CALL TO ORDER:
By: Acting Chair Provenzano Time: 7:01 P.M. Place: City Hall

ROLL CALL:

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<th>MEMBERS</th>
<th>NAME:</th>
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<td>REGULAR MEMBERS:</td>
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<td>Louise Provenzano (Acting Chair)</td>
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<td>Peter Del Mastro</td>
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<td>Michael Massarelli (Secretary) (Departed 7:38 P.M,)</td>
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<td>Richard Harlow (Acting Secretary)</td>
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<td>David White</td>
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<td>ALTERNATE MEMBERS</td>
<td>Thomas Marra (Alternate)</td>
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<td>Marc Gagnon (Alternate)</td>
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<td>STAFF</td>
<td>Robert M. Flanagan, AICP, City Planner</td>
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<td>Edward Spyros, Zoning Enforcement Officer</td>
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PLEDGE OF ALLEGIANCE

ADMINISTRATIVE MATTERS

1. Approval of Minutes – January 8, 2020

Acting Chair Provenzano designated regular Commissioners Del Mastro, Massarelli and Provenzano to vote on the January 8, 2020 regular minutes. She also designated alternate Commissioner Gagnon to vote in place of Commissioner Harlow with his absence at the January 8, 2020 regular meeting.

MOTION: Move to approve the minutes of the January 8, 2020, regular meeting.

By: Del Mastro Seconded: Massarelli.

For: Gagnon, Del Mastro, Massarelli and Provenzano.

Against: None.

Abstained: None.

2. Zoning Enforcement Officer’s Report


He explained there were three citations.

RECEIPT OF NEW APPLICATIONS

1. Application #2355 – Proposed amendments to the Zoning Regulations to modify the definition of shopping centers by decreasing the 25,000 sq. ft. of gross building floor area to: (Option #1): 20,000 sq. ft. of gross building floor area; (Option #2): 15,000 sq. ft. of gross building floor area; (Option #3): 10,000 sq. ft. of gross building floor area; (Section II.B.); Attorney Mark Ziogas, applicant.
Acting Chair Provenzano designated regular Commissioners Massarelli, Provenzano, White, Del Mastro and Harlow to vote on Application #2355.

**MOTION:** Move to schedule Application #2355 for a public hearing for the March 11, 2020, regular meeting of the Commission.

By: Del Mastro  
Seconded: White.

For: White, Harlow, Del Mastro, Massarelli and Provenzano.  
Against: None.  
Abstained: None.

2. Application #2357 – Special Permit for hotel and conference center at 42, 90, 112 & 150 Century Dr.; Assessor’s Map 4, Lots 1, 5, 6 & 7; IP-1 (Industrial Park) zone; Bristol Hotel, LLC & Bristol Hotel 2, LLC, applicants.

3. Application #2358 – Site Plan for hotel and conference center at 42, 90, 112 & 150 Century Dr.; Assessor’s Map 4, Lots 1, 5, 6 & 7; IP-1 (Industrial Park) zone; Bristol Hotel, LLC and Bristol Hotel 2, LLC, applicants.

Acting Chair Provenzano designated regular Commissioners Massarelli, Provenzano, Del Mastro, White and Harlow to vote on Applications #2357 and #2358.

**MOTION:** Move to schedule Application #2357 and Application #2358 for a public hearing for the March 11, 2020, regular meeting of the Commission.

By: Del Mastro  
Seconded: White.

For: White, Del Mastro, Harlow, Massarelli and Provenzano.  
Against: None.  
Abstained: None.

The Applications #2357 and #2358 were scheduled for public hearings.

**PUBLIC HEARINGS:**

4. Application #2337 – Special Permit for a home-based business (Holistic Healing) at 120 Steele Road; Assessor’s Map 28, Lot 239-101; R-15/RM (Single-Family Residential/Mixed Residential Overlay) zone; Karen Rokosa DeVille, applicant – (Public Hearing Continued from January 8, 2020).

Acting Chair Provenzano designated regular Commissioners Del Mastro, Harlow, Massarelli, White and Provenzano to sit on Application #2337.

