

**ZONING COMMISSION  
MINUTES  
REGULAR MEETING OF MONDAY FEBRUARY 13, 2023  
FINAL DRAFT MINUTES**

**CALL TO ORDER:**

By: Chair Provenzano

Time: 7:00 P.M.

Place: Board of Education,  
Auditorium, 129 Church Street

**ROLL CALL:**

MEMBERS	NAME	PRESENT	ABSENT
REGULAR MEMBERS:	Chair Provenzano (Chair)	X	
	David White (Vice Chair)	X	
	Richard Harlow	X	
	Thomas Marra (Secretary)	X	
	Marc Gagnon	X	
ALTERNATE MEMBERS:	Joseph Kelaita	X	
	Aileen Abrams	X	
	Richard Goodwin	X	
	Robert M. Flanagan, AICP, City Planner	X	
STAFF:	Andrew Armstrong, Assistant City Planner	X	
	Edward Spyros, Zoning Enforcement Officer	X	

Chair Provenzano called the meeting to order at 7:01 PM P.M.

**PLEDGE OF ALLEGIANCE:**

Chair Provenzano reminded the Commission the next special meeting was Wednesday, February 22, 2023. She also reminded the Commission the next regular meeting was Monday, March 13, 2023.

**ADMINISTRATIVE MATTERS:**

- 1. Approval of Minutes
  - a. January 23, 2023

**MOTION:** Move to approve the minutes of the January 23, 2023, regular meeting.

By: White

Seconded: Marra.

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

Against: None.

Abstained: None.

- 2. Zoning Enforcement Officer’s Report
  - a. January 2023

The Commission acknowledged receipt of the following item in their electronic packets: the Zoning Enforcement Officers report dated February 1, 2023, for the month of January 2023.

Mr. Spyros reviewed his report for January 2023, dated February 1, 2023. He explained the blight complaints increased more than 50% because yards were not covered with snow and the neighbors can view any debris, etc. Therefore, there were more complaints.

**RECEIPT OF NEW APPLICATIONS:**

- 3. Application #2465 – Proposed amendments to the Zoning Regulations to 1) add a definition for Housing for the Elderly; 2) separate Housing for the Elderly from Congregate Housing and Life Care Facilities; 3) add specific language that addresses Housing for the Elderly as an adaptive reuse of existing structures and 4) add provisions for construction of new Housing for the Elderly in the R-10, R-15, R-25 & R-40 (Single-Family Residential) zones; Attorney Timothy W. Furey, applicant.

Staff explained the applicant’s attorney, had submitted Application #2465 the afternoon of their last meeting. When the application is opened on January 23, 2023, the application is accepted and the Commission has to have a public hearing within 65 day. He recommended a public hearing on March 13, 2023.

**MOTION:** Move that Application #2465 be scheduled for a Public Hearing at the next Regular Meeting of the Zoning Commission on: March 13, 2023.

By: White Seconded: Marra.

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

The application is scheduled for public hearing.

- 4. Application #2466 – Change of Zone from R-15 (Single-Family Residential) zone to A (Multi-Family Residential) zone at north of Washington Street, west of Stafford Avenue and east of Pleasant Avenue, Lot 181 Fair Street; Assessor’s Map 44, Lot 181; Rockwood Hills Financial, LLC, applicant.

Staff explained Mr. Armstrong identified a typo in the application description and the language for Mr. White to read into the record was corrected. It is supposed to be north of Washington Street, east of Stafford Avenue and west of Pleasant Avenue. The legal notices and agendas would be corrected going forward. The applicant’s attorney, James Ziogas, requested the application be heard on March 13, 2023.

**MOTION:** Move that Application #2466 be scheduled for a Public Hearing at the next Regular Meeting of the Zoning Commission on: March 13, 2023.

By: White Seconded: Harlow.

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

The application is scheduled for public hearing.

- 5. Application #2467 – Special Permit for housing for the elderly (74 units) at east of French Street, north of Seminary Street, and west of Camp Street, Lot 62-1 Camp Street; Assessor’s Map 45, Lot 62-1; R-15 (Single Family Residential) zone; Eastwood Meadows, LLC, applicant.
- 6. Application #2468 – Site Plan for housing for the elderly (74 units) at east of French Street, north of Seminary Street and west of Camp Street, Lot 62-1 Camp Street; Assessor’s Map 45, Lot 62-1; R-15 (Single Family Residential) zone; Eastwood Meadows, LLC, applicant.

