

BRISTOL PLANNING COMMISSION
REGULAR MEETING OF OCTOBER 28, 2009

ATTENDANCE: Chairman William Veits
Commissioner John Soares (VC)
Commissioner Brian Ewings
Anthony Dell'Aera
Joseph Kelaita (Alternate)
Charles Cyr (Alternate)
Angelo Cannici (Alternate)
City Planner, Alan Weiner
City Engineer, Paul Strawderman

ABSENT: Commissioner Marie Keeton.

The meeting was called to order at 7:02 P.M.

Chairman Veits designated Commissioner Cyr as a voting member in Commissioner Keeton's absence. He also designated Commissioner Dell'Aera as Acting Secretary.

I. Minutes

None.

II. Pending Applications

None.

III. New Applications

None.

IV. Zoning Commission Referrals

None.

V. City Council and Other Referrals

None.

VI. Old Business

1. Status report – 100 Oakridge Rd. (App. #316)

The Commission acknowledged receipt of a letter dated October 1, 2009, from Peter, Forrest, City Surveyor, regarding the subject property and a letter dated October 21, 2009 from Monique Norrie.

Staff reviewed the Commission's previous discussions about this project and gave an update of the current status. The Commission reviewed the concerns identified by the City Surveyor and Mrs. Norrie.

Michael Camarota, 100 Oakridge Road, representing the applicant, explained that the work items identified in the City Surveyor's letter have been completed. He said that he would be willing to re-grade the Norrie property to address their concerns, but felt that there may be a conflict with the underground power lines behind the curb. If the Commission wanted him to proceed with the revised grading, he requested a letter approving the change because right now the work was completed according to the approved subdivision plan, with no grading on the Norrie property.

Mr. Strawderman noted that if the applicant can make the plan work to address everyone's concerns, then there was no issue with Staff changing the plan.

After inquiry by Mr. Strawderman, Mr. Camarota noted that the top of the slope could be kept as is and the area from there to the curbing on the Norrie's driveway could be filled in, which would help address the Norrie's concerns by providing a less steep slope.

Scott Norrie, 184 Medford Street, said that he would prefer to see the snow shelf reduced and the area behind it re-graded. But, given concerns about the power lines, he agreed to the revision as discussed to provide a more gradual slope to his curb. All agreed that the work will be done in the spring.

Mr. Strawderman said that a letter would be sent summarizing the agreement of the revised proposal. He reminded the Commission that, at the public hearing, they tried to keep the grading off of the neighbor's properties, but now they are agreeing to revisions to the grading.

Mr. Camarota noted he spoke with Mr. Wheelock, 91 Tufts Street, who is satisfied with the repairs to his bank. Commissioner Cannici noted he was at this property on Sunday, October 25 and they were unhappy with work. Mr. Camarota noted that the repairs were made since then.

2. Request for extension of subdivision approval – Cold Springs Farm, Sec. 5, east side of Village St. (App. #274)
3. Expiration of 5-year subdivision approval – Cold Springs Farm, Sec. 4 (App. #268)

Mr. Weiner noted that item #2 was carried over from last month's meeting, which expired at the end of December. He noted that until the amendment for the Subdivision Regulations was adopted this matter could not be resolved. He suggested continuing items #2 and # 3 to next month's meeting.

The Commission agreed to continue both of these as Old Business items to next month's meeting.

VII. New Business

1. Proposed amendment to the Subdivision Regulations re renewal of conditional approvals

The Commission acknowledged receipt of the following item: a copy of a proposed amendment entitled *"Proposed Amendment to the Bristol Subdivision Regulations, Initiated by the Bristol Planning Commission, Draft dated October 28, 2009"*.

Mr. Weiner explained that at last month's meeting the Commission asked Staff to draft an amendment to grant extensions of the existing five-year conditional approval for subdivision renewals. He noted this item was initiated because of the Cold Springs Farm Subdivision. He noted the Commission requested the draft amendment be similar to the existing Subdivision Regulation for conditional renewals of the first extension for two years and then three one year extensions. He noted after a discussion with Staff, there were two suggestions as shown in the draft amendment, which he reviewed with the Commission.