The Commission acknowledged receipt of the following items in their electronic packets: an e-mail dated December 2, 2019, from the applicant requesting a postponement of the application to January 8, 2020 meeting; a letter dated December 12, 2019, from the Zoning Commission, regarding the request to accept the postponement of the application to the January 2020 meeting; a letter dated November 20, 2019, from Adam Swicklas, regarding no objections and a letter dated November 20, 2019, from Jessica Gohsler, also regarding no objections to the proposal.

Mr. Flanagan explained that the applicant was unable to attend the January meeting, but the application was opened and immediately continued to this meeting. If the application is continued this evening, the applicant would have to consent to an extension of the public hearing.

Karen Rokosa DeVille, 120 Steele Road, explained she worked in health care and her experience with healthcare. She wanted to open a home business to serve clients for holistic healing with only one client at a time. Her purpose is to continue to do the healing she has been doing her entire career but in her home as a business. She spoke to the neighbors and they had no objections and she submitted letters from the neighbors with the application.
After inquiries by Commission, Ms. DeVille explained the average time with a client was about 45 minutes, but it may average from 30 minutes to one and a half hours, depending on the services. There would be about seven clients per week with only one client at a time. The business hours would be 9:00 A.M. to 7:00 P.M. five to six days per week Monday to Saturday, but subject to appointments. Not on Sundays. Monday to Saturday.

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

The hearing is closed.

By: Del Mastro  Seconded: Harlow.

For:  Del Mastro, Harlow, Massarelli, White and Provenzano.
Against:  None.
Abstained:  None.

The Commission commented that they cannot foresee any impacts or concerns with this well explained application.

MOTION:  Move that Application #2337 – Special Permit for a home-based business (Holistic Healing) at 120 Steele Road; Assessor’s Map 28, Lot 239-101; R-15/RM (Single-Family Residential/Mixed Residential Overlay) zone; Karen Rokosa DeVille, applicant, be approved.

By: Del Mastro  Seconded: Massarelli.

For:  White, Del Mastro, Harlow, Massarelli and Provenzano.
Against:  None.
Abstained:  None.

The application is approved.

5. Application #2344 – Site Plan for earth removal at 134 and 142 Terryville Road; Assessor’s Map 67, Lots 4A-4, 3A, and 3PT5; I (General Industrial) zone; Collision Depot, LLC, applicant – (Public Hearing Continued from January 8, 2020).

6. Application #2345 – Special Permit for earth removal at 134 and 142 Terryville Road; Assessor’s Map 67, Lots 4A-4, 3A, and 3PT5; I (General Industrial) zone; Collision Depot, LLC, applicant – (Public Hearing Continued from January 8, 2020).

7. Application #2346 – Site Plan for a contractor’s yard at Lot 3PT5 Terryville Road; Assessor’s Map 67, Lot 3PT5; I (General Industrial) zone; Collision Depot, LLC, applicant – (Public Hearing Continued from January 8, 2020).

Acting Chair Provenzano explained that Applications #2344, #2345 and #2346 would be heard concurrently, but voted on separately. She designated regular Commissioners Harlow, White, Del Mastro and Provenzano to sit on Applications #2344, #2345 and #2346 and the remainder of the applications this evening. She also designated alternate Commissioner Gagnon to sit in place of Commissioner Massarelli to sit on Applications #2344, #2345 and #2346 that departed at this time and also to sit on the remainder of the applications this evening.

The Commission acknowledge receipt of the following items in their electronic packets: a letter dated January 28, 2020, from Robert Hiltbrand, P.E., of R.R. Hiltbrand Engineers and Surveyors, regarding response comments; the first and second set of Site Plan Review comments dated November 20, 2019 and December 24, 2019; three letters dated December 20, 2019, from the Zoning Commission regarding the postponements of Application #2344, #2345 and #2346 and two approval letters, dated October 7, 2019, from the Inland Wetlands Commission (attached stipulations.)

The following items were submitted into the record: thirteen photographs dated April 1992; July 2006; March 2008; September 2010; March 2012; October 2014; September 2015; April 2016; April 2016; September 2017; September 2017; June 2018; a letter dated December 13, 2018, from Monica Holloway, former Zoning Enforcement Officer, regarding a Notice of Violation; (attached citation); eleven photographs dated undated.

Commissioner Massarelli departed at 7:38 P.M. at this time.

