

BRISTOL PLANNING COMMISSION
REGULAR MEETING OF JANUARY 27, 2010

ATTENDANCE: Chairman William Veits
Commissioner Marie Keeton
Commissioner Brian Ewings
Anthony Dell'Aera
Charles Cyr (Alternate)
Joseph Kelaita (Alternate) (arrived 7:35 P.M.)
City Planner, Alan Weiner
City Engineer, Paul Strawderman

ABSENT: Commissioners John Soares, and Angelo Cannici.

The meeting was called to order at 7:00 P.M.

Chairman Veits designated Commissioner Cyr as a voting member in Commissioner Soares's absence.

I. Minutes

1. Regular Meeting of December 28, 2009.

Chairman Veits noted that Commissioner Dell'Aera would abstain from voting due to his absence from this meeting.

Motion was made by Commissioner Cyr to accept the minutes of December 28, 2009 as presented.

Motion seconded by Commissioner Ewings.

Motion carried 4-0.

II. Pending Applications

1. Application #338 – Resubdivision, 50 Emmett St. (2 lots); Assessor's Map 39, Lot 71; BG (General Business) zone; Robert Dabkowski, applicant (postponed from 12/28/09).

The following item was submitted into the record: a letter, dated January 27, 2010, from attorney James Ziogas requesting to withdraw the subject application and to waive the fee for a re-filing of the application.

Mr. Weiner noted that fee waivers have historically been granted only if the withdrawal was related to an act or omission by the Commission. Since this is not the case here, he suggested that the Commission not waive the fee.

Motion was made by Commissioner Ewings to accept the withdrawal of the application without prejudice and that the fee waiver not be approved by the Commission.

Motion seconded by Commissioner Cyr.

Motion carried 5-0.

2. Application #339 – Subdivision ("Burlington Meadows"), north of UConn Dr. and Princeton Dr. (5 lots, partially in Bristol and partially in Burlington); Assessor's Map 63, Lots 13 and 104; R-25 (Residential) zone; Rock Builders LLC, applicant.

The Commission acknowledged receipt of a letter dated January 8, 2010, from the Central CT Regional Planning Agency, which Commissioner Keeton read into the record, finding that the proposal was in conflict with the regional plan of development.

The following items were submitted into the record: a memo dated January 25, 2010, regarding the Engineering Division's review of the subject application. Attorney Timothy Furey submitted into the record: a letter dated February 25, 2009, from the Central CT Regional Planning Agency (CCRPA), finding no conflict with the regional plan, and a letter summary of a traffic study, dated September 23, 2009, from Robert Baltramaitis, P.E. Gerald Tarnowski submitted into the record a letter dated March 6, 2009, from the CCRPA, regarding a conflict with the plan, photographs of the area roads, and a letter dated January 27, 2010, from John Sanchirico objecting to the plan.

Attorney Timothy Furey, 43 Bellevue Avenue, on behalf of the applicant, described the proposed subdivision of 21.6 acres, mainly in Burlington but partially in Bristol. All proposed public improvements are in the town of Burlington, and the subdivision has been approved by the Burlington land use boards. He noted that the plans have been revised, particularly the proposed storm drainage system, to address concerns raised in part by Bristol residents to the Burlington Inland Wetlands Commission. Conservation easements are proposed around the perimeter the property.

Attorney Furey commented on the CCRPA letters. He felt that the applicant's plan provides for safe traffic flow and less environmental impact than the original CCRPA recommendation. He discussed the existing cul-de-sacs in Bristol and said that, at the request of the Bristol Public Works department, these will be left in place.

Attorney Furey and the Commission discussed the conflicting recommendations from CCRPA. Mr. Weiner said that he is confused why their view had changed, but that theirs is only an advisory opinion.

Mr. Strawderman briefly reviewed the remaining technical comments and said that, since a small amount of road work is necessary in Bristol to transition to the new streets, a bond will be required. Since there are no buildings proposed in Bristol, he suggested that the Commission require the bond to be posted before the subdivision map is filed.

The following persons spoke against the application: Gerald Tarnowski, 75 Princeton Drive; Jody Siefken, 20 UConn Drive, Lisa Stickels, 47 UConn Drive, and John Croasdale, 120 UConn Drive. Among their concerns were increased traffic, especially construction vehicles; potential drainage problems; further deterioration of Bristol' roads; provision of services such as trash removal and snow plowing; construction noise and debris, and keeping the existing cul-de-sacs. A question was raised whether access to the property should be from West Chippens Hill Road in Burlington.

The Commission discussed the provision of services and questioned whether an intertown agreement would be necessary between Bristol and Burlington.

