

BOLTON PLANNING & ZONING COMMISSION
REGULAR MEETING AGENDA
7:30 PM, WEDNESDAY, JUNE 14, 2017
BOLTON TOWN HALL, 222 BOLTON CENTER ROAD

RECEIVED
JUN 12 2017
Town Clerk of Bolton

1. Call To Order
2. Approval of Minutes:
May 10, 2017 Regular Meeting Minutes
3. Residents' Forum (Public Comment for items *NOT* on the agenda)
4. Report of the Zoning Enforcement Officer
5. Old Business
 - a. Other
6. New Business
 - a. 8-24 Referral: Purchase of Open Space Land, Stangeland Property, Brandy Street
 - b. *APPLICATION*: Modification of Site Plan Approval, Landscaping Buffer Plan, 201 Boston Turnpike (Simoniz), William Hibbard
 - c. *Informal Discussion*: Concept Plan for Office Space, 1100 Boston Turnpike, Tim Coon, JR Russo
 - d. *APPLICATION*: Zoning Regulation Amendments to Section 2 Definitions and Section 11F. for Rear Lots (currently known as Irregular Lots), Bolton PZC
 - e. *APPROVAL* of Official Revised Zoning Map
 - f. Other
7. Correspondence
8. Adjournment

BOLTON PLANNING & ZONING COMMISSION
REGULAR MEETING
7:30 PM, Wednesday, May 10, 2017
Bolton Town Hall, 222 Bolton Center Road

RECEIVED
MAY 17 2017

Minutes & Motions

Town Clerk of Bolton

Members Present: James Copley, Thomas Robbins (alternate), Christopher Preuss, Jeffrey Scala, Chairman Eric Luntta, Arlene Fiano, Adam Teller, Neal Kerr.

Members Excused: Christopher Davey (alternate), Nancy Silverstein.

Neal Kerr, Jeffrey Scala, Arlene Fiano, James Copley.

Staff Present: Patrice Carson, AICP, Director of Community Development, Sarah Benitez, Recording Secretary.

Others Present: Resident Kelly Green.

1. **Call to Order:** Chairman Eric Luntta called the meeting to order at 7:30 p.m.

2. **Approval of Minutes:**

February 8, 2017 Regular Meeting Minutes: A. Teller moved to approve. J. Scala seconded. Vote 4:0:3, J. Copley, T. Robbins, and E. Luntta abstaining due to absence at that meeting.

April 12, 2017 Regular Meeting Minutes: A. Teller moved to approve. C. Preuss seconded. In item 6, "Heffman" should be spelled "Hoffman." T. Robbins was seated for J. Scala to vote. Vote 4:0:3, J. Copley, A. Fiano, and N. Kerr abstaining.

3. **Residents' Forum (Public Comment for items NOT on the agenda):** No comments.

J. Scala moved to take the agenda out of turn and address item 6b following 3. C. Preuss seconded. By consensus the PZC moved to 6b.

4. **Report of the Zoning Officer:** A written report was received. J. Rupert has sent violation notices to two package stores in town and is gathering documentation for enforcement regarding the residence behind Bolton Mobil. A new site plan review will be coming to the PZC soon.

5. **Old Business:**

a. **Discussion: Irregular Lot Regulations**

P. Carson provided an updated draft copy of the regulations. The PZC discussed language and organization. N. Kerr thought the regulation draft too restrictive. The PZC agreed to lower the required 5 acres to 4 acres. P. Carson will finalize the language and send it out to the PZC before the June meeting, at which she will have the application for public hearing.