Mr. Flanagan explained if the applications were continued to this evening, and the applicant’s attorney was required to agree on behalf of the applicant to grant an extension for the applications.
Attorney James Ziogas, 104 Bellevue Avenue, on behalf of the applicant, explained the applications were continued from the January meeting to allow the comments to be addressed and to submit revised plans. The limits of the erosion and sediment control plans were on the plans that would be inspected prior to any earth removal activity, after certification by the Zoning Enforcement Officer and inspection by Staff.

At the December 2019 meeting it was estimated 40 vehicles were on the site, but Staff discussed the permit would not be signed off until the vehicles were removed. Then the Special Permit would go into effect. There was a Zoning Enforcement Order on the property ordering the excess vehicles to be removed from the property.

Regarding grading, the applicant owns the property adjacent to the gravel pit. The applicant would be regrading slopes that he owns. Mr. Flanagan wanted to ensure a grading and sloping easement was reviewed by Staff and also recorded on the Land Records prior to any sloping of the property for rights to slope and regrade the property.

Mr. Flanagan explained some of the grading would extend on some properties that were owned by the same property owner, but the rights had to be conferred to extend onto those properties irrespective of the property owners.

Attorney Ziogas explained the road opening would be on the plans for grading and sloping for 26,000 cubic yards of materials. The business hours would be Monday to Friday 8:00 A.M. to 4:00 P.M. for two years, which was sufficient time for the plans. The goals were to redevelop the property in the future. The proposed use was consistent with the prior use on the property and the materials would be brought offsite to a different property to be sold.

Mr. Flanagan reviewed historic photographs of the site (reviewed with Attorney Ziogas previously) that the applicant did not own at the time. In 2016, an entrance and wall were constructed without permits. In December 2018, the former Zoning Enforcement Officer issued a Zoning Citation Order.

Attorney Ziogas explained when the properties were purchased and the applicant relocated his business from Broad Street to this location. The use would be a contractor's yard for large trucks for purposes of towing.

The Commission next reviewed Application #2345.

Regarding Application #2345, Attorney Ziogas explained the proposed use was permitted with a Site Plan approval (submitted in conjunction with Application #2344.) The comments were addressed, but if approved, the comment would remain the plan would not be signed off until the vehicles were removed. The plan complied with the City requests. There would be large trucks and a large number of vehicles for snow plowing that would be out of the view from the public and traffic. The limits of the contractor yard would be paved, regraded and reseeded.

After inquiries by Mr. Flanagan and the Commission, respectively, Attorney Ziogas explained there was a decorative block wall that separated the two properties would be extended for a buffer to the contractor yard that goes to the rear of the property. He explained there was no limit to the number of vehicles in the Regulations.

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

Mr. Flanagan explained the plan had value for the properties because previously when the applications were received he was skeptical. He supported the applications with the proper conditional approvals.

The public hearing #2344 is closed.

By: Del Mastro
Seconded: White.

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

The Commission commented their questions were answered from this evening and at the January meeting.

**MOTION:** Move that Application #2344 - Site Plan for earth removal at 134 and 142 Terryville Road; Assessor’s Map 67, Lots 4A-4, 3A, and 3PT5; I (General Industrial) zone; Collision Depot, LLC, 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.

By: Del Mastro
Seconded: Harlow.

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

The Application #2344 is approved with stipulations.

The public hearing #2345 is closed.

By: Del Mastro
Seconded: Harlow.

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

After inquiries by the Commission, Mr. Flanagan explained 24,000 cu. yds. would be removed (1,500 truckloads/ five a day), which he would review traffic control with the Police Department. The activities were limited to 8:00 A.M. to 4:00 P.M. with no weekends or holidays. The State has a traveling team for safety inspections on properties. He would e-mail the Commission this information.