Staff explained the applicant’s attorney, Timothy Furey, requested that Applications #2467 and #2468 be scheduled for the April 10, 2023, meeting. He also explained that Application #2455 was being withdrawn and Applications #2467 and #2468 would replace the Special Permit Application #2455. The applicant was allowed to submit the applications before the Regulation change was effective on Monday, February 20, 2023.

**MOTION:** Move that Application #2467 and #2468 be scheduled for a Public Hearings at the April Regular Meeting of the Zoning Commission on: April 10, 2023.

By: White Seconded: Marra.

For: White, Harlow, Marra, Gagnon and Provenzano.  
Against: None.

Abstained: None.

The Applications #2467 and #2468 are scheduled for public hearings.

**PUBLIC HEARINGS:**

- 7. Application #2455 – Special Permit for housing for the elderly at Map 45, Lot 62-1 Camp Street and 355 Camp Street; Assessor’s Map 45, Lot 62-1 & 66; R-15 (Single Family Residential) zone; Franklin Park Realty, LLC, applicant – (Note: Public Hearing Signs were not posted.)

The Commission acknowledged receipt of the following items in their electronic packets: a letter dated February 2, 2023, from Attorney Timothy Furey, regarding the withdrawal of Application #2455; a letter dated December 5, 2022, from Development Planning Solutions, LLC, regarding the applicant’s goals for the property and a memorandum dated December 6, 2022, from the Bristol Zoning Commission to the Town Clerk and the Town Planner of the Town of Plainville, regarding the referral of special permit application #2455, Map 45, Lot 62-1 Camp Street, Bristol, CT.

Staff explained there was a letter in the file to withdraw Application #2455.

Attorney Timothy Furey, 43 Bellevue Ave., representing the applicant, explained he submitted a letter several weeks ago to withdrawn Application #2455. The letter was to notify the public that nothing would be going forward today. During this time the property was purchased from Gloria Dei Evangelical Lutheran Church by Eastwood Meadows, LLC. He worked with his professional team to redesign the plans. There is also an application for a Text Amendment under his name, Attorney Timothy Furey If he does not arrive in time for the public hearing, there are different professionals that may represent the applicant.

**MOTION:** Move to accept the withdrawal of Application #2455, based on the letter received from Attorney Timothy Furey, dated February 3, 2023.

By: White

Seconded: Harlow.

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

Against: None.

Abstained: None.

The application is withdrawn.

- 8. Application #2457 – Change of Zone from R-10 (Single-Family Residential) zone to BG (General Business) zone at Map 54 Lots 34, 35 & 36 Farmington Avenue; Assessor’s Map 54, Lots 34, 35 & 36; MMTD Associates, LLC, applicant.

Chair Provenzano designated regular Commissioners White, Harlow, Marra, Gagnon and Provenzano to vote on Application #2457.

The Commission acknowledged receipt of the following items in their electronic packets: a memorandum dated January 31, 2023, from the Bristol Planning Commission to the Bristol Zoning Commission, regarding Application #2457 – Change of Zone from R-10 (Single-Family Residential) zone to BG (General Business) zone at Map 54 Lots 34, 35 & 36 Farmington Avenue; Assessor’s Map 54, Lots 34, 35 & 36; MMTD Associates, LLC, applicant; a memorandum dated January 23, 2023, from the Bristol Zoning Commission to the Bristol Planning Commission, regarding referral of proposed map amendment; a memorandum dated January 23, 2023, from the Bristol Zoning Commission the Bristol Town and City Clerk, regarding referral of proposed map amendment; a copy of the Bristol Zoning Commission regular minutes, dated August 12, 2015; an e-mail dated February 13, 2023, from Thomas O’Connor to Robert Flanagan, City Planner, regarding addendum comment re: Mercier Ave concerns; an e-mail dated January 28, 2023, from Thomas O’Connor to Robert Flanagan, City Planner, regarding Rt. 6 / Mercier Ave Hearing; a letter undated, from Lindsey Rivers, regarding objections; a letter undated, from Leilani O’Connor, regarding objections; a letter undated, from Karen Washington, regarding objections; a letter undated, from Michael Dryburgh, regarding objections; a letter dated January 30, 2023, from Keith and Catherine Rosenfeld to Robert Flanagan, City Planner, regarding Application #2457 Zoning Commission Referral; and a letter undated, from Lawrence Tallman, regarding objections.

