

BOLTON PLANNING & ZONING COMMISSION
Regular Meeting
7:30 p.m., Wednesday, April 13, 2022
Virtual
Minutes & Motions

Members Present: Chairman Tom Manning, Vice Chairman James Cropley, Brittany Clark, Thomas Robbins, Jeffrey Scala (7:37p.m.) and Alternates Tom Crockett, Rodney Fournier and Kawan Gordon 7:37 p.m.

Members Excused: Arlene Fiano, Jeremy Flick.

Staff Present: Patrice Carson, AICP, Consulting Director of Community Development, Mike D'Amato, Interim Zoning Enforcement Officer, and Yvonne Filip, Recording Secretary.

Others Present: Nathaniel Fleming, Fedus Engineering, LLC, and Asif Choudhry; Atty Curtis Roggi, Andrew Bushnell, Matt, and Ed Grace from Bolton Vet Hospital; Peyton Rutledge.

1. Call to Order: T. Manning called the meeting to order at 7:31 p.m.
T. Manning seated T. Crockett for J. Scala, K. Gordon for J. Flick, and R. Fournier for A. Fiano.

2. Approval of Minutes: March 2, 2022, Regular Meeting Minutes
J. Cropley moved to approve the minutes of the March 2, 2022, Regular Meeting as presented.
R. Fournier seconded. Vote: 7-0-0. Motion passed.

3. Residents' Forum: No one present wished to speak on non-agenda items.

4. Staff Reports

P. Carson reported:

- Has been working with the intern for the Affordable Housing Plan. The final touches on the draft will be going out shortly.
- Has been working on the applications before the PZC.

M. D'Amato reported:

- Has also been working with the intern on the Affordable Housing Plan and presentation.
- Enforcement issues are those discussed at previous meetings. The Town Engineer has submitted comments for 17 Howard Road. He has been working with the owner's engineer.
- The next checkpoint is coming up for the Boston Turnpike property under enforcement.

The State does not have to respond to the Affordable Housing Plan per P. Carson and T. Manning. T. Manning has been the PZC's representative to Desegregate CT. Discussion has been about transit oriented development around train stations which Bolton does not have.

5. Public Hearings (begin at 7:45 p.m.)

a. Special Permit Application for Gas Station/Convenience Store, 271 Hop River Road, Nathan Fleming (#PL-22-2)

Nathaniel Fleming presented the application. This is an auto repair site with debris scattered throughout. There is a pervious gravel driveway to the back. The front will remain as is. The

building size will be reduced. Two rain gardens are proposed to contain storm water. The septic system is shown. The lighting plan shows eleven lights. Most of the site is staying the same other than the clean-up operation. All Town staff comments have been addressed. The applicant is in contact with CT DOT for the work in the right-of-way. A waiver has been requested for the back parking area to be pervious instead of paved.

Owner Asif Choudhry said 90% of the site has been cleaned up. When the new tanks and monitoring values were installed the contaminated soil was removed and the area dewatered. Three properties next to his came in clean during monitoring. The building has been 50% - 60% cleaned. The Building Inspector has been checking on this. There will be seven lights for the back parking area and two to three for the sidewalk. A wall pack could be used to light the sidewalk. The canopy lights will light the filling area.

B. Clark asked if the town requires a photometric plan - that plan would be helpful. P. Carson said yes, staff has asked for one. R. Fournier said this site is on Route 6 and kind of secluded. Is the front going to be lit up enough? Make sure the lighting in front is sufficient.

J. Scala: Are there any angles to take a left turn out of the site for traffic safety? N. Fleming: Nothing is being changed in the front so left turning will be as existing. You can get out of the property by taking a left. T. Crockett: Traffic comes up and down the hill quickly. N. Fleming: CT DOT did not comment on the left turn. Asif: The same situation takes place down the road. They always want a one-way entrance and a one-way exit. The left turn has okay sight lines.

J. Scala complimented the applicant in cleaning up the yard. There are 20 parking spaces on the west side and behind the building. Do you need that many or want that many? N. Fleming: Per regulations only eleven are needed but 20 spaces are proposed with a handicapped van space. The maximum we could have is twenty-five. Asif: If there is a donut shop in the future five to six spaces would be used by employees. Parking is easy to get to with a back entry door to the building. He prefers more parking than the minimum on this large site. There is no parking in the front except at the gas pump stations.