MOTION: Move that Application #2345 - Special Permit for earth removal at 134 and 142 Terryville Road; Assessor’s Map 67, Lots 4A-4, 3A, and 3PT5; I (General Industrial) zone; Collision Depot, LLC, applicant, be approved with the following stipulations:

a. The operation shall be conducted in accordance with the following drawings, including all sedimentation and erosion control measures shown thereon: “Collision Depot, LLC Terryville Road” dated July 5, 2019 with a last revision date of January 24, 2020, consisting of the following sheets:
   i. Cover
   ii. Improvement Location Survey
   iii. Overall Location Plan
   iv. Site Layout Plan
   v. Proposed Site Plan
   vi. Erosion and Sedimentation Control Plan
   vii. Landscaping Plan
   viii. Proposed Trucking Route
   ix. Photometric Diagram
   x. Site Details 1 of 2
   xi. Site Details 2 of 2
   xii. Sediment and Erosion Control Detail Sheet

b. A grading easement from Map 67 Lot 6C granted to Map 67 Lot 3PT5 must be presented to the Land Use Office for review prior to recording on the land records. The Special Permit will not be issued until evidence of the recording is presented to the Land Use Office.

c. A $71,000 performance bond shall be posted by the applicant with the City prior to operations commencing.

d. The Special Permit shall be good for a period of two years from the date of issuance.

e. The hours of operation shall be Monday through Friday between 8:00 A.M. and 4:00 P.M.

f. There shall be no operation on Saturdays, Sundays or holidays.

g. Measures to control dust from the operation shall be applied as needed.

h. The applicant shall sweep and remove the sand from Terryville Road along the frontage of the property on an as-needed basis.
i. The maximum allowable slope of 3-to-1 shall be modified in accordance with Section IX.B.5.c. of the Zoning Regulations and a maximum allowable fill slope of 1.25-to-1 permitted in its place, as shown on the approved map. Use any measures necessary to ensure stabilization of the slopes.

j. The required 100-foot buffer shall be reduced as per the approved map in accordance with Section IX.B.5.b.(3) of the Zoning Regulations, inasmuch as the lesser buffer is warranted in order to match proposed contours to the existing contours of the adjoining land.

By: Del Mastro Seconded: White.

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

The Application #2345 is approved with stipulations.

The public hearing #2346 is closed.

By: Del Mastro Seconded: Harlow.

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

The Commission agreed the applicant has done a good job with the plan.

MOTION: Move that Application #2346 – Site Plan for a contractor’s yard at Lot 3PT5 Terryville Road; Assessor’s Map 67, Lot 3PT5; I (General Industrial) zone; Collision Depot, LLC, 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.

By: Del Mastro Seconded: Harlow.

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

The Application #2346 is approved with stipulations.

2. Application #2350 – Change of Zone from A (Multi-Family Residential) zone to BHC (Route 72 Corridor Business) zone at 280 Pine Street; Assessor’s Map 3, Lots 43A and 43A-1; Inspired by Opportunity LLC, applicant.

The Commission acknowledged receipt of the following items in their electronic packets: an agent authorization, dated November 27, 2019; a referral letter from the Zoning Commission to the Planning Commission, dated December 5, 2019; a positive referral letter from the Planning Commission to the Zoning Commission, dated December 19, 2019 and a referral letter from the Zoning Commission to the Town and City Clerk dated December 19, 2019.

Mr. Flanagan explained he spoke with the applicants engineer today and Mr. Bruton.

Matthew Bruton, P.E., B.L. Company, 100 Constitution Plaza, Hartford, on behalf of the applicant, explained the two lots were zoned A (multi-family residential) at 280 Pine Street (one residential lot with a house and one vacant lot.) To the east of the property was the Pinecrest Apartments and also there were residential properties to the east and rear of the property. He reviewed the existing BHC zone various businesses.

The parcels are in the Access Management Overlay zone and were .42 and .46 acres (total .88 acres.) if the two lots are merged they are incompliant for development because two acres are required and the Route 72 Corridor Transportation and Master Plan required 15,000 sq. ft. or .34 acres. The parcels in the area are BHC zone. If the zone is changed, the merged parcels would be developable similar to the residential areas. A positive referral was received from the Planning Commission in December 2019.
After inquiries by Mr. Flanagan, Mr. Bruton explained the map submitted was the merged property with a property line in the middle of the property, but he would submit an e-mail and a revised existing property plan of the current survey. The frontage on Route 72 of the merged property is 136.95 ft. (100 ft. required.) The existing A zone does not meet the minimum requirements. The residential property is existing non-conforming and the vacant property is non-developable. The goals were to make the property compliant and to construct a proposed fast food restaurant Wendy’s with parking.

Mr. Flanagan explained the merged parcels and zone change would make the property more compliant with the BHZ zone. He reviewed how the property would be made more compliant with the applicant’s view that the BHC was the controlling zone on Pine Street. But his opinion was if the zone is changed with the property fronting Pine Street, it would make the property more conforming to the zone. He suggested the Commission review the BHZ zone.