Chair Provenzano explained Application #2457 had received a negative recommendation from the Planning Commission. The Zoning Commission would require a 4 to 5 vote for a super majority vote to approve Application #2457.

Attorney Mark Ziogas, 88 Valley St, representing the applicant, reviewed the request for a zone change for the property located on the corner of Route 6 and Mercier Avenue. The applicant owned the site for 20 years that had limited uses. The development for the site was unsuccessful with prior offers because the applicants were unable to obtain a zone change. The construction of homes was not a good plan with driveways on Route 6 for children. The Planning Commission suggested to change the zone to an A-zone, but there is not a 2-acre minimum. The zone is BG-zone from this site to the Town of Farmington. Route 6 was the commercial and retail route for the City. The PoCD encouraged new businesses, but the businesses needed the right location. The BG-zone would not creep down the side streets as discouraged in the PoCD. If approved, the site would be an extension of like

BG-zones in this commercial area. The recent application for the Dairy Queen site was approved for a BG-zone. The homes in the area were either changed to BG zone or obtained Special Permits, but few residential houses remained in the area.

Attorney Ziogas explained if approved the applicant would merge the three lots and reduce the curb cuts. The Mercier Ave. neighbor's main concerns were of traffic. Also, of drivers using Mercier Ave. to get to Jerome Ave., a drive by shooting, drug activity, and on street parking. The applicant would not be able to prevent any of these activities. If approved, a commercial site may decrease these activities with lighting and a security plan versus a vacant property. To reduce these concerns a Site Plan may eliminate a left turn down Mercier Ave. The Police Dept. may discuss the no parking signage on Mercier Ave. If approved, the applicant may make the under-utilized lot more functional. Attorney Ziogas requested the application be approved this evening.

Staff read into the record the memorandum dated January 31, 2023, from the Planning Commission to the Zoning Commission.

In response to the Planning Commission memo, Attorney Ziogas explained the residential style and screening for the neighbors may be resolved at the site plan level. He did not understand #2, to keep the lots vacant versus utilize the vacant lots. His view was it was better to develop the vacant lots to make them useful for the City versus have debris on them. He mentioned the

Commission inquiries: Staff explained regarding Fig. 32, Pg. 36 and the Transition Zone, the Zoning Commission was not able to send a referral back to the Planning Commission. The Planning Commission mentioned to turn the site into an A-Zone. The Route 6 Corridor Study mentioned the mixed use throughout the study to utilize the vacant lots.

Chair Provenzano acknowledged there were not many vacant lots being developed on Farmington Ave., but applicants were redeveloping existing lots/properties and fulfilling the PoCD. Her view was a property with a business would have less crime in the area. She agreed with Staff's comments on the many empty stores, but some were being occupied.

Not one else spoke in favor of the application.

The following persons spoke against the application: Lindsey Rivers, 120 Mercier Ave.; Michael Dudko, 116 Lewis Rd.; Keith Rosenfeld, 82 Hoover Ave.; Karen Washington, 101 Mercier Ave.; Michael Drybrugh, 101 Mercier Ave.; Kimberly Smith, 218 Green St.; Kimberly Smith, 218 Green St. and Desira Powell, 180 Mercier Ave.

Ms. Rivers explained she also sent her letter to the Planning Commission. She had concerns of the existing 65 vacant retail spaces on Farmington Ave. Therefore, an additional retail space was not needed at the end of her street. The neighbors are not saying for the lot to remain vacant but to construct houses, apartments, a triplex or professional offices. The Auto Zone had ongoing drug activity and loitering, so the police are constantly on the site. A right turn only egress to Mercier Ave. would be horrendous. The drivers ignore right hand turn only signage at various businesses. She inquired why it would be safer for customers to egress to Farmington Ave. The three lots would average 6 to 8 vehicles, but a business would average 60 vehicles. When the zone is changed, it may not be changed back to the original zone. The end use was not stated, and a big retail facility may be constructed on the site. The neighbors do not want additional problems.

