

BOLTON PLANNING & ZONING COMMISSION
REGULAR MEETING
7:30 PM, Wednesday, August 9, 2017
Bolton Town Hall, 222 Bolton Center Road

Minutes & Motions

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

Members Excused: Christopher Davey (alternate).

Staff Present: Patrice Carson, AICP, Director of Community Development, Jim Rupert, Zoning Enforcement Officer, Sarah Benitez, Recording Secretary.

Others Present: First Selectman Robert Morra (8:00 pm), Selectman Sandra Pierog, and Administrative Officer Joyce Stille (until 7:45 pm). Also present were Richard Treat, William Anderson, and Joseph O'Leary from the Journal Inquirer.

1. Call to Order: Chairman Eric Luntta called the meeting to order at 7:32 p.m.

E. Luntta moved to advance agenda item 6a to precede item 2. A. Fiano seconded. Vote 7:0:0.

2. Public Hearing (7:45):

a. CONTINUATION: Zoning Regulation Amendments to Section 2 Definitions and Section 11F. for Rear Lots (currently known as Irregular Lots), Bolton PZC

P. Carson reported that notices of continuation were published. Only one communication was received, a letter from Bob and Donna Munroe in opposition to the proposed amendments. The letter was read into record.

Public comments:

William Anderson, 77 French Road, provided a written version of his comments at the last hearing. He thought the driveway restrictions for emergency fire response were arbitrary and wanted specific data on any injury or death of a fireman resulting from driveway issues. E. Luntta said the PZC relied on the professional opinion of the fire marshal to inform the regulation. C. Preuss, who has served in fire service for decades and retired as captain of the East Hartford Fire Department, explained that in approaching a burning building, the first engine will lay the line up the driveway as the point of approach. The second one then feeds into the line. J. Rupert and P. Carson, who had met with Chief Dixon, reported that he did indeed have a specific basis for the restrictions. Discussion of town responsibility and liability in event of a fire emergency followed. W. Anderson mentioned some examples of regulations on rear lots that he preferred, such as those in Columbia, Wethersfield, and Massachusetts.

Robert Morra, 15 Tinker Pond Road, disagreed that back lots conflicted with rural character. He thought a large number of box lots, which he felt the regulation encouraged, would be more likely to do that. In his opinion, the regulation allowed the rights of an abutter to trump those of a principal landowner. He asked the PZC to continue to adjust the regulation in response to factors raised in the hearing. He supported no minimum number of lots to allow a rear lot.

P. Carson noted that the regulation change was to make it simpler for staff and applicants to use, as the existing one was unclear and ineffective. Even before the public hearings, the regulation was written to emphasize that rear lots were to be a rarity. A. Teller added that people have been led to believe that rear lots are to be more common than intended as a result of unclear regulation. He said it was the regulation's regularity and consistency that were important.

Richard Treat, 8 Lyman Road, said comments from both views of the regulation made sense. The regulation has been unclear, hard to use, and has caused misperception. He did not, however, see what was wrong with back lots in the first place. He felt they were a welcome use of land, particularly for those who might have children who would wish to return to Bolton. He thought the 4 lot requirement before allowing a rear lot was too high.

The PZC discussed the comments from the hearing and regulation language. A. Teller moved to continue the Public Hearing to Wednesday, October 11, 2017, at 7:45 PM, Town Hall, 222 Bolton Center Road. C. Preuss seconded. Vote 7:0:0. P. Carson will redraft the regulation and post it on the town website in the meantime.

The PZC continued to item #6b.

3. Approval of Minutes:

July 12, 2017 Regular Meeting Minutes: J. Cropley moved to approve. C. Preuss seconded. Vote 7:0:0.

E. Luntta moved to proceed to items #4 and #5 as it was not yet time for the Public Hearing. J. Cropley seconded. Vote 7:0:0.

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

5. Report of the Zoning Enforcement Officer: J. Rupert reported continuance of zoning enforcement actions. An agency is planning for redevelopment of the Mobil site. He has encouraged them to come before the PZC for an informal discussion.

Here the PZC moved to item #2 as it was time for the Public Hearing.

6. Old Business:

- a. **8-24 Referral: Request to Install Streetlight at Intersection of Toomey Road and Maple Valley Road:**

Administrative Officer Joyce Stille explained that Maple Valley Road residents have asked about having a streetlight at the Toomey Road and Maple Valley Road intersection. According to the original subdivision plans from the 1980s, a streetlight should have been put in at the cost of the contractor, but for some reason it was not done. The installment would be a civic improvement and the streetlight would be LED. A. Teller moved to install a streetlight at the intersection of Maple Valley Road and Toomey Road as originally intended in the subdivision plans. J. Scala seconded. Vote 7:0:0.

Here the PZC returned to the regular agenda with item #3.

b. DISCUSSION/POSSIBLE DECISION: Application for Zoning Regulation Amendments to Section 2 Definitions and Section 11F. for Rear Lots (currently known as Irregular Lots), Bolton PZC: No action taken.

c. Other: None.

7. New Business:

a. SPECIAL PERMIT APPLICATION: Dentist's Office, 1100 Boston Turnpike (Rosenlicht Property), Bolton Cosmetic & Family Dentistry

A. Teller moved to accept the application and set a public hearing for Wednesday, September 13th, 2017, at 7:45 pm, at Town Hall, 222 Bolton Center Road, Bolton, CT. J. Scala seconded. Vote 7:0:0.

b. Other: A. Teller remembered Nancy Silverstein, who passed earlier this month, as a fine person and fine addition to the commission.

8. Correspondence: P. Carson reported it was brought to her attention that there is a missing record of a regulation's filing, which will be corrected.

9. Adjournment: J. Scala moved, seconded by J. Cropley. Vote 7:0:0. Meeting adjourned at 10:03 pm.

Respectfully submitted,

Sarah Benitez

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