After inquiry by Mr. Flanagan, Ana Pelhank of Inspired by Opportunity, LLC, 45 Ottawa Avenue Southwest, Grand Rapids, MI, on behalf of the applicant, explained Craig Colette was appointed the estate co-executor, which was recently finalized.

Acting Chair Provenzano reminded the Commission the Wendy’s restaurant was a tentative use plan, but if the zone change is approved, the applicant may construct anything allowed in that zone by permitted use. If a Wendy’s is constructed two special permits and a site plan were required. Mr. Bruton reminded the Commission that the .88-acre parcel total would limit the use intensity, particularly, with the Pinecrest Apartments near the property. He agreed with Mr. Flanagan that the footprints of retail facilities are now smaller.

The following person spoke in favor of the application: Attorney William Tracy, 43 Bellevue Avenue, represented Mr. Coletti when he was alive and negotiated a sale with the applicant. His opinion was the proposed use was more consistent with the BHZ zone uses. The Planning Commission agreed the request was consistent with the Plan of Conservation and Development.

No one spoke against the application.
The hearing is closed.

By: Del Mastro
Seconded: Harlow.
For: Gagnon, White, Del Mastro, Harlow and Provenzano.
Against: None.
Abstained: None.

MOTION: Move that Application #2350 Change of Zone from A (Multi-Family Residential) zone to BHC (Route 72 Corridor Business) zone at 280 Pine Street; Assessor’s Map 3, Lots 43A and 43A-1; Inspired by Opportunity LLC, applicant, be approved because:

The map amendment to the Regulations, as presented, would be consistent with the goals and policies of the 2015 Plan of Conservation and Development, amended to April 1, 2018, and specifically:

a. 9.3.3.5. Expand the Economic Base – Encourage the attraction of new business and industry to suitable locations in Bristol.

The effective date of the zone change shall be the date on which a map and deed are filed on the City land records merging Map 03 and Lot 43A (280 Pine Street) and Map 03, Lot 43A-1.

The Commission agreed the BHC zone change would be bringing the property more into compliance with the existing zone. The increased business would be a benefit for the City. There was a lot of public participation when Cumberland Farms was constructed, but their concerns were resolved.

By: Del Mastro
Seconded: White.
For: Gagnon, White, Del Mastro, Harlow and Provenzano.
Against: None.
Abstained: None.
The application is approved.
3. Application #2352 – Proposed amendments to the Zoning Regulations: to (1) add a definition for “adult day care centers” (Section II.B); (2) add “adult day care centers” as a permitted use in the BD (Downtown Business) zone (Section VI.C.2.); Bristol Development Authority, applicant.

The Commission acknowledged receipt of the following items in their electronic packets: a letter dated December 30, 2019, from Justin Malley, Executive Director of Bristol Development Authority, regarding the proposed amendment; the proposed draft of the Regulation, undated, entitled “Proposed Amendments to the Bristol Zoning Regulations”; a referral letter dated December 31, 2019, from the Zoning Commission to Therese Pac, Town and City Clerk; a referral letter dated December 31, 2019, from the Zoning Commission to the Planning Commission and a letter, dated February 3, 2020, from the Planning Commission to the Zoning Commission, regarding a positive referral.

Justin Malley, Executive Director, Bristol Development Authority, City of Bristol, 111 North Main Street, explained the request was project specific and if approved, with a proposed amendment would improve the prospects for future uses in this zone. This request was effect the Funk Building (adult day care) and the Eagle Building (support services) on Prospect Street and North Main Street for a veterans housing plan. After discussing with Staff, adult day care centers were not specified in the Regulations. The Regulation was drafted by Staff. The Planning Commission gave a positive referral for the request at their January meeting.

At the request of the Commission, Mr. Flanagan reviewed the downtown area streets.

The Commissioner that disagreed felt this definition was vague and required more information to understand the facility and what they were approving. They were concerned the amendment was not specific enough. They wanted to compare this Regulation to the available definitions to assisted living facility Regulations.

Mr. Malley explained he relied on the draft that was discussed with the City Planner and the developer for the clearest way for many different facilities to be developed. The developer was satisfied with the proposed regulation language.