After inquiry by Mr. Weiner, the Commission agreed to add the amendment of Option #2 and to schedule a public hearing on the item for their November 23, 2009 regular meeting of the Commission.

Motion was made by Commissioner Ewings to schedule public hearing for the proposed amendment for Option #2, Section 2.08, of the Subdivision Regulations renewal of conditional approvals for the November 23, 2009, regular meeting of the Commission.

Motion seconded by Commissioner Dell'Aera.

Motion carried 5-0.

VIII. Staff Reports

1. Monthly Subdivision Status Report

The Commission acknowledged receipt of the Monthly Subdivision Status Report dated October 22, 2009.

The following item was submitted into the record: two memos both dated October 27, 2009, from Peter Forrest, City Surveyor, regarding Application #324, regarding the bond and final subdivision approval.

Mr. Weiner noted regarding Application #324 a letter sent to the applicant, and there is a bond in place and it has final subdivision approval. Also, the open space for Cedar Hills Subdivision has been deed to the City.

2. West End Neighborhood Planning Study

Mr. Weiner noted there has been no progress on this item because Staff has been working on the draft of this document. He noted they are trying to get a draft to the Commission and to the public by the end of the year.

- 3. Possible Amendment to 2000 Plan of Conservation and Development (Chapter 6 – Transportation): reclassification of a portion of Ronzo Rd., a portion of Jerome Ave., and portions of Route 72 (old and new)

Mr. Weiner noted a similar item has been on the agenda for a couple of months. He reviewed Figure 6, Plan of Conservation and Development, regarding City Streets. He noted the Commission needed to discuss reclassifying Ronzo Road from Middle Street to Birch Street (abandoned), which now goes to Ronzo Road. He noted it was a local road prior to Birch Street being abandoned and is now a collector road. He noted there were other streets requiring similar discussions, such as a section of Jerome Avenue north of Shrub Road (local street), which should be upgraded to a collector or a minor arterial road; the new Route 72; and the streets that comprise the existing route 72, such as East Main Street and Broad Street.

The Commission and staff discussed the different road classifications in the Plan of Development and the implications of each. The Commission decided to pursue amendments to the Plan of Conservation and Development for each of these streets once the new Route 72 is completed.

- 4. Discussion of CT Supreme Court decision re sidewalk installation in subdivisions on existing streets (*Buttermilk Farms LLC v. Plymouth Planning & Zoning Commission*)

Mr. Weiner reviewed with the Commission the Court’s decision, which states that towns and cities may not require sidewalk construction for subdivisions bordering existing streets. He noted that the only way a Commission could require sidewalks was if the subdivision required construction of new streets. He described the conflict between this ruling and the current Subdivision Regulations and two proposed amendments to the Regulations to eliminate this conflict

The Commission reviewed the proposed amendments and discussed whether the existing section should be eliminated completely or the current wording eliminated but the section reserved for possible future amendments should the state statutes be changed. The Commissioners agreed to consider an amendment to delete Section 5.04.1 but leave it reserved, and to add language in the previous section clarifying that says sidewalks shall be required on both sides of new streets.

Motion was made by Commissioner Ewings to schedule a public hearing for the proposed amendment Section 5.04 of the Subdivision Regulations concerning sidewalks on existing streets for the November 23, 2009, regular meeting of the Commission.

Motion seconded by Commissioner Dell’Aera.

Motion carried 5-0.

IX. Communications

None.

Motion was made by Commissioner Ewings to adjourn.

Motion seconded by Commissioner Dell’Aera.

Motion carried 5-0.

The meeting adjourned at 8:05 P.M.

These minutes represent the proceedings of the meeting.

This meeting was taped.

Respectfully submitted,
Nancy King

Marie Keeton
Secretary
City Planning Commission