Terry Rock, 574 Stafford Avenue, understood the neighbors concerns, but he also explained that the only way to get to the site was from the south and that, if the road connected to Bristol roads, there would be more lots in the subdivision.

The following persons spoke again: Lisa Stickels, Gerald Tarnowski, who felt that an intertown agreement between Bristol and Burlington would reduce the number of service vehicles on the roads and improve safety.

Attorney Furey said that, based on his conversations, the Burlington Public Works Director was willing to work with the City staff and the mayor for any agreements because the applicant could not control this part of the plan.

Mr. Weiner noted that, although this plan was not a conditional approval, the application could have conditions placed on it, and he recommended that a bond or road improvements in Bristol be required before the plan could be filed with the City Clerk.

Motion was made by Commissioner Ewings to close the public hearing.

Motion seconded by Commissioner Keeton.

Motion carried 5-0.

The Commission discussed the concerns mentioned and felt that a service agreement should be in place to reduce heavy vehicle traffic. There were also concerns about the conflicting recommendations from the CCRPA. Mr. Strawderman said that an intertown agreement would have to be negotiated between the two towns, and that could be a long process.

Mr. Weiner felt that the Commission should reopen the public hearing if it wanted to discuss the issues in detail.

Motion was made by Commissioner Keeton to re-open the public hearing on Application #339.

Motion seconded by Commissioner Cyr.

Motion carried 5-0.

Attorney Furey and Mr. Rock said that they had approached both towns about entering into an agreement but have gotten no response. The staff explained the general process of negotiation and implementation, emphasizing that both communities had to be in agreement.

Motion was made by Commissioner Cyr to close the public hearing.
Motion seconded by Commissioner Keeton.
Motion carried 5-0.

The Commission commented they should vote on the application this evening because the Commission could not control the service agreement. But, letters should be sent stating their opinion to help both towns. Mr. Weiner noted that they could not put the service agreement in the stipulations.

Motion was made by Commissioner Keeton to approve Application #339 with the following stipulations:

1. The subdivision map shall not be filed until all remaining staff comments have been satisfactorily addressed.
2. A bond shall be posted for all public improvements prior to filing of the subdivision map.

Motion seconded by Commissioner Ewings.
Motion carried 5-0.

Roll call vote:	Ewings -	Yes
	Dell'Aera -	Yes
	Keeton -	Yes
	Veits -	Yes
	Cyr -	Yes

Motion was made by Commissioner Keeton that the applicant shall send a written request to all affected City departments for any maintenance and service agreements for the area and shall be signed by the Chairman of Commission.
Motion seconded by Commissioner Cyr.
Motion carried 5-0.

III. New Applications

None.

IV. Zoning Commission Referrals

None.

V. City Council and Other Referrals

None.

VI. Old Business

None.

VII. New Business

1. Election of Officers

Commissioner Ewings motioned to nominate William Veits as Chairman, John Soares as Vice Chairman, and Marie Keeton as Secretary.

Commissioner Cyr seconded the motion.

There were no other nominations.

Motion carried 5-0.

IX. Communications

Item IX.1. was taken out of order.

1. 1/12/10 letter from Attorney Timothy Furey re rear lots in proposed subdivision, 266 Peck Lane

The Commission acknowledged receipt of a letter dated January 12, 2010, from Attorney Timothy Furey, regarding the subject site.

Mr. Weiner explained that the letter requested an opinion from the Corporation Counsel's office as to whether the Commission has the authority to limit the number of rear lots in a subdivision.

Attorney Timothy Furey, 43 Bellevue Avenue, said in his opinion the current regulation was not valid for technical reasons related to the Planning Commission's statutory authority.

The Commission agreed to refer this matter to Corporation Counsel for an opinion.

VIII. Staff Reports

1. Monthly Subdivision Status Report

The Commission acknowledged receipt of the Monthly Subdivision Status Report dated 21, 2010.

2. West End Neighborhood Planning Study

Mr. Weiner distributed to Commission pages 12 and 13 of the draft study for review and comment at the next meeting.

3. Mr. Weiner informed the Commission of a Site Plan Reading Workshop, which would be scheduled for both the Planning and Zoning Commissions.

4. Mr. Weiner noted he and Mr. Beauchemin were working on making an electronic form for land use applications.

Motion was made by Commissioner Keeton to adjourn.

Motion seconded by Commissioner Cyr.

Motion carried 5-0.

The meeting adjourned at 10:15 P.M.

These minutes represent the proceedings of the meeting.

This meeting was taped.

Respectfully submitted,
Nancy King

Marie Keeton
Secretary
City Planning Commission