

Bolton Planning & Zoning Commission
Regular Meeting
7:30PM, Wednesday, January 10, 2018
Bolton Town Hall, 222 Bolton Center Road
Minutes & Motions

Members Present: Adam Teller, Christopher Davey, Benjamin Davies, Arlene Fiano, Neal Kerr, Thomas Robbins, and Alternates Thomas Manning (Seated for James Cropley) and Marilee Manning

Members Excused: Jim Cropley and Alternate Rodney Fournier

Staff Present: Patrice Carson, AICP, Consulting Director of Community Development, Jim Rupert, Building Official, Kelly Martin, Recording Secretary

1. **Call to Order:** A. Teller called the meeting to order 7:30pm.
2. **Approval of Minutes:** N. Kerr noted that he was present during the meeting but marked as excused. A. Teller requested alternates be added and paragraph 2 to reflect that the email that was read was received by Richard Treat.
A. Fiano noted that T. Manning was seated for B. Davies. She also requested that the wording in 5.b. be cleared up. J. Rupert noted that the person who submitted the application was separate from the one who leased the space. A. Teller requested that the wording would read other applicant to previous applicant and that names and titles are added under submission.
A. Fiano moved to approve the minutes as amended. C. Davey seconded. Vote 5:0:1 (Davies).
Motion carried.
3. **Report of the Zoning Enforcement Officer:** J. Rupert reported on upcoming and current events. He noted that progress was made with the construction business on Clark Road which exceeded the allowance of vehicles and personnel on the property. The land owner has purchased property in Andover and has begun to move equipment to that property with an expected completed date of one to two weeks. Another issue that the department is working on is signage for liquor stores.
4. **Residence Forum (Public Comment for items *Not* on the agenda):** No public comment.
5. **Public Hearings**
 - A. **Application: Modification of Special Permit, Office/Retail Shop/Open Lot Sales, 310 Hop River Road, Michael R. Martin (#PL-14-6):** Andrew Bushnell represented the applicant and presented certified mail receipts required for the application. A. Bushnell presented a visual of the land in reference to the application. He confirmed that approval was received by Wetlands. There is a building on the lot that was previously used as a daycare. There is also a trailer that was used as a food vendor which was seasonal. The proposal requests to use the existing building for a real estate office as well as an office for MM Electrical (applicant's electrical business). The shed that is placed on the property will be used in conjunction with both businesses. A portion of the lot to the east will be used as a display for landscape business. There will also be the sale of split firewood and sawed lumber. The display area will include five prebuilt sheds, seasonal agriculture, retaining walls, patio pavers and possibly Christmas tree sales. There will be three parking spaces dedicated to the display area. Permission from Wetlands was granted to make

improvements on the existing shed to make it more structurally sound. Fourteen parking spaces will be associated with the building, one handicap as per regulation. There is onsite well and septic. An application will be made for a new sign to be placed at the front of the property as shown on the plan. The soil disturbance will be the five pads for the sheds which will stand 16X16 with 3¼ crushed stone. The water will be able to run off the roofs and onto the stone then filtrate back into the ground. The lot is zoned GB.

A. Teller asked where the septic system was located on the property. A. Bushnell noted that it was not located on the map. J. Rupert commented that the daycare was heavily used and there were two wells originally on the property but one has since been abandoned. He located where on the map they were placed.

A. Teller asked if there was any concern about the access to the site from Route 6. J. Rupert noted that the business will most likely have more employees than patrons visiting the site which means traffic isn't an issue. A. Bushnell noted that there are significant driveway openings and the proposal doesn't ask for any new curb cuts.

C. Davey asked if the firewood would be split onsite. Michael Martin (applicant, MM Electric) noted that the wood would be split off site.

A. Teller asked if there was a need for new lighting. P. Carson noted that the business doesn't intend to operate at night.

A. Fiano noted there was a newly built stone wall in a photo which was in the State ROW. A. Teller noted that the wall isn't located on the property map. J. Rupert noted that the wall needs to be moved out of the ROW and to an approved area. A. Teller noted his concerns stating that the closer it is moved to the parking area, the more likely someone will back into it. If it is moved closer to the building, the more it imposes a traffic issue. If it is for display then it shouldn't be placed in the front of the property and needs to be moved to the display area. P. Carson noted if he wants to leave the wall where it is then he will need an encroachment permit from DOT.

A. Fiano made a motion to close the public hearing (8:14pm). N. Kerr seconded. Vote 7:0:0. Motion carried.

6. Old Business

A. *Discussion/Possible Decision: Modification of Special Permit, Office/Retail Shop/Open Lot Sales, 310 Hop River Road, Michael R. Martin (#PL-17-6)*

T. Manning made a motion to approve Michael R. Martin's Special Permit for office in the existing building and open lot sales, application #PL-17-6, in accordance with the plans submitted as "Plan Prepared for Michael Martin LLC, 310 Hop River Road, Bolton, CT" (1 sheet), dated: 12/7/2017, no revisions, which is conditioned on the following:

1. The applicant shall have the two stone pads on the easterly side of the lot staked by a licensed land surveyor prior to construction to ensure no encroachment into the side yard setback.
2. The Commission's approval letter with conditions shall be placed on the mylars to be recorded in the Office of the Town Clerk.
3. This approval is subject to compliance with any comments or requirements of the Health District, Fire Marshal, and the Town Engineer.
4. All appropriate seals and signatures of the design professionals responsible for this plan shall be placed on the plans before recording.

5. An Erosion Control Bond of \$630.00 shall be posted as part of the permit process prior to any work commencing on the site.
6. The stone wall shown in the State ROW shall be removed and placed in the display area or approved area by staff as a minor modification.

The Planning and Zoning Commission finds with these conditions the plan meets the requirements of the Bolton Zoning Regulations.

A. Fiano seconded. A. Teller commented that the site did have and has violations of the existing plan and things were done before the application was made. As a general rule the commission isn't supposed to approve an application where there are violations. The site doesn't look great now so this plan would be an improvement, so this case was different. He wished the applicant well. However, he told the applicants not to be in violation again. Vote 7:0:0. Motion carried.

B. Review/Discussion: 2017-2018 Priorities List

P. Carson explained the Priorities List is the PZC's progress throughout the year, set in January and reviewed in June. The Commission discussed the List with staff, made some changes, and asked the staff to update and redistribute the List.

C. Other: None

7. New Business

A. Special Permit Application: Office Building, 7 Loomis Road, MTS Builders, Inc. (#PL-18-1)

P. Carson advised that the next hearing date is February 14th. There is one applicant scheduled.

C. Davey made a motion to accept the application and schedule a public hearing for February 14, 2018 in the Town Hall beginning at 7:45pm. T. Robbins seconded. Vote 7:0:0. Motion carried.

B. Other: P. Carson said the Aquifer Protection Commission will meet on February 10, 2018, at 7:30pm to renew the Aquifer Protection Applications.

8. Correspondence: None

9. Adjournment: A. Fiano made a motion to adjourn at 9:30pm. N. Kerr seconded. Vote 7:0:0. Motion carried.

Respectfully submitted,



Kelly Martin, Recording Secretary

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