Mr. Dudko explained he lived 1,145 ft. away from the property. The six objection letters had good points, which the Commission was obligated to read. The 2015 Zoning Commission minutes had objections to an application for the property. On Pg. 52 and Pg. 61 of the Route 6 Corridor Study (Route 6 Corridor Study), he reviewed the guidelines and priorities to preserve the existing housing pattern in neighborhoods that surrounded the corridor. He questioned what good is the Route 6 Corridor Study if the Commission does not use it. The Planning Commission gave a negative referral for the request. He had concerns of four lots near his property being bought by an enterprise to possibly change the zone. This would be a domino effect. He had concerns of what would be constructed on the four lots. His view was the lots may be oriented to Mercier Ave. and construct two nice houses. The Route 6 Corridor Study says to preserve houses and particularly to preserve houses between Lewis St. and Mercier Ave. He would like to be protected in the future.

Mr. Rosenfeld explained he was a prior town planner in various towns. He is a Planner for NVCOG, but he was not representing them. He was speaking as a resident. He was at the 2015 Zoning Commission meeting for an application that was denied. The PoCD and the Route 6 Corridor Study was a guideline for Bristol's growth of Route 6. He agreed with the Planning Commission negative referral because the zone change was not consistent with the PoCD. His view was the BG zone does not match the goals of the PoCD to strengthen and protect the existing neighborhoods, create a pedestrian friendly environment or reuse of existing property. He reviewed options for the property with R-10 and RM-zone uses with buffers for the neighbors. This section of Farmington Ave. was dangerous since the arrow light was installed. If approved, the additional traffic would make more traffic problems. The housing values have increased recently, but people were improving the housing in the area. If this was an extension of a zone, it would not end because it would affect the adjoining properties. His view was this was not a good use of the property. There are many properties to be redeveloped, but the applicant does not own them.

Ms. Washington read into the record her letter, undated. She had concerns of the traffic, speeding traffic and drivers using Mercier Ave. to cut through to avoid the Jerome Ave. She and her dog were almost hit by a car several times. The neighbors requested the end of Mercier Ave. to be closed off, but that has not happened. Some speed bumps were placed on the street because a child was hit by a car and later died. Turning left from Mercier Ave. was a bad idea with four lanes of traffic to cross.

Turning right onto Route 6 was a concern with speeding traffic. There is concerns with the traffic from the Dairy Queen property and now this property would generate additional traffic. The neighbors do not need increased traffic, noise, pollution, trash and crime in the area. She would have lived on Jerome Ave. or Route 6 if she wanted to live in a busy area. If the zone is changed, she questioned whether to sell her house and to whether to live in Bristol.

Mr. Drybrugh had inquiries of Attorney Ziogas if the proposal would have a right turn to Mercier Ave. and ingress into the business from Mercier Ave. If so, he had concerns of the traffic increasing on Mercier Ave. The traffic impact for the Dairy Queen property was not seen yet and now an additional business may be constructed with no traffic stops. There are a lot of accidents on Jerome Ave. with a traffic signal. He did not know of any traffic signal proposals for Mercier Ave. and Farmington Ave. He and his wife just improved their house and like the conveniences of Route 6, but the area is starting to not be a nice area again. The love of the area is turning to like. If the area is rezoned, this would turn to hating this area. He and his wife would look to sell their house. He understood the City wants to utilize vacant lots for the City tax base. The owner may develop the site, but he asked the Commission to make the right decision.

Commissioner Abrams noted she would read the Route 6 Corridor Study and the ten-year plan. When the public talked about the Dairy Queen and the BG zone this was just near their area. The Route 6 was expected to have businesses, but the applicant should be allowed to develop the property particularly near the BG zone. She was not voting, but she needed to hear more comments from the neighbors.