The Commission members that agreed with the definition was sufficient as the assisted living facility amendment.

At the Commission’s request Mr. Flanagan reviewed the streets included in the downtown area.

Mr. Flanagan explained that if the definition is limited and very specific, it loses validity, but its lack of specificity is actually a good thing because then various applicants may use the Regulation for their development advantage and uses with site specific issues could be addressed during the Site Plan review process. His opinion was this would work well.

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

Mr. Flanagan read into the record the proposed draft of the Regulation, undated entitled “Proposed Amendments to the Bristol Zoning Regulations.”

The hearing is closed.

By: Del Mastro Seconded: White.

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

The Commissioners stated that the amendment was clear on the intent and there was no need to revise it. One Commissioner was a disabled veteran and the term disability gets misused sometimes, but sometimes this service is just as for therapy for persons/veterans. They were in favor on this amendment and were confident in the City Planners recommendations.

The Commissioner against the application stated there were much clearer definitions than the proposed language. The Commission was being short sited by not taking the time to review alternative regulations versus just the applicant’s regulation.

Mr. Flanagan mentioned since the Planning Commission had a positive referral a simple majority vote was required.
MOTION: Move that Application #2352 – Proposed amendments to the Zoning Regulations: to (1) add a definition for “adult day care centers” (Section II.B); (2) add “adult day care centers” as a permitted use in the BD (Downtown Business) zone (Section VI.C.2.); Bristol Development Authority, applicant, be approved because:

The text amendment to the Regulations, as presented, would be consistent with the goals and policies of the 2015 Plan of Conservation and Development, amended to April 1, 2018, and specifically:

a. 8.3.1. – Encourage the adaptive reuse of existing buildings and the redevelopment of underutilized sites.”

The effective date of the text amendment shall be March 9, 2020.

By: Harlow  Seconded: White.

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

The application is approved.

4. Application #2353 – Special Permit for other sports related activities, entirely enclosed, and shared parking at 51 Wooster Court; Assessor’s Map 42, Lot 53-2; I (General Industrial) zone; Shawdillo Sports, LLC, applicant.

5. Application #2354 – Site Plan for other sports related activities, entirely enclosed, and shared parking at 51 Wooster Court; Assessor’s Map 42, Lot 53-2; I (General Industrial) zone; Shawdillo Sports, LLC, applicant.

Acting Chair Provenzano explained that Applications #2353 and #2354 would be heard concurrently, but voted on separately.

The Commission acknowledged receipt of the following item in their electronic packets: a referral letter dated January 2, 2020, from the Zoning Commission to the town of Plainville and a previous map of the property, undated.

The Commission acknowledged receipt of the following item in their electronic packets: the first set of Site Plan Committee Review comments, dated February 12, 2020.

Attorney James Ziogas, 104 Bellevue Avenue, on behalf of the applicant, explained this was for a recreational facility. The applicant had previously amended the Regulations for health, fitness, gymnasiuems, tennis or racquet clubs or other sports related activities entirely enclosed in the I, IP-3 and IP-1 zones. This property is located in the I-zone on a dead-end street. He reviewed the previous uses of the building of a sports shop (various locations) and an electrical warehouse.

The applicants had experienced this sport and wanted to open a business for knocker ball and combat archery, which he reviewed. The property has an existing 5,000 sq. ft. warehouse suitable for the facility. The lease was ready with sufficient equipment and there is no outside storage. The applicant filed a Special Permit and a Site Plan for shared parking. There is an electrical contractor during the day with business hours to 4:00 P.M. The business hours of this facility are Monday through Friday 5:00 P.M. to 10:00 P.M. and weekends by appointment only.

They estimate 10 to 12 parking spaces, but there are 36 parking spaces. He reviewed the comments. A dumpster was not required because trash would be disposed by the tenants. The equipment would be stored inside the warehouse. The landlord agreed to add additional parking lot lighting. The parking lot would be restriped with two handicapped parking spaces. The parking lot has a dead end, but this was an existing site condition and most of the parking would be to the side of the building. This was a recreational sport for ages 4 to 80.

Mr. Flanagan explained the parking lot striping would improve the parking lot safety for people that do not regularly park there versus the people that have been parking at the facility.