6. New Business:

a. CGS Sec 8-25. (a) REQUEST: Second Extension of Time to File Mylars with the Town Clerk, Paggioli Subdivision (application #PL-16-15)

C. Preuss moved to grant a second 90-day extension for filing mylars with the town clerk for the Paggioli Subdivision Application, 2-Lots, 51 Birch Mountain Road. A. Fiano seconded. A. Teller recused himself. T. Robbins was seated for A. Teller to vote. Vote 7:0:0. A. Teller rejoined the Commission.

b. Informal discussion with Kelly Green concerning a tattoo studio at 822 Hop River Road

Kelly Green, 822, Hop River Road, explained her plan to convert the inside of the barn in the back of her property into a tattoo studio as a home business. She would keep the exterior appearance as is. A door would have to be added inside the original cross door to comply with regulations for business use. P. Carson had a question as to the PZC's interpretation of the 10-foot maximum for distance from the ground to the top of the eaves. The ground slopes down towards the back of the barn, but in the front the distance probably meets the requirement. The PZC goes by the average. There will be additional septic which may require grading that would bring the barn to meet the 10-foot maximum anyway. K. Green said her operating hours would be roughly 10 a.m. to 7 p.m. Monday through Saturday, by appointment only, and may be even less than that. The sign will be small, without the word "tattoo." She wants to keep it quiet, calm, and close to home. There will be no flammable chemicals in use. It will be a disposable studio, with everything used besides the machine being thrown away. Needles will go into biohazard bins, one per artist, and be collected. There will be no dumpster. She will have no more than two non-resident, additional employees at most, per regulation. There is ample parking space. E. Luntta advised her to speak with J. Rupert to plan for appropriate lighting for safety as it will be dark during business hours during winter. There is a lamppost by the garage that could be used. A. Teller recommended getting written verification from the neighbor that they have been notified of her plans. Sanitarian Holly Hood will determine any necessary well changes.

Here the PZC returned to agenda item 4.

7. DISCUSSION: Plan of Conservation and Development:

8. Adjournment: J. Cropley moved to adjourn. A. Fiano seconded. Vote 7:0:0. Meeting adjourned at 9:33 pm.

Respectfully submitted,

Sarah Benitez

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



Town of Bolton

222 BOLTON CENTER ROAD • BOLTON, CT 06043

BOARD OF SELECTMEN
(860) 649-8066
FAX (860) 643-0021

June 6, 2017

Eric Luntta, Chair
Planning and Zoning Commission
222 Bolton Center Road
Bolton, CT 06043



Re: 8-24 Referral for Land Purchase

Dear Eric:

Recently the Board of Selectmen reached an agreement to purchase the Stangeland property for open space purposes. The 53.5 acre piece of property is adjacent to historic Bailey Road and Bolton High School (see attached information). There is a 50 foot easement from Brandy Street that can be used to access the property. The Town's Open Space Preservation, Acquisition and Conservation Fund will be used for the purchase. As you are aware, the fund consists primarily of fees received through your commission for development projects and sale of other Town land. The property will be purchased with a deed restriction for use as open space, which was one of the higher priorities mentioned by town residents in the recently adopted POCD. Future uses for the property could include athletic fields, trail connections to the Hop River Linear Trail or as an educational area for students to study the flora and fauna that exist.

Under C.G.S. 8-24, the purchase is being sent to your commission for consideration. Town meeting approval is also necessary.

