

Chairman Johnson called the meeting to order at 7:10 P.M.

Commission members present: Frank Johnson (Chairman), John Lodovico (Vice Chairman), Kenneth Nairne, David White, and Cliff Block, Gina Newman (Alternate), Fred Scimone (Alternate).

Commission members absent: Douglas Jackson (Alternate)

Also present: Alan Weiner, City Planner, Kacie Costello, Assistant City Planner and T.J. Decrisantis, Zoning Enforcement Officer.

Items III.1 and III.3 were taken out of sequence.

- 1. Application #1983 - Site Plan for housing for the elderly (independent living facility and assisted living facility) on the west side of King St. south of Holley and Daniel Rds.; Assessor's Maps 34, 35 and 36, Lot 29; R-15 (Residential) and A (Multi-Family Residential) zones; Sentinel Equities Corporation, applicant.

Commissioner Staggers read into the record a letter dated May 8, 2007, from Richard Pettinelli, the applicant's engineer, requesting a continuation of the public hearing on Application #1983 to the Commission's June meeting and agreeing to an extension of the applicable statutory time limits.

MOTION: Commissioner Lodovico moved that the public hearing on Application #1983 be continued until the June 13, 2007 regular meeting. Commissioner Nairne seconded the motion.

VOTE: In favor – Nairne, Block, White, Lodovico and Johnson. Against – none. The motion carried 5-0.

- 3. Application #1986 – Special Permit for accessory dwelling unit at 29 Barnum Rd.; Assessor's Map 67, Lot 43-4; R-15 (Residential) zone; Stonehouse Construction LLC, applicant.

Chairman Johnson indicated that the "Notice of Public Hearing" signs for Application #1986 had not been posted in a timely manner and, as such, the application could not be heard by the Commission this evening.

MOTION: Commissioner Lodovico moved that the public hearing on Application #1986 be postponed until the June 13, 2007, regular meeting of the Commission. Commissioner Nairne seconded the motion.

VOTE: In favor – Nairne, Block, White, Lodovico and Johnson. Against – none. The motion carried 5-0.

I. Administrative Matters

- 1. Approval of Minutes

There were no minutes for available for approval.

- 2. Zoning Enforcement Officer's Report

Mr. Decrisantis summarized his monthly report for April, dated May, 9 2007, particularly discussing the situations at 97 Rockwell Avenue (unregistered vehicles, automotive repairs), 541 Pine Street (unregistered motor vehicles, junkyard, etc.), 13 Mare Road (unregistered motor vehicles, etc.), and 361 King Street (unregistered motor vehicles, junkyard). In response to inquiry, he discussed 236 East Main St.

II. Receipt of New Applications

There were no new applications available for receipt.

III. Public Hearings

- 2. Application #1985 – Change of Zone from R-25 (Residential) to R-25/OSD (Residential/Open Space Development), Lots 10 and 10B, west side of Witches Rock Rd. south of Old Orchard Rd. and north of Corbin Ridge; Assessor's Map 9; Witches Rock Developers, LLC, applicant.

The following items were made part of the record: a memo dated April 17, 2007, from the Inland Wetlands Commission recommending approval of the subject zone change, as well as providing additional recommendations in regard to the proposed open space; and a memo dated May 1, 2007, from the Bristol Planning Commission recommending approval of the subject zone change.

Attorney James Ziogas, 271 Farmington Avenue, representing the applicant, explained this site would be serviced by city sewer and city water. He summarized the differences between a conventional subdivision on this site, and the open space development that is proposed. He explained that either way, the road configuration would remain almost identical, as it is driven by the geometry and curvature of the property, as well as the temporary nature of the cul-de-sacs located on either end of the property during previous subdivisions. The differences would lie in the number of lots and the size of the open space created. He noted that

the open space associated with this proposal would connect several surrounding open spaces in the area, thus providing the City with one large, cohesive open space area. He also explained that the lots to be created on the outer edges of this subdivision will generally comply with the requirements of a regular R-25 zone, even if the zone change is approved. He re-emphasized that, given the surrounding geography and location of wetlands, the only feasible access to the proposed development is via the two existing cul-de-sacs, and that this property will be developed residentially in some form, whether or not the zone change is approved.

No one else spoke in favor of this application.

