

**BRISTOL PLANNING COMMISSION
MINUTES
REGULAR MEETING OF WEDNESDAY APRIL 24, 2019**

CALL TO ORDER:

By: Chairman Veits

Time: 7:02 P.M.

Place: City Hall

ROLL CALL:

MEMBERS	NAME:	PRESENT	ABSENT
REGULAR MEMBERS:	Chairman William Veits (Chairman)	X	
	Commissioner John Soares (Vice Chairman)		X
	Commissioner Andrew Howe (Secretary)	X	
	Jon Pose	X	
	Terry Parker	X	
ALTERNATE MEMBERS	David White (Alternate)		X
	Jeff Hayden (Alternate)	X	
	Joseph Kelaita (Alternate)		X
STAFF	Robert Flanagan, City Planner	X	
	Christopher Schaut, Assistant City Planner	X	
	Nancy Levesque, Assistant City Engineer	X	

PLEDGE OF ALLEGIANCE

Chairman Veits reminded the Commission the next regular meeting of the Planning Commission is Wednesday, May 29, 2019.

PUBLIC PARTICIPATION

There was no public participation.

APPROVAL OF MINUTES

Chairman Veits designated Commissioners Hayden to sit in place of Commissioner Soares with his absence this evening.

MOTION: Move to approve the minutes for the March 27, 2019, regular meeting minutes.

By: Parker

Seconded: Howe.

For: Howe, Parker and Hayden.

Against: None.

Abstain: Veits and Pose.

Chairman Veits designated regular Commissioners Howe, Parker, Pose and Veits as voting Commissioners this evening. He also designated alternate Commissioner Hayden to sit as a voting Commissioner in place of Commissioner Soares with his absence this evening.

NEW APPLICATIONS

There were no new applications.

PUBLIC HEARINGS

There were no public hearings.

ZONING COMMISSION REFERRALS

1. Application #2311 – Change of Zone from BN (Neighborhood Business) zone to R-15/RM (Single-Family Residential/Mixed Residential Overlay) zone at 240 Park St.; Assessors Map 12, Lot 132; City of Bristol, applicant.

The Commission acknowledged receipt of the following item in their electronic packets: a referral memorandum dated April 8, 2019, from the Zoning Commission to the Planning Commission.

Mr. Flanagan explained this was a request for a Zone Change for Muzzy Street, which required referral from the Zoning Commission to the Planning Commission. He explained the City owns the property and the two properties to the rear along Muzzy Street. The City is proposing to extend the R-15/RM zone to this property. The reasons this has to occur was the City was proposing a new parking lot to service Muzzy Field, which would be reviewed by the Zoning Commission for a Special Permit and a Site Plan, if the Zone Change is approved. If this property is developed without the Zone Change, there would be two different zones in the middle of the parking lot, which would require an arbitrary shifting of the parking spaces to meet the Zoning Regulations. If approved, the zone would allow the parking lot to be more consistent.

Nancy Levesque, P.E., City Engineer, City of Bristol, 111 North Main Street, on behalf of the applicant, explained the Engineering Department has been working with the Parks Department. She explained there was a lack of parking for the sports players and residents. The City purchased this property with the intent of creating a parking lot with 64 parking spaces that provide for additional parking for the Muzzy Field.

After inquiries by Mr. Flanagan, Ms. Levesque explained if the application is approved the three lots would be merged into one parcel. The zone change would not be conditioned on the merge, but the effective date of the properties being merged.

MOTION: Move to send a positive referral to the Zoning Commission for Application #2311 – Change of Zone from BN (Neighborhood Business) zone to R-15/RM (Single-Family Residential/Mixed Residential Overlay) zone at 240 Park St.; Assessors Map 12, Lot 132; City of Bristol, applicant because the change of zone, as presented, would be consistent with the goals and policies of the 2015 Plan of Conservation and Development, amended to April 1, 2018.

By: Parker

Seconded: Howe.

For: Howe, Parker, Pose, Hayden and Veits.

Against: None.

Abstain: None.

The CT General Statute 8-24 Referral is recommended for approval.

CITY COUNCIL AND OTHER REFERRALS

2. C.G.S. 8-24 Review: proposed sale of the property at Assessor's Map 8, Lot 6+7+8, Witches Rock Road.

The Commission acknowledged receipt of the following items in their electronic packets: a letter dated April 18, 2018, to Nancy Levesque from Attorney Jeffrey Steeg, Corporation Counsel Office, on behalf of the Real Estate Committee, regarding their vote to refer it to the Planning Commission at its meeting of April 16, 2019.

