BRISTOL ZONING BOARD OF APPEALS
MINUTES
SPECIAL MEETING OF TUESDAY, AUGUST 6, 2019

CALL TO ORDER:

By: Chairman Rafaniello  Time: 7:00 P.M.  Place: City Hall

ROLL CALL:

Chairman Rafaniello, Acting Secretary, called the meeting to order at 7:02 P.M. He explained Attorney James Ziogas had requested this meeting for some critical construction guidelines they had to accommodate. He thanked the Commissioners for changing their plans to attend the meeting this evening.

<table>
<thead>
<tr>
<th>MEMBER TYPE</th>
<th>NAME</th>
<th>PRESENT</th>
<th>ABSENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>REGULAR MEMBERS:</td>
<td>Jerald Rafaniello (Chairman and Acting Secretary)</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Jeffrey Twombly (Vice Chairman)</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td>Richard Raymond (Secretary)</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td>Alfred Radke, III</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td>David Pecevich</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>ALTERNATE MEMBERS</td>
<td>Morris Rippy Patton, IV</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td>Rory Ghio</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td>Tim Adamaitis</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td>STAFF</td>
<td>Edward Spyros, Zoning Enforcement Officer</td>
<td></td>
<td>x</td>
</tr>
<tr>
<td></td>
<td>Christopher Schaut, Assistant City Planner</td>
<td></td>
<td>x</td>
</tr>
</tbody>
</table>

Public Hearings

1. Application #3713 – Certificate of Approval for used car dealer and general repairer’s license at 137 School Street; Assessor’s Map 29, Lot 76; BG (General Business) zone; Andrew Bottone, applicant.

Chairman Rafaniello designated regular Commissioners Radke, Pecevich and Rafaniello to sit on Application #3713. He also designated alternate Commissioners Ghio and Patton to sit on Application #3713 in place of Commissioners Twombly and Raymond.

Adam Sebastian, 180 Alder Street, Waterbury, explained he and his partner were real estate agents and investors. Mr. Bottone was also a certified mechanic. Their plan for this property was to sell three cars only online, which they have been doing for about fifteen years. They have improved the building that was in the downtown area that was a former antique store, which included a security system and lighting plan.

After inquiries by the Board, Mr. Sebastian explained this was one lot and they improved the house that they lease to two tenants. The facility was not open currently. When they open the business, the tenants would be allowed one parking space on the front lot (west side), which is fenced off from the gas station.
There were plans to have the three parking spaces paved and striped. The vehicles would be stored inside the 1,300 sq. ft. building.

Mr. Schaut explained this was the first step of the process for this BG zone property and would also require Special Permit and Site Plan approval from the Zoning Commission, if approved this evening.

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

The hearing is closed.

By: Ghio  Seconded: Pecevich.
For: Patton, Ghio, Radke, Pecevich and Rafaniello.
Against: None.
Abstain: None.

The Board commented this was an informative presentation and the parking area was well documented. The applicant would be selling and repairing three vehicles at one time. Based on the prior use, the house in the front and the parking, this would be an appropriate use of the permit. The applicant had a lot of time and effort in planning for the improvement of the property. With the small amount of improvement, they have upgraded the one area. There is an existing gas station in the area and the general repairer’s license would be good for the area since it was to the rear of the property. They agreed with the Commissioners and this use would be appropriate with the prior use of the property.

**MOTION:** Move to approve Application #3713 – Certificate of Approval for used car dealer and general repairer’s license at 137 School Street, in accordance with the plot plan and information submitted.

By: Ghio  Seconded: Patton.
For: Patton, Ghio, Radke, Pecevich and Rafaniello.
Against: None.
Abstain: None.

The application is approved.

1. Application #3714 – Variance of finished grades for parking areas shall not exceed three percent to construct a medical office building and parking at 780 King Street; Assessor’s Map 48, Lots 260, 262, 263, and 264-65; BG (General Business) zone; HJ Z, LLC, applicant.

The Board acknowledged receipt of the following item in their electronic packets: a letter dated July 8, 2019, from Attorney James Ziogas, regarding the reasons for the request of the special meeting this evening.