J. Scala noted that a waiver was requested for the back parking to be gravel. Did the applicant account for this area to be gravel or paved with the stormwater calculations? N. Fleming answered calculations were based on the pervious surface. J. Scala: If the back parking area is paved in the future how will the stormwater be addressed? N. Fleming: Rain garden one can be expanded if necessary; it is capable of catching more than is necessary now. P. Carson: The applicant would have to come back before the PZC because that is a large area. J. Cropley: Won't winter maintenance be difficult on the gravel driveway? N. Fleming: It is not as easy as a paved surface. There is a proposed maintenance plan. The trade-off is there is less impervious coverage. J. Scala: Is there concern about slip and fall issues? Asif: He has several stations where salt and sand are used. Salt is used on icy sidewalks and sand is used in the parking lot. P. Carson: What is the maintenance requirement to keep the gravel area pervious? N. Fleming: The area is coarse gravel on top with a fine gravel base. These surfaces can move. The maintenance would be to make sure there are no washed out areas. The coarse gravel layer is ~12" on top of a 3" pea stone base. B. Clark: would like to know the long term life of the gravel area. P. Carson said some of staff's comments were addressed on the revised plans. There was a question about the turning radius for delivery trucks and fire apparatus. The turning radius is

now shown on the plans. The southeast corner is tight but a box truck should be able to make the turn.

P. Carson stated the architectural elevations were received. The PZC needs to review those and determine if they are in line with the regulations. With the parking in the rear Staff did discuss making the back rear entry more of a public entrance and match the front of the building with faux windows. There is a single door going into the back of the building. Asif: We could make that a double door. The layout inside the building has been changed. Those plans are not the latest layout. The electrical room has been moved.

The erosion and sediment bond has a revised estimate. J. Scala had sent an email to P. Carson indicating the bond estimate is on the low side looking at DOT unit prices. P. Carson stated another staff comment was about open space and connectivity from the site to the Hop River Trail. The health district has not sent a review to see if all of their comments have been addressed. A Phase 1A well site approval is needed also.

A. Choudhry said it is a jungle in the back of the property and believes it is more liability to have the trail behind his property. T. Crockett said that seems to be a liability for the owner. A. Choudhry said the septic and well approval have been applied for. The areas have been staked out; the inspector will be out next week to view the locations.

T. Manning said he did not see anything about signage for this application. Is there a plan to have a drive-up window? A. Choudhry stated if he ever got a donut or sandwich shop space rented out then there would be a drive-up window. Dunkin' likes to put up their own buildings. P. Carson said for something like that he would need a site permit modification.

T. Manning would like to see coordination between all of the different plans when they are resubmitted. They seem to be disjointed and difficult to be able to see that everything works together. All of the exterior lighting is to be shown. Does the applicant need to approve a continuance of the public hearing and are we still in the statutory timeframes on the application? P. Carson answered that the hearing was opened for first time this evening and have 35 days to close it. If it goes beyond the next meeting the Commission would have to get permission from the applicant for a continuance.

Regarding connectivity to the Hop River Trail, T. Manning stated that although the applicant has concerns about liability he would like the applicant to talk to the Bolton Land Trust. This is a very active group of trail makers and they are interested in promoting recreation and connections to everything in Bolton including commerce. He recommends this conversation take place between the applicant and the Bolton Land Trust. T. Crockett felt the connection to the trail could be a little more than you bargain for with garbage and dog droppings.

T. Manning asked for public comment. No one from the public wished to comment.

T. Manning moved to continue the public hearing on Special Permit Application for Gas Station/Convenience Store, 271 Hop River Road, Nathan Fleming (#PL-22-2) to Wednesday, May 11, 2022, at 7:45 p.m. via a virtual, hybrid, or in person meeting. **J. Scala seconded.** Vote: 7-0-0. Motion passed.

6. Old Business

a. Discussion/Possible Decision: Special Permit Application for Gas Station/Convenience Store, 271 Hop River Road, Nathan Fleming (#PL-22-2)

No action to be taken since the public hearing is continued.

b. **Other:** There was none.

7. New Business:

a. Special Permit Application for Veterinary Hospital/Veterinary Emergency Care, 233 Boston Turnpike & 12 Williams Road (Bolton Vet), Veterinarians of Eastern Connecticut LLC (#PL-22-3)

T. Manning: The Commission is receiving this application tonight.

T. Manning moved to hold a public hearing for Special Permit Application for Veterinary Hospital/Veterinary Emergency Care, 233 Boston Turnpike & 12 Williams Road (Bolton Vet), Veterinarians of Eastern Connecticut LLC (#PL-22-3) at 7:45 p.m. on Wednesday, May 11, 2022, via a virtual, hybrid, or in person meeting. **R. Fournier seconded.** Vote: 7-0-0. Motion passed.

b. **Other:** There was none.

8. Correspondence:

P. Carson: T. Manning is our current representative to CRCOG. The Commission needs to appoint a representative and a backup to the Council.

T. Manning: Is willing to continue as representative. CRCOG meets four to five times per year. You get to meet with other town's PZC representatives and how that town is handling and dealing with issues. There is usually a major presentation on what is going on legislatively or conceptually

P. Carson: T. Manning will be the representative and R. Fournier will be the backup.

9. Adjournment:

J. Scala moved to adjourn the meeting at 8:54 p.m. T. Robbins **seconded.**

Respectfully Submitted,

Yvonne B. Filip

Yvonne B. Filip, Planning & Zoning Commission Recording Secretary

Please see minutes of subsequent meetings for approval of these minutes and any corrections hereto.