Ms. Smith explained she was on Mercier Ave. frequently and her and her family's concern was the increase in traffic. If traffic were to go up or down on Mercier Ave. the traffic would increase problems. The area property owners would have to worry about children and pets. This was their major concern and asked the Commission to consider them before changing the zone of the property.

Mr. Powell inquired of Attorney Ziogas that he stated at a Planning Commission meeting there would be no ingress to the business on Mercier Ave. The neighbor's bus stop was at the end of Mercier Ave. and Farmington Ave., which was dangerous with the traffic. Some of the neighbors had special needs children. The increased traffic would make the bus stop more dangerous. She inquired who would enforce the no parking signage. Also, if the housing market was sufficient to meet the demand of the population and job growth. The Commission should review redeveloping or rezoning these properties before there is more vacant businesses. There is insufficient housing to live there and to shop at these businesses. She inquired if the new housing was being constructed in areas with the highest demand. Her view was it would be better to construct housing because it was difficult to find it in this area. The empty businesses do not have the support or means to do so. She asked the Commission to deny the zone change. If there is more traffic on Mercier Ave. that would increase the drug activities on Mercier Ave.

Chair Provenzano and Attorney Ziogas reviewed the various comments made by the neighbors.

Chair Provenzano summarized the concerns of the neighbors of the increased traffic, speeding traffic and the problems associated with that traffic. Also, concerns of housing values and to re-develop existing properties. The concern this evening was the zone change and not site plan concerns. She explained Mr. Rosenfeld's comments on the goals for the zone were more for the City Planner and Commission for the Regulations rewrite. Her view was if this one application was approved, a precedence would not be set for zone changes to creep into the neighborhoods. The approved Dairy Queen had a traffic study with an acceptable volume of traffic. The Commission cannot project the future traffic of the property without a site plan.

In response to the neighbors, Attorney Ziogas does not remember saying there would be no entrance on Mercier Ave. If the application is approved, on Mercier Ave. there would be a left turn out and a right turn into the site. His view was traffic would not increase much with 150 ft. of property to the stop sign. Also, the ConnDOT was required to review the property traffic. His view was anything besides a single-family house would bring objections. The applicant would construct a tri-plex unit but it was not allowed in this zone. The applicant cannot control the crime on the Auto Zone property. Regarding Mr. Rosenfeld's comments, the applicant does not own the properties mentioned on Rt. 6 to redevelop. In various towns the commercial areas do not have houses on them, which would eventually happen in Bristol. He does not agree this would be a spot zoning for the property. The existing houses are getting more difficult to sell and eventually would be turned into commercial properties. The Commission does not want to put the driveways of properties on Route 6 to the rear because that will become Route 6 also. He noted the applicant also owns an additional lot near the property this evening.

Commission inquiries: Attorney Ziogas explained the fourth lot owned by the applicant would not be developed. The Route 6 Corridor Study was trying to preserve the neighborhoods that abutted and were behind Route 6.

**MOTION:** Move that Application #2457 – Change of Zone from R-10 (Single-Family Residential) zone to BG (General Business) zone at Map 54 Lots 34, 35 & 36 Farmington Avenue; Assessor's Map 54, Lots 34, 35 & 36; MMTD Associates, LLC, applicant, be continued to the March 13, 2023, Regular meeting of the Zoning Commission.

By: White

Seconded: Harlow.

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

The application is continued.

Chair Provenzano noted the Application #2457 would be opened for next month's meeting. Staff explained there are 35 days remaining to vote on Application #2457.

9. Application #2458 – Special Permit for 1) fast-food restaurant; 2) drive-up facilities and 3) car wash at 1251 and 1265 Farmington Avenue; Assessor's Map 49, Lots 28 and 29; BG (General Business) zone; Bristol Endurance Properties, LLC.
10. Application #2459 – Site Plan for 1) fast-food restaurant; 2) drive-up facilities; 3) car wash and 4) medical office building at 1251 and 1265 Farmington Avenue; Assessor's Map 49, Lots 28 and 29; BG (General Business) zone; Bristol Endurance Properties, LLC.

Chair Provenzano designated regular Commissioners White, Harlow, Marra, Gagnon and Provenzano to vote on Applications #2458 and #2459.