The following persons spoke against this application: Jack Horvath, 56 Corbin Ridge; Michele Zettergren, 56 Corbin Ridge; William Mason, 234 Old Orchard Road; Elaine Doolan, 215 Old Orchard Road; Leonard Armitage, 186 Witches Rock Road; Michael McAuliffe, 71 Old Orchard Road; Nicolas Lacerenza, 241 Old Orchard Road; Laura Landry, 101 Old Orchard Road; Kendrick Hinton, 190 Old Orchard Road; Joseph Giattino, 26 High Ridge Run; Douglas Kroll, 60 Brandon Run; and Raymond Bator, 176 Old Orchard Road. Among their concerns were: notification requirements; opening the cul-de-sacs; traffic issues; increased development, population, and traffic in the area; and emergency vehicle access. Also, they preferred larger lots on the development to some smaller ones that would be allowed by the potential zone change, and preferred that the site be accessed from Allentown Road. They requested a continuation to allow them to hire an attorney to review and represent their interests and options regarding the proposed zone change.

Chairman Johnson expressed understanding of the concerns of residents, but explained that some of these concerns are not relevant considerations for a zone change. At the public's request to be given time to hire an attorney, he concurred that the public hearing should be kept open until the June meeting. Additionally, he explained application procedures.

Mr. Weiner responded to inquiries, during which he explained the following: the stubs on Corbin Ridge and Old Orchard Rd. were constructed in a temporary nature with the intention of allowing them to one day be opened up and connected, as noted on subdivision maps filed in the Bristol City Clerk's office; notification requirements for subdivisions in Bristol; and application and referral procedures.

Douglas Reef, 22 Pine St., the developer of the property, responded to concerns of the residents, discussing previous subdivisions, access options, the potential number of lots if a conventional subdivision were built, open space, utilities, and extension of the cul-de-sacs.

Commissioner White reiterated and clarified that many of the issues raised tonight did not relate to a zone change application, and that the zone would not determine whether or not the cul-de-sacs are extended. He noted that the issue before the Commission is whether an R-25 zone or an R-25/OSD zone would allow for a better use of the property, and that having more open space in the development may be preferable to a conventional R-25 subdivision. He stated that whether the zone is changed or not, the property will be developed, and the decision of the Commission regarding this application will help determine how the property will be developed.

MOTION: Commissioner Lodovico moved that the public hearing on Application #1985 be continued to June 13, 2007 regular scheduled meeting. Commissioner Nairne seconded the motion.

VOTE: In favor – Nairne, Block, White, Lodovico and Johnson. Against – none. The motion carried 5-0.

Chairman Johnson declared a recess at 9:00 P.M. The meeting resumed at 9:30 P.M.

IV. Old Business

There was no old business.

V. New Business

1. Request for determination under Section IV.A.9. of the Zoning Regulations ("Odd Shaped Lots") re proposed lot at 81 Peacedale St.

The following item was made part of the record: a memo from the Bristol Planning Commission dated May 1, 2007, regarding their request for a determination from the Zoning Commission as to whether or not the proposed frontage of Lot 3 in Application #308, pending before the Planning Commission, would comply with the minimum frontage requirement as defined in the Zoning Regulations.

Mr. Weiner summarized the issue in question, explaining that the entire subject lot of the proposed resubdivision is part of a previous subdivision. The existing lot has frontage on both Peacedale St. and Pine Meadow Drive. The proposal is to resubdivide the lot into two lots, one containing the existing house and having frontage on Peacedale St. only, and one (Lot 3-1) having frontage on Pine Meadow Dr. only. He noted that as the lot currently exists, the proposed Lot 3, which would have its frontage on Peacedale St., only has 97 feet of frontage, and the requirement is 125 feet. The proposal indicates that the applicant would

obtain a long, narrow triangle of land, 5 feet at its deepest point and 27 feet long, from the neighboring property. He explained that during the Public Hearing on the subdivision, the question was raised as to whether this proposal meets the frontage requirement of the Zoning Regulations. The matter was referred to the Zoning Commission under the "odd shaped lot" provision of the Zoning Regulations.

