Wednesday, March 14, 2012 regular meeting, to hear and consider the following matters:

- (1) Proposed amendments to the Bristol Zoning Regulations as contained in the draft dated 2/1/12, initiated by the Bristol Zoning Commission (to be assigned Application #AZR12-01);
- (2) Proposed amendments to the Bristol Zoning Map along portions of the Route 72 corridor between Main Street and the Bristol-Plainville line as shown on the map prepared by the Bristol Land Use Office and dated February, 15, 2012, initiated by the Bristol Zoning Commission; and
- (3) A proposed amendment to the Bristol Zoning Map to add a "Route 72 Access Management Overlay Zone" along a portion of the Route 72 corridor between Main Street and Todd Street as shown on the map prepared by the Bristol Land Use Office and dated February 15, 2012, initiated by the Bristol Zoning Commission.

Commissioner Nairne seconded the motion.

VOTE: In favor – Cunningham, White, Nairne, Skinner, and Newman. Against – none. The motion carried 5-0.

2. Real Estate Office 84-88 Pine Street, reviewed, site plan approved, work completed.

Mr. Weiner explained that the application, Application #2100, 84-88 Pine Street (real estate office/non-compliant expanded parking lot) was approved by the Commission in December 2011. The applicant submitted a revised Site Plan to city staff and all the work has now been satisfactorily completed.

After inquiries by the Commission, Mr. Weiner explained the completed work was located to the rear of the site.

- 3. 61 Bellevue Avenue, administrative offices, dumpster relocated. Extend gas lines, two temporary propane tanks.

Mr. Weiner provided a summary of the project, explaining, the approved addition involved an administrative office located on the west side of the existing building. He explained, the applicant submitted a revised Site Plan that was undergoing a review by staff but now involved site changes that had reached a point where the Commission should be informed of the matter. Describing the project's details, he noted the applicant's architect was currently in the process of working with staff in efforts to relocate the facility's dumpster and improve truck access around the building. He noted the gas company has approved extension of the gas lines but the project was now being delayed. Resultantly, the applicant was requesting the installation of two temporary 500-gallon propane tanks adjacent to the administrative offices, until such time the permanent gas lines were ready to be constructed.

- 4. The Commission acknowledged receipt of a letter dated January 11, 2012, from Therese Pac, Town and City Clerk, regarding the appointment of Peter DeIMastro, as Zoning Commission alternate.
- 5. The Commission acknowledged receipt of a letter dated January 11, 2012, from Therese Pac, Town and City Clerk, regarding the appointment of Robert Dalfino, Sr. as Zoning Commission alternate.
- 6. The Commission acknowledged receipt of the Planning Commissioners Journal, Winter 2012 issue (last issue).

VII. Adjournment

MOTION: Commissioner Nairne moved that the February 15, 2012, regular meeting of the Bristol Zoning Commission be adjourned. Commissioner Cunningham seconded the motion.

VOTE: In favor – Cunningham, White, Nairne, Skinner, and Newman. Against – none. The motion carried 5-0.

The meeting was adjourned at 8:45 P.M.

Respectfully submitted,

Nancy King
Recording Secretary

Gina Newman, Chairman

Kenneth Nairne, Secretary