

Bolton Planning & Zoning Commission
Regular Meeting
7:30 p.m., Wednesday, August 8, 2018
Bolton Town Hall, 222 Bolton Center Road
Minutes and Motions

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

Members Excused: Benjamin Davies, Thomas Robbins and Alternate Rodney Fournier

Staff Present: Patrice Carson, AICP, Consulting Director of Community Development and Leslie Brand, Recording Secretary

1. Call to Order: A. Teller called the meeting to order at 7:32 p.m.

2. Approval of Minutes: July 11, 2018 Regular Meeting Minutes.

The following corrections were suggested:

4. Staff