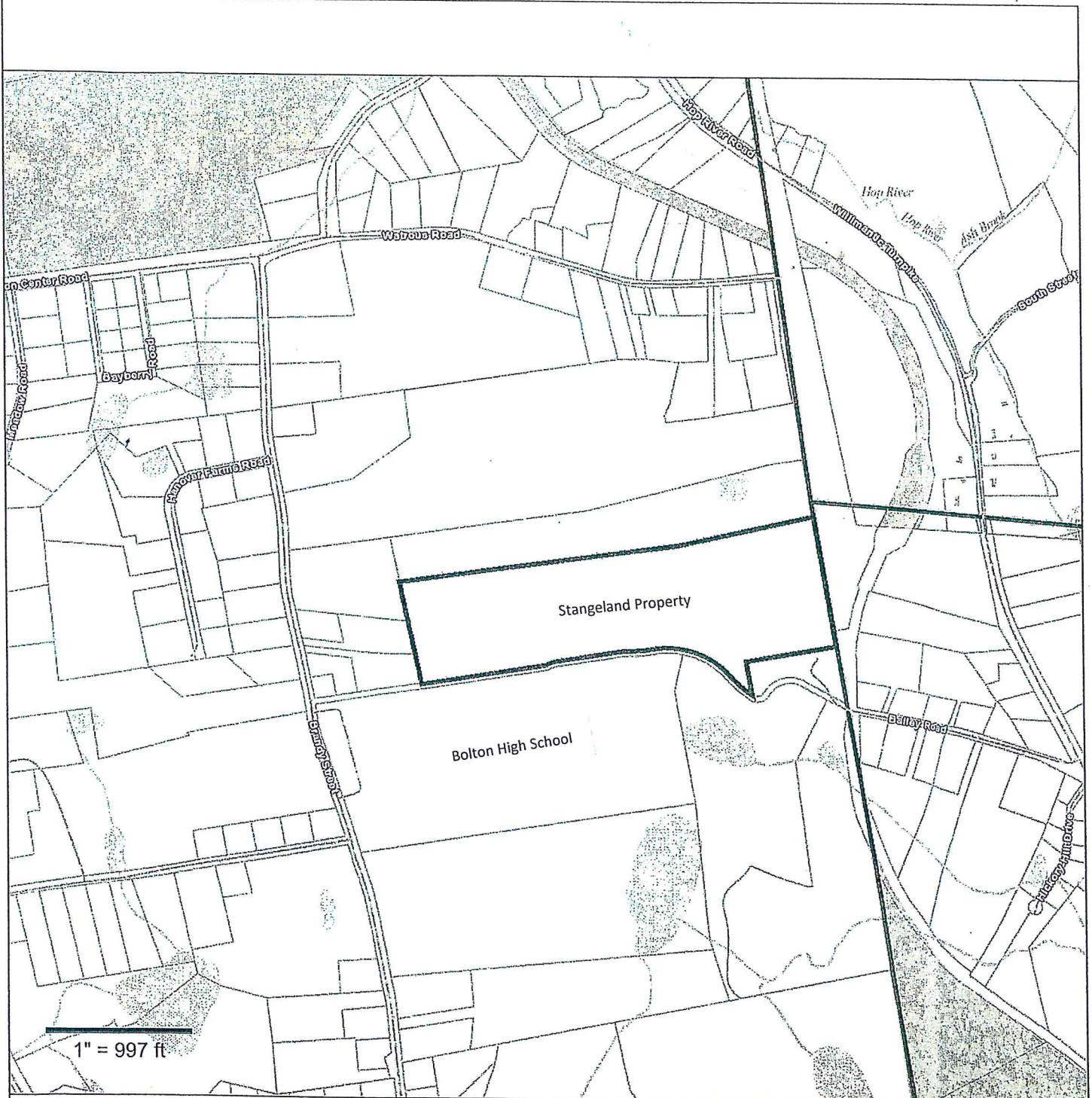
I will attend your meeting to answer any questions. Please do not hesitate to contact either Administrative Officer Joyce Stille or myself if you require additional information or have questions.

Sincerely,

Robert R. Morra
First Selectman

Enclosure

CC: Patrice Carson, Director of Community Development
Jim Rupert, Building Official/Zoning Enforcement Officer



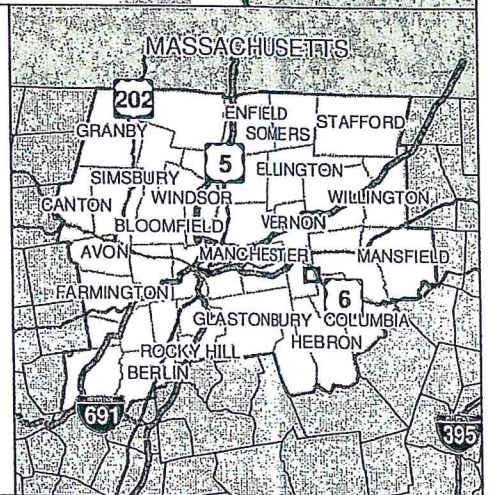
Property Information
Property ID 09013012-2139
Location BRANDY ST
Owner STANGELAND SIDNEY EST OF STANGELAND HELEN