No one else spoke in favor of the application.
No one else spoke against the application.
The public hearing #2353 is closed.
By: Del Mastro  Seconded: White.

For: Gagnon, White, Del Mastro, Harlow and Provenzano.

– 9 –
Against: None.
Abstained: None.

The Commission noted this was a good building reuse with a unique business and there is not a lot of business on this street.

**MOTION:** Move that Application #2353 – Special Permit for other sports related activities, entirely enclosed, and shared parking at 51 Wooster Court; Assessor’s Map 42, Lot 53-2; I (General Industrial) zone; Shawdillo Sports, LLC, be approved.

By: Del Mastro
Seconded: White.

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

The Application #2353 is approved.

Mr. Flanagan reviewed the stipulations associated with Application #2354.

The public hearing #2354 is closed.

By: Del Mastro
Seconded: Harlow.

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

The Commission had no concerns with this application.

**MOTION:** Move that Application #2354 – Site Plan for other sports related activities, entirely enclosed, and shared parking at 51 Wooster Court; Assessor’s Map 42, Lot 53-2; I (General Industrial) zone; Shawdillo Sports, LLC, applicant, be approved with the following stipulations:

1) The Site Plan shall not be signed off until all remaining staff and Commission comments have been addressed and the plan revised accordingly.

2) Once all site improvements that have been satisfactorily completed, the site improvements shall be inspected by the Zoning Enforcement Officer (ZEO) prior to the facility opening for the sports related activity associated with this Site Plan.

3) The hours of operation shall be: Monday through Friday 5:00 PM to 10 PM and weekends by appointment.

By: Del Mastro
Seconded: White.

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

The Application #2354 is approved.

**OLD BUSINESS**

There was no old business.

**NEW BUSINESS**


The Commission acknowledged receipt of the following items in their electronic packets: a letter dated February 4, 2020, from Attorney Mark Ziogas, regarding the request and a letter dated January 14, 2020, from Robert Hiltbrand, P.E., of R.R. Hiltbrand Engineers and Surveyors, LLC, regarding the restoration, entrance and site maintenance bond. Mr. Flanagan explained the applicants purchased this property that was an old earth removal operation and the permits expired. They want to clean up the property and organize the piles. There are provisions in the Regulations to allow for approval for erosion and sedimentation control
plans with approval by the Zoning Enforcement Officer or the Zoning Commission. This was an active permit and he wanted the applicants to explain their plans before it was approved or neighbor concerns. This would be an interim approval and then there would be an earth removal special permit application. This was not an application, but a plan review.

Bill Schultz, Principal of Willow Industries, 101 North Riverside Avenue, Terryville, they have been working with Robert Hiltbrand, P.E. They received approval from the Inland Wetlands Commission, which were satisfied with the plan. A few years ago, Farrell Avenue had washed out and there are now flood controls and sedimentation controls along Ferrell Avenue. Acting Chair Provenzano explained these clarifications were good for the record, but the neighbors do attend the public hearings for any applications in this area. Mr. Flanagan explained the bond from the City Engineer was $76,520 for the performance bond. Mr. Bill Schultz explained they were site contractors because it was sand and gravel it would not be like a clay like material, therefore, there would not be dust.

The Commission was very pleased this property was being cleaned up because it has not been cleaned for many years.

**MOTION** Move that the Soil Erosion and Sediment Control Plan pursuant to Section IX.A.5. of the Zoning Regulations – between Barnum Rd. and Farrell Ave.; Willow Materials, LLC, applicant, be approved with the following stipulations:

1) The Soil Erosion and Sediment Control Plan shall not be signed off until all remaining staff and Commission comments have been addressed and the plan revised accordingly.

2) A $76,520 performance bond shall be posted by the applicant with the City prior to operations commencing.

By: Del Mastro Seconded: Harlow.

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

The request is approved with stipulations.

**CORRESPONDENCE**
The Commission acknowledged receipt of the following item in their electronic packets: a letter dated January 15, 2020, from Therese Pac, Town and City Clerk, regarding the appointment of David White, as a regular member to the Zoning Commission.

**ADJOURNMENT**

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

By: Del Mastro Seconded: Harlow.

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

This meeting was taped.

Respectfully submitted,

Nancy King
Recording Secretary

Louise Provenzano, Acting Chair
Michael Massarelli, Secretary