The Commission acknowledged receipt of the following items in their electronic packets: the first set of Site Plan Committee Review comments dated February 3, 2023 (2<sup>nd</sup> review dated February 24, 2023); two Inland Wetlands Commission approval letters (attached stipulations) dated January 19, 2023, regarding the property; a letter dated February 9, 2023, from Attorney Timothy Furey, regarding Site Plan 125I-1265 Farmington Ave Bristol Ct. Application ##2459; a Narrative entitled "Narrative, for the Proposed Development, Located at 1251 and 1265 Farmington Avenue, Bristol, Connecticut, Prepared for Submission to Bristol, Connecticut, Prepared for Targeted Endurance Bristol, LLC, 209 Royal Turn Road North, Ponte Vedra, FL 32082" a Storm Water Management Report, entitled "Storm Water Management Report, for the proposed development located at 1251 and 1265 Farmington Avenue, Bristol, Connecticut, prepared submission to Bristol, Connecticut, dated November 23, 2022, revised date December 20, 2022, prepared for Targeted Endurance Bristol, LLC, 209 Royal Turn Road North, Ponte Vedra, FL 32082"; a copy of the Traffic Report, entitled " DTS Provident, Intelligent Land Use, Traffic Impact Study, Farmington Avenue Commercial Development, City of Bristol, Hartford County, Connecticut, Prepared for Targeted Real Estate Equities, LLC, 1500 Post Road East, 2<sup>nd</sup> Floor, Westport, CT 06880, Prepared by DTS Provident Design Engineering, PPD, One North Broadway, White Plains, New York, dated December 13, 2022, DTSP Project No. 0968"; seven photographs in an attachment entitled "Attachment 2, New, dated February 15, 2023"; a Traffic Impact Study, entitled "DTS Provident, Intelligent Land Use, New – dated February 15, 2023, Traffic Impact Study, Farmington Avenue Commercial Development, City of Bristol, Hartford County, Connecticut, Prepared for Bristol Endurance Properties LLC, 209 Royal Tern Road North, Ponte Vedra, FL 32082, Prepared by DTS Provident Design Engineering, LLP, One North Broadway, White Plains, New York, dated December 12, 2022, Revised February 6, 2023, DTSP Project No. 0968, 192 Pages"; an Attachment #4, New, dated February 15, 2023; and a letter dated February 9, 2023, from Attorney Timothy Furey, to Robert Flanagan, City Planner, regarding Site Plan 125I-1265 Farmington Avenue, Bristol CT, Application #2459.

The following items were submitted into the record: seven photographs dated February 15, 2023 (submitted by Attorney Timothy Furey.)

The following persons representing the applicant reviewed Application #2458 and #2459 with the Commission: Attorney Timothy Furey, 43 Bellevue Avenue, the applicant's attorney; Kevin Hixson, P.E., of BL Companies, 355 Research Parkway, Meriden, the applicants engineer; and Carlito Holt, T..E., the applicants traffic engineer, of DTS Provident Design Engineering, LLP, One North Broadway, White Plains, NY.

Attorney Furey reviewed the request for a Special Permit for a fast-food restaurant with drive-up facilities and a car wash located at 1251 and 1265 Farmington Avenue. He also reviewed the request for the fast-food restaurant with drive-up facilities; a car wash; and a medical office building located at 1251 and 1265 Farmington Avenue. The property was located across from the Popeye's restaurant on Farmington Ave. The two properties are about 8.96 acres. The property has been owned since 1925. The intention was to subdivide the two lots into three lots (one free cut.) He explained the addresses of Lot 28, as 1255 Farmington Ave. (1.2 acres/car wash) and Lot 29A, as 1249 Farmington Ave. (1.65 acres/restaurant with drive-up window.) Also, Lot #29, as 1251 Farmington Ave. (6.11 acres/medical office building.)

Attorney Furey explained the Inland Wetlands Commission (IW) approved a boundary change application and an inland wetlands application. The lot to the east has a house and the lot to the west has a few farm buildings. To the north was Kern Park and the Ivy Drive School. There would be a wooded buffer (east) for the condominiums; a buffer (west) for Hobby Lobby; and a tree line behind the medical building.