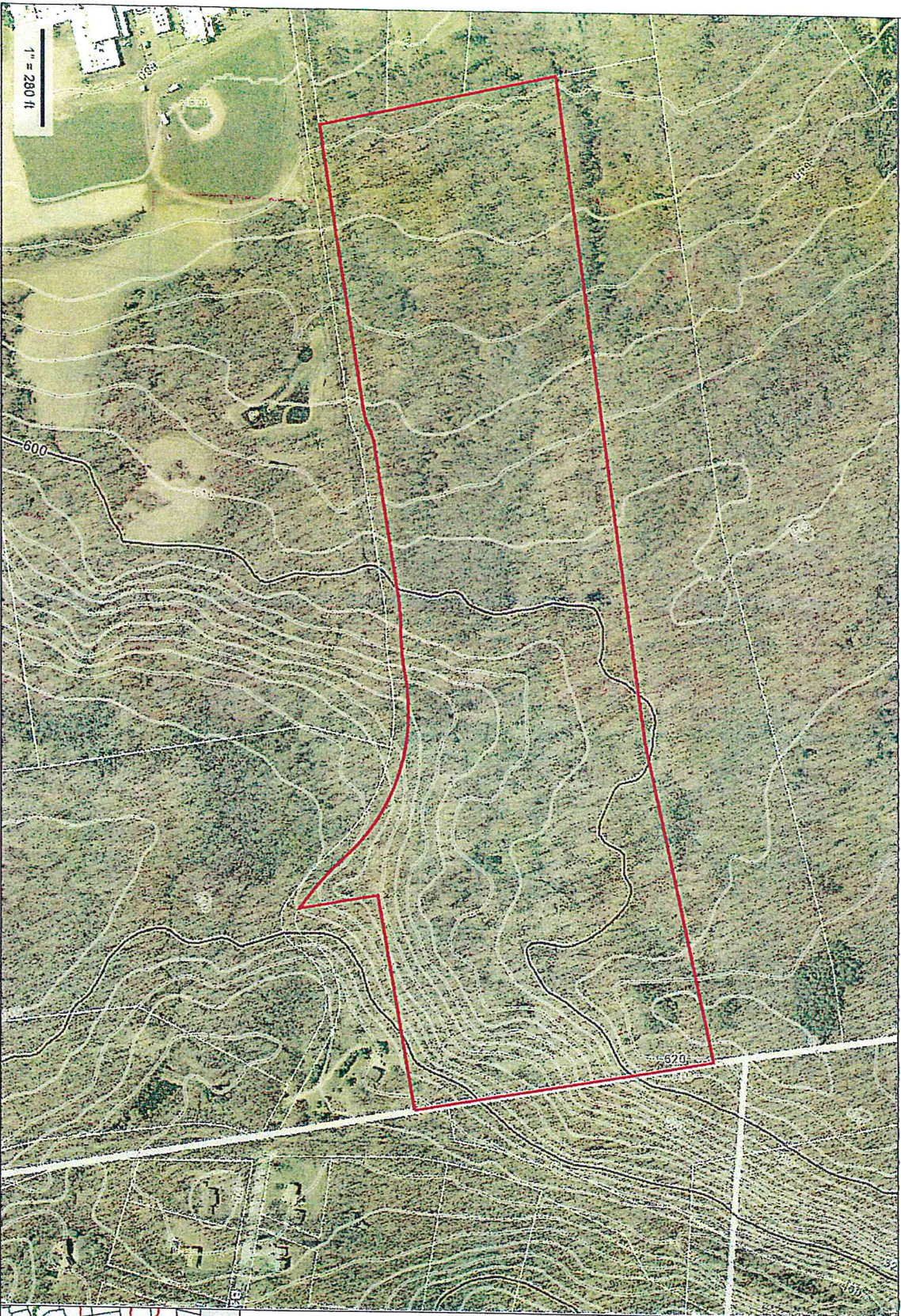


**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

CRCOG and AppGeo make no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated October 1, 2013