Attorney James Ziogas, 271 Farmington Avenue, on behalf of the applicants, noted that proposed Lot 3-1 complies with the Zoning Regulations. The remaining Lot 3 would have insufficient frontage as it is now, would have more than the required amount of land, and would be irregularly shaped. Either additional frontage could be acquired, as proposed, or this could be considered a rear lot. In response to concerns expressed by neighbors at the Planning Commission meeting, he noted that, while not all of the front yard of proposed Lot 3 would be a minimum of 40 feet deep, the area in front of the house would have a front yard of 40 feet. If this were considered a rear lot, there would be sufficient land area, even after the area of the accessway is subtracted.

Mr. Weiner noted the Zoning Regulations also require that rear lots have a minimum front yard that is one and a half times the requirement for the zone, which would mean that this lot would have to have a front yard of at least 60 feet.

Chairman Johnson explained his opinion that the lot, as proposed, would not comply with Zoning Regulation requirements of frontage and odd shapes, as defined. He commended the Planning Commission for referring this matter to the Zoning Commission.

The following person spoke in favor of this application: Lori Hackling, 81 Peacedale Street, explained her proposal to construct a smaller house on the new lot for her, her husband, and their son to reside in.

The following persons spoke against this application: Peter Brown, 60 Pine Meadow Drive and Thomas Ring, 41 Pine Meadow Drive. Their primary concern was that one of the proposed lots did not meet the frontage requirements of the R-25 zone. Mr. Ring explained the applicant did not present the request to the Planning Commission as a rear lot, but as an R-25 conforming lot and he was concerned about the precedent this would set in terms of what types of odd-shaped lots would conform.

MOTION: Commissioner Lodovico moved that the Commission determine that the 125 feet of frontage proposed for Lot 3, 81 Peacedale St., does not comply with the intent of the Zoning Regulations. Commissioner Nairne seconded the motion.

VOTE: In favor – Nairne, Block, White, Lodovico and Johnson. Against – none. The motion carried 5-0.

VI. City Planner's Report

1. Site Plan for parking lot for St. Joseph Church, 33 Queen St.

The Commission acknowledged receipt of a memo dated May 3, 2007, from Alan Weiner, City Planner, to Denis O'Sullivan, the project engineer, indicating his continued concern about the proposed parking layout. Attached to this memo was the third set of Site Plan Review comments.

Mr. Weiner explained that this Site Plan was initially being handled administratively, but that resolution was needed by the Commission regarding the proposed parking layout. He summarized his opinion that adjustments were necessary, specifically noting issues with the easterly handicapped space and associated crosshatched turnaround area. He indicated concern about the feasibility of the turnaround movements, as well as the likelihood that people would park in the crosshatched back-up area.

Denis O'Sullivan, P.E., 238 North Street, Watertown, on behalf of the applicant, explained his opinion that this plan would meet the Commission's requirements and the needs of the Church.

The following people spoke in favor of the Plan: Reverend Joseph DiSciaccia, 141 Goodwin Street, and Norman Pelletier, 10 Glendale Drive, parish member. They explained that members would police the parking lot. Reverend DiSciaccia explained that the peak hours of use of the parking lot are during Saturday and Sunday Mass, bingo, and occasional meetings during the week. Mr. Pelletier, who is physically handicapped, explained his experience reversing his vehicle onto the parking space in question.

Commissioner Block agreed with Mr. Weiner that the easterly handicapped space will create difficulties, as it requires backing into other parking lot traffic and extra turning movements; he felt the layout could work better with some adjustment.

Chairman Johnson summarized his feeling that this is not an ideal plan, but it addresses the need for handicapped parking on the site and is an improvement.

MOTION: Commissioner Lodovico moved that the Site Plan for a parking lot for St. Joseph Church, 33 Queen St. be approved as presented. Commissioner Nairne seconded the motion.

VOTE: In favor – Nairne, White, Lodovico and Johnson. Against – Block. The motion carried 4-1.

VII. Adjournment

MOTION: Commissioner Lodovico moved that the May 9, 2007, regular meeting of the Bristol Zoning Commission be adjourned.
Commissioner Nairne seconded the motion.

VOTE: In favor – Nairne, Block, White, Lodovico and Johnson. Against – none. The motion carried 5-0.

The meeting was adjourned at 10:30 P.M.

Respectfully submitted,

Nancy Mandino
Recording Secretary

Frank Johnson, Chairman

Kenneth Nairne, Secretary