Attorney Furey reviewed the Site Plan and the square footage for the restaurant (5,500 sq. ft.); a medical office building (26,000 sq. ft.); and a car wash facility (3,500 sq. ft.). The three lots would be developed as a unified development. There would be one curb cut with a traffic signal the intersection. There would be roadway improvements and a left turn for each direction. The turning service was a level "B" and would remain at a level "B" within tenths of seconds. The level of service on Shelia Court went from a level "E" to a level "A."

Mr. Holt, T.E., reviewed the traffic report that analyzed the four intersections on Farmington Ave., the peak A.M. and peak P.M. times and traffic volumes. The anticipated additional traffic and the signalization at the entrance and Shelia Court would remain at a level "A" or "B." The Shelia Court would improve from a service level "E" to "A" from the proposed traffic signal.

Attorney Furey review the comments. He explained most of the City Engineers comments were technical comments. The plans would require a Conn-OSTA review if the applications are approved by the Commission. There were comments that were addressed previously in different manners that were discussed with the Commission. Regarding Engineering comments, item #2 there were headwalls to act as barriers for drainage for the property. The test pits were added to the plans for Nancy Levesque, P.E., City Engineer, to review. There is a description and locations of the retaining wall versus the underground retention structures. Item #8, if the pipe is insufficient, a concrete pipe may be replaced for the plan. The pipe may also be placed at a 100 ft. distance.

Regarding comments #5 and #6, Mr. Hixson explained to Commissioner Marra the Engineering comments for the elevations with a hydro-cad with two underground detention systems. The systems would be lowered one foot. The notes and details would be added to a revised plan. The retaining wall would remain in the same place. The retaining wall is a gravity block system and does not need the geo-grid going into the storm water detention system.

Attorney Furey reviewed specific items that required some comments from the Commission. If approved, a reciprocal easement would be developed for the cross driveways, sewer system and a storm water maintenance agreement. Regarding item #14, the applicant and the restaurants needed the parking space to operate the facilities properly. There are 23 future parking spaces planned if necessary. There are an additional two handicapped parking spaces. The double wide parking space to the rear of the building was made into two parking spaces. The parking row that was excessively long revised to a handicapped parking space. Regarding the Special Permits, both the drive up window and the car wash were designed to the rear of the site and they both had appropriate vehicle queuing. The Special Permits would require OSTA approvals.

Chair Provenzano explained there were a lot of comments to resolve with the applicant. Staff explained there were no formal responses received yet from the applicant.

The Commission agreed to continue the applications to next month because Staff noted the Special Permit may require stipulations after reviewing the Site Plan application.

Chair Provenzano explained the Commission would open public participation at next meeting.

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

**MOTION:** Move that Application #2458 be continued to the March 13, 2023, Regular meeting of the Zoning Commission.

By: White

Seconded: Marra.

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

Against: None.

Abstained: None.

The Application #2458 is continued.

**MOTION:** Move that Application #2459 be continued to the March 13, 2023, Regular meeting of the Zoning Commission.

By: White

Seconded: Marra.

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

Against: None.

Abstained: None.

The Application #2459 is continued.

**OLD BUSINESS:**

There was no old business.

**NEW BUSINESS:**

There was no new business.

**CITY PLANNERS REPORT:**

- 11. Status update on:
  - a. Site plan items and various development activities
  - b. Zoning rewrite process/schedule

Staff reminded the Commission there is a special meeting on February 22, 2023, at 5:30 P.M., in Meeting Room One, City Hall West, regarding the Carrier Construction applications. The next Regular Meeting is March 13, 2023, at 7:00 P.M., at the Board of Education. There is a special meeting on March 29, 2023, at 5:30, in Meeting Room One, City Hall West, regarding the Zoning Regulations re-write.

**ADJOURNMENT:**

**MOTION:** Move to adjourn at 9:33 P.M.

By: White

Seconded: Harlow.

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

Against: None.

Abstained: None.

This meeting was taped.

Respectfully submitted,

Nancy King  
Recording Secretary

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Louise Provenzano, Chair

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Thomas Marra, Secretary