Property Information
 Property ID 090130112-139
 Location BRANDY ST
 Owner STANGELAND SIDNEY EST OF
 STANGELAND HELEN



**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

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Parcels updated October 1, 2013





RECEIVED
MAY 31 2017
TOWN OF BOLTON
LAND USE DEPARTMENT

Pd 5/31/17
CK# 135536
\$185.00

Town of Bolton Use/permit # PL-17-1
222 BOLTON CENTER ROAD • BOLTON, CT 06043

BOLTON PLANNING AND ZONING COMMISSION

APPLICATION FOR SPECIAL PERMIT, SITE PLAN REVIEW OR MODIFICATION OF A PREVIOUSLY APPROVED APPLICATION

1. Application Title: MODIFICATION TO LANDSCAPE BUFFER

2. Check all that apply:

- Special Permit Application Modification of an Approved Special Permit Application*
- Site Plan Review Application Modification of an Approved Site Plan Review Application*
- Minor Modification by Commission or Land Use staff

* The Commission may require a new application if the proposed modification significantly alters the previously approved application.

3. Street Address of subject property 201 BOSTON TURNPIKE, BOLTON

4. Deed Reference (Bolton Land Records) Volume _____ Page _____

5. Assessor's Records Reference: Map # _____; Block # _____ Parcel / Lot # _____

6. Current zone(s) of subject property _____ Acreage: _____

7. In Aquifer Protection District? Yes _____ No

8. In FEMA Flood Area? Yes _____ No

9. Wetlands Application Required? Yes _____ No

10. Applicant(s) SIMONIZ USA, INC.

Address 201 BOSTON TRPK, BOLTON CT Zip 06043

Phone # 800-646-0172 Fax # _____ E-mail WILLIBARD@SIMONIZ.COM

11. Owner(s) of subject property SIMONIZ USA, INC.

Address 201 BOSTON TRPK, BOLTON CT Zip 06043

Phone # _____ Fax # _____ E-mail _____

12. Official Contact / Representative regarding this Application: William Hubbard

Address 201 BOSTON TRPK, BOLTON, CT Zip 06043

Phone # 8606463865 Fax # 8606463765 E-mail WHIGHARD@SIMONIZ.COM
13. Project Engineer: Ortiz Torres, Michael Goodin
Address 387 N. Main St. Manchester Ct. Zip 06042
Phone # 800-643-2520 Fax # 860-649-8806 E-mail _____

14. Project Architect: _____
Address _____ Zip _____
Phone # _____ Fax # _____ E-mail _____

15. Other Experts Retained by Applicant: _____

16. Briefly describe the proposed use of the subject property. Provide greater detail in Project Narrative.
ADJUST LANDSCAPE BUFFER TO INCLUDE REMAINING
PANEL OF 15 WILLIAMS.

17. Square footage of new / expanded space: _____ # of new parking spaces _____

18. List the Section(s) of the Zoning Regulations under which application is made: _____

19. Provide all the applicable items for a complete application including a completed Checklist for Site Plan Review and Special Permit Applications. A completed checklist must be provided to comprise a complete application.

20. Applicant's Endorsement:
I am a willful participant and fully familiar with the contents of this application.
Signature William Whighard Date 5-24-17

21. Owner's Endorsement:
I am a willful participant and fully familiar with the contents of this application.
Signature [Signature] Date 5/31/17

NOTE: If there are any material changes to this application, the Applicant shall immediately notify the Town Staff in writing.
Applicants may be subject to Supplemental Review fees to defray the cost of Professional Review Services such as engineering or legal reviews.