Chairman Rafaniello designated regular Commissioners Radke, Pecevich and Rafaniello to sit on Application #3714. He also designated alternate Commissioners Ghio and Adamaitis to sit on Application #3713 in place of Commissioners Twombly and Raymond.
The following persons reviewed Application #3714, on behalf of the applicant, with the Board: Attorney James Ziogas, 104 Bellevue Avenue, the applicant’s attorney; Robert Hiltbrand, P.E., R.R. Hiltbrand Engineers and Surveyors, 575 North Main Street, the applicant’s engineer and Charles Nyberg, A.I.A., Charles Nyberg, Shadler Selnau Associates, P.C., 5 Waterville Road, Farmington, the applicant architect.

Attorney Ziogas reviewed the plan with the Board and the area where the Variance of finished grade for parking was needed. There were some areas that exceeded the regulation, but those were existing conditions on the property.

After inquiry by the Board, Attorney Ziogas explained the two houses would be demolished, but the house to the far west would remain.

Mr. Hiltbrand explained the higher grade was on the corner and the pedestrian traffic and entry doors (two entry doors) would be to the north to prevent pedestrian traffic in that area. Where there is a steep grade there is no walkway.

After inquiries by the Board, Mr. Hiltbrand explained the retaining wall was about six feet high, but if it were constructed higher the grade would have to be higher. They were trying to retain the grade transition. There inland wetlands were to the east of this property, but not on the property.

Mr. Nyberg reviewed the building layouts and how the buildings would be connected and the difficulty the grade of property created for building design.

Attorney Ziogas summarized the grades were similar to many areas of the City. The driveway would be relocated to the south. The handicapped parking grade was at 2%. There was a 25 foot access isle for vehicles.

After inquiries by the Board, the final grades were 9% to 10% in the graded area and the remaining existing area was 3% to 4%.

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

The hearing is closed.

By: Pecevich  
Seconded: Ghio.

For: Ghio, Adamaitis, Radke, Pecevich and Rafaniello.  
Against: None.  
Abstain: None.

The Board commented there no concerns; this plan was a good improvement to the property. The driveway was relocated that may have been a traffic safety concern. There were elevation challenges that justify the request for the Variance location.

**MOTION:** Move to approve Application #3714, Variance of finished grades for parking areas shall not exceed three percent to construct a medical office building and parking at 780 King Street, in accordance with the plot plan and information submitted.
By: Ghio Seconded: Pecevich.

For: Ghio, Adamaitis, Radke, Pecevich and Rafaniello. 
Against: None. 
Abstain: None.

The application is approved.

**MISCELLANEOUS**

3. Edward Spyros, the new Zoning Enforcement Officer, introduced himself to the Board. After inquiry by the Chairman, Mr. Spyros explained that Thomas Lozier would be replacing Mr. Morin as Chief Building Official.

Item #1, Approval of Minutes was taken out of order under Miscellaneous.

4. Approval of Minutes - July 2, 2019

Chairman Rafaniello designated regular Commissioners Pecevich, Radke and Rafaniello to vote on the July 2, 2019 regular minutes. He also designated alternate Commissioners Ghio and Adamaitis to vote on the July 2, 2019 regular minutes in place of Commissioners Raymond and Twombly with their absences this evening.

**MOTION:** Move to approve the minutes of the July 2, 2019, regular meeting.

By: Pecevich Seconded: Ghio.

For: Radke, Pecevich, Rafaniello, Ghio and Adamaitis.
Against: None.
Abstain: None.

5. Chairman Rafaniello and Mr. Schaut thanked the Commissioners for attending the meeting this evening.

**ADJOURNMENT**

Chairman Rafaniello designated regular Commissioners Radke, Pecevich and Rafaniello to vote on the adjournment. He also designated alternate Commissioners Ghio and Patton to vote on the adjournment in place of Commissioners Raymond and Twombly with their absences this evening.

**MOTION:** Move to adjourn at 7:43 P.M.

By: Radke Seconded: Pecevich.

For: Ghio, Patton, Radke, Pecevich and Rafaniello.
Against: None.
Abstain: None.
Respectfully submitted,

Nancy King
Recording Secretary

Jerald A. Rafaniello, Chairman         Richard Raymond, Secretary