Mr. Flanagan explained the property was previously vacant and blighted, but has been cleaned up and the City would like to sell it. This is a building lot in a residential zone and wetlands are on the entire property.

Ms. Levesque explained the City had a soil scientist review the property. About one third of the property was wetlands soils and there is a buildable area on the property. A wetlands boundary map change application was required, but the wetlands were delineated by J.M. Wetlands.

MOTION: Move to direct staff to forward the following report to the City Council: the Planning Commission recommends that the City of Bristol move forward with the proposed sale of the property at located at Assessor's Map 8, Lot 6+7+8, Witches Rock Road as there is no apparent municipal use for the property.

By: Pose

Seconded: Parker.

For: Howe, Parker, Pose, Hayden and Veits.

Against: None.

Abstain: None.

The CT General Statute 8-24 Referral is recommended for approval.

OLD BUSINESS

There was no old business.

NEW BUSINESS

- 3. Application #413 – Request for extension to file approved subdivision map for an additional 90 days from May 9, 2019 to August 7, 2019; Laurentide Glen, south and southeast of Barlow Street, south and west of Martin Road, south of Arcadia Road, north of Farrell Avenue (92 lots); Assessor’s Map 67, Lots 20, 21, 22, 23, 24, 25, 37, 85, and all paper roads shown on Assessor’s Map; R-15/OSD (Single-Family Residential/Open Space Development) zone; Trademark Acquisitions, LLC, Arcadia Acres, LLC, and James and Delores Driscoll, applicants.

The Commission acknowledged receipt to the following items in their electronic packets: a letter dated April 8, 2019, from Attorney Mark Ziogas, regarding the request; the original Subdivision application approval letter dated October 25, 2019 (three pages); a copy of the approved Application #413 and a copy of the Concept Subdivision Map dated June 11, 2018.

Mr. Flanagan explained the applicants for the Laurentide Glen Subdivision required an additional 90 days to file the mylar maps, which would be ready in about a month.

Mr. Flanagan read into the record the letter dated April 8, 2019.

MOTION: Move that based on a request from Attorney Mark Ziogas, dated April 8, 2019, I move that pursuant to Connecticut General Statutes (C.G.S.) Section 8-25a and Section 2.06 of the Bristol Subdivision Regulations that the filing deadline for the recording of the Subdivision mylars with the Bristol Town and City Clerk for:

Application #413 – Laurentide Glen, south and southeast of Barlow Street, south and west of Martin Road, south of Arcadia Road, north of Farrell Avenue (92 lots); Assessor’s Map 67, Lots 20, 21, 22, 23, 24, 25, 37, 85, and all paper roads shown on Assessor’s Map; R-15/OSD (Single-Family Residential/Open Space Development) zone; Trademark Acquisitions, LLC, Arcadia Acres, LLC, and James and Delores Driscoll, applicants be extended an additional 90 days from May 9, 2019 to August 7, 2019.

By: Parker

Seconded: Howe.

For: Howe, Parker, Pose, Hayden and Veits.

Against: None.

Abstain: None.

The CT General Statute Section 8-25a and Section 2.06 Referral is approved for extension.

- 4. Application #329 – Discussion on September 24, 2008 subdivision approval: south side of Allentown Rd. (2 lots); Assessor’s Map 9, Lots 13 and 13-2; R-25/OSD (Residential/Open Space Development) zone; Southern Woods Developers, LLC, original applicant; Keith and Wendy Fioravanti, owners.

The Commission acknowledged receipt of the following items in their electronic packets: a copy of Application #329; a copy of the CT General Statutes regarding Section 8-26c, undated; a copy of the Planning Commission minutes from September 24, 2008; a copy of the conditional approval letter dated October 15, 2008; a copy of a letter from Attorney James Ziogas, dated December 10, 2008, regarding the request for a 90 day extension; a copy of the Planning Commission minutes of December 22, 2008; a copy of a notice of expiration letter dated December 3, 2008, from the former City Surveyor to the applicant; a copy of the February 25, 2009 Planning Commission minutes; a copy of a letter dated June 21, 2010, from the former City Surveyor to the applicant, regarding the notice of completion of the public improvement requirements; a letter dated June 22, 2010 from Attorney James Ziogas, regarding a request for a 90 day extension; a copy of the June 30, 2010 Planning Commission minutes; a copy of a letter dated July 8, 2010, from the former City Engineer, regarding approval of conditional approval; a letter dated June 14, 2011, from the former City Surveyor to the applicant, regarding the notice of the subdivision lapsing; a letter dated June 21, 2011, from Attorney James Ziogas, regarding a request for a one year extension; a copy of the June 29, 2011 Planning Commission minutes; a copy of a letter dated July 5, 2011, from the former City Engineer to the applicant, regarding approval of the extension request to the conditional approval; a letter dated April 26, 2011, from Attorney James Ziogas, regarding the request of a three year extension of conditional approval; a copy of the Planning Commission minutes from May 23, 2012; a copy of an approval letter dated May 31, 2012, from the former City

Engineer, regarding the approval of the three year extension request; a letter dated May 20, 2013, from the former City Surveyor, regarding notice the conditional approval lapsing; a letter dated May 22, 2013, from Attorney James Ziogas, regarding the request for a three year extension; a copy of the Planning Commission minutes dated May 29, 2013; a copy of an approval letter dated June 5, 2013, regarding approval of extension of three years for the conditional approval; a copy of the Survey Map entitled "Property Survey, Showing Lots 13 and 13-1, Allentown Road, Bristol, Connecticut, Prepared for Southern Woods Developers, LLC, dated June 19, 2006, as noted, Prepared by Gesick and Associates, P.C., Recorded in the Bristol Land Records on June 5, 2007"; a copy of the Improvement Location Map, entitled "Improvement Location Survey, Site Development Plan, Lot 13-1, Allentown Road, Bristol, CT, dated October 14, 2008, Prepared by R.R. Hiltbrant Engineers and Surveyors" and a copy of the Lot Line Revision Map, entitled "Lot Line Revision Map, of Property Owned by Southern Woods Developers, LLC, South Side of Allentown Road, Bristol, CT, dated June 24, 2014, Prepared by Gesick and Associates, P.C., Recorded in the Bristol Land records on June 26, 2014."

Mr. Flanagan explained the original developers were Southern Woods Developers, LLC. He reviewed the previous approvals and approved extension documents from September 2008 to September 2016 with the Commission. He reviewed the State Statutes that required a subdivision to be completed within five years and that the applicant is allowed extensions of up to five years. Lot 13-2 has expired because it had a conditional approval and the conditions were not met before the expiration.

Mr. Flanagan read into the record an excerpt from the Planning Commission the minutes of September 24, 2008.

Keith Fioravanti, 261 Allentown Road, property owner of Lot 13-2, explained when they purchased the property they were told that the water and sewer lines were on the property. The maps had the water and sewer lines on them and they were ready to construct two houses on the property. But, then the issue of subdivision expiration was discovered. He has been working to put septic system on the lot.

MOTION: move to approve the following Notice to be filed on the Land Records for the City of Bristol:

**NOTICE OF EXPIRATION
ASSESSORS MAP 9 LOT 13-2 ALLENTOWN ROAD**

Pursuant to Connecticut General Statutes Section 8-26c, due to the fact that all work and improvements were not timely completed for Map 9 Lot 13-2 Allentown Road pursuant to the Subdivision Plan, the 2-lot subdivision approved by the Bristol Planning Commission on September 24, 2008, effective October 11, 2008, for Southern Woods Development, LLC, as shown City Clerk Map P-28, has formally expired as a matter of law and no additional lots on the Subdivision Plan may be conveyed on or after September 25, 2016, except upon approval of a new subdivision plan by the Bristol Planning Commission subsequent to the date of the Commission approval of this Notice.

BE IT FURTHER RESOLVED, that the Secretary is authorized to state such expiration on the original Subdivision Plan (City Clerk Map P-28) on file in the office of the City Clerk in accordance with Connecticut General Statutes Section 8-26c. Said statement to be placed on the Subdivision Plan as follows: "Pursuant to Connecticut General Statutes 8-26c, this subdivision expired on September 25, 2016 and no additional lots shown of this Subdivision Plan may be conveyed."

By: Parker

Seconded: Howe.

For: Howe, Parker, Pose, Hayden and Veits.

Against: None.

Abstain: None.

The CT General Statute Section 8-26c Referral is approved for "Notice of Expiration."

STAFF REPORTS

5. Monthly Subdivision Status Report

The Commission acknowledged receipt of the following item in their electronic packets: the updated monthly Subdivision status report updated April 18, 2019. Ms. Levesque provided the Commission with updates on the status of active subdivisions in the report.

6. Mr. Flanagan reminded the Commission of the training session on Monday on April 29, 2019 at 6:30 to 9:30 P.M.

COMMUNICATIONS

ADJOURNMENT

Motion was made by Commissioner Parker to adjourn.
Motion seconded by Commissioner Howe.
Motion carried 5-0.

The meeting adjourned at 7:43 P.M.

These minutes represent the proceedings of the meeting.
This meeting was taped.

Respectfully submitted,
Nancy King

Andrew Howe
Secretary
City Planning Commission