For Town Use Only

Base Fee Paid 125.00 Check # 135536 Simoniz
plus \$60.00 State Fee

Date application received by Inland Wetlands Commission (if applicable) _____

Date of Inland Wetlands Commission action (if applicable) _____

Date application received by Planning and Zoning Commission _____

Date of public hearing (if required) _____

Date of Planning and Zoning Commission action _____

Date of newspaper publication of Planning and Zoning Commission action _____

Summary of Planning and Zoning Commission action _____

Revised March 11, 2009

Revised May 23, 2011



LETTER OF TRANSMITTAL

TO Bolton PZC

Table with 2 columns: DATE (6-8-17), JOB NO. (2016-078), ATTN (Cathy), RE (1100 Boston Turnpike)

WE ARE SENDING YOU [X] Attached [] Under separate cover Via Delivery, the following items: [] Cover Letter [] Paper Prints [] Mylars [] Specifications [] Report [] Other

Table with 4 columns: COPIES, DATE, SHEET NO., DESCRIPTION. Includes handwritten entries for Concept Plan and Architectural Floor Plan + Elevations. A yellow sticky note is attached to the table with the text: 'MAPS TOO LARGE TO SCAN. WILL BE AT MEETING'

THESE ARE TRANSMITTED (as checked below):

- [X] For approval [] For your use [] For review and comment [] As requested [] For signature [] For your records [] Returned after loan to us [] For bids due

REMARKS:

TCoon e JRRUSSO.COM



CC:

SENT BY: Tim Coon



Town of Bolton

222 BOLTON CENTER ROAD • BOLTON, CT 06043

BOLTON PLANNING AND ZONING COMMISSION

APPLICATION FOR AMENDMENT TO ZONING REGULATIONS OR CHANGE OF ZONE

1. Type of Application:

Amendment to Zoning Regulations

Change of Zone

2. Applicant(s) BOLTON PLANNING & ZONING COMMISSION

Address 222 BOLTON CENTER ROAD, BOLTON, CT Zip 06043

Phone # _____ Fax # _____ E-mail _____

3. Owner(s) of subject property (if Change of Zone; append list if necessary) N/A

Address _____ Zip _____

Phone # _____ Fax # _____ E-mail _____

4. Official Contact / Representative regarding this Application: _____

Address _____ Zip _____

Phone # _____ Fax # _____ E-mail _____

5. Location of Subject Property / Properties (if Change of Zone; append extra sheet if necessary): N/A

Street Address(es): _____

Bolton Assessor's Map # _____; Block # _____; Lot # _____.

Bolton Land Records: Vol. _____; Page: _____

6. Current Zoning District (if Change of Zone): N/A

7. Proposed Zoning District (if Change of Zone): N/A

8. Describe Amendment to Zoning Regulations or Change of Zone; provide reason for amendment; demonstrate consistency with Bolton Plan of Conservation & Development (attach additional sheets if necessary): _____

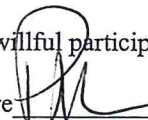
- ADD TO ZONING REGULATIONS SECTION 2 DEFINITIONS - REAR LOT (attached)
- REMOVE CURRENT SECTION 11F. IRREGULAR LOTS AND REPLACE WITH SECTION 11F. REAR LOTS (attached)

9. Application Requirements:

- a. Amendment to Zoning Regulations
 - i. ___ Application Fee: \$ ___
 - ii. ___ Six (6) copies of Amendment language with additions / deletions in the context of the existing Regulations
- b. ___ Change of Zone
 - i. ___ Application Fee: \$ ___
 - ii. ___ Written evidence of Applicant's legal interest in the subject property (ies) (deed, purchase agreement, etc.)
 - iii. ___ List of property owners located within 500 feet of property(ies) to be rezoned, as listed in the most current Bolton Assessor's Records
 - iv. ___ Stamped mailing envelopes addressed to owners of property located within 500 feet of property(ies) to be rezoned, as listed in the most current Bolton Assessor's Records (the applicant is responsible for the cost of certified mailings)
 - v. Six (6) sets of a Class "D" or higher boundary survey of the subject property(ies), prepared by a CT Licensed Surveyor depicting the proposed Change of Zone at a scale not smaller than 1"=100', and depicting properties, names of property owners, and road ROWs within 500 feet.
 - vi. A list of all hazardous, or potentially hazardous, materials anticipated as part of the proposed use of the property.
 - vii. A written statement of intended use of the property

10. Applicant's Endorsement:

I am a willful participant and fully familiar with the contents of this application.

Signature  FOR THE PZC Date 06/12/2017

11. Owner's Endorsement (for change of zone, only, and if separate from Applicant:

I am a willful participant and fully familiar with the contents of this application.

Signature _____ Date _____

Zoning Regulation Amendment
Rear Lots
06/14/17 PZC Meeting

SECTION 2 – DEFINITIONS

Rear Lots – A lot in an R-1 Zone which contains less frontage and more acreage than normally required in that zone and complies with Section 11.F of these Regulations.

Section 11 – DIMENSIONAL REQUIREMENTS

F. Rear Lots

1. **Purpose:** Irregular or Rear Lots, sometimes known as “flag lots”, are unconventional and pose a number of potential problems compared to standard lots. They are difficult to find and access in an emergency; increase the density of neighborhoods, and can reduce the level of privacy that homeowners have come to expect in abutting established backyards and side yards. To limit their use to only the most appropriate locations, and ensure that they are both safe and have minimal impact on their neighboring properties, review is required by the Commission.

The following provisions are intended for use when, after laying out lots within a subdivision in accordance with the dimensional requirements of these Regulations, some “leftover” land remains. Accordingly, these provisions are meant as a last resort in the design of a lot, and as such are to be employed sparingly, and not as a common design technique.

Applications under this Section shall be considered as special situations, each requiring individual justification by the applicant. The burden of proof shall be on the applicant to demonstrate no adverse effects on surrounding properties.

2. Rear Lots shall be permitted only in the R-1 zone in subdivisions of five (5) lots or more. Rear Lots are not permitted in an Open Space Conservation Subdivision. This regulation cannot be used for first or free cuts. The incidence of Rear Lots shall not exceed one (1) lot for every five (5) lots contained within a subdivision, as it is originally divided, and any Resubdivision thereof. Rear Lots shall comply with all requirements of this Section 11F.

3. An access strip/frontage for a Rear Lot shall:
 - a. Be at least 50 feet wide at its narrowest point including frontage existing to a public street.
 - b. Be owned in fee as part of a single parcel comprising the Rear Lot.
 - c. Contain only one (1) driveway.
 - d. Provide access for one (1) lot only.
 - e. Be separated by a minimum distance of 1,000 feet from any other Rear Lot access as measured along any public street.

4. Rear Lots shall:
 - a. Contain at least a minimum lot area of five (5) acres, exclusive of any access strip area. In computing such lot area, the access strip extending from the front lot line to the public roadway shall not be counted towards satisfying the lot area requirement.
 - b. The front, side and rear yard setbacks shall be a consistent perimeter of 85 feet from the property lines.
 - c. The design of the rear lot shall be such that a rectangle of 200 feet by 400 feet can be placed within the building lines of the rear lot.
 - d. No more than one (1) rear lot shall be permitted abutting any other lot.

5. Driveways serving Rear Lots shall:
 - a. Not exceed 500 feet in length.
 - b. Be located in the center of the 50-foot strip.
 - c. Be a minimum of 12 feet wide plus three-foot shoulders clear of all obstructions on each side and comply with Town Driveway Specifications.
 - d. Meet the Town Driveway Specifications.
 - e. Be fully capable of providing unrestricted access at any time for emergency vehicles such as fire trucks, etc.

6. It is not the intention to allow the creation of lots behind other existing properties which would change the characteristics of the neighborhood. The Commission may require a landscape buffer where necessary within the lot and along the access way to ensure that any new development will be in harmony with the surrounding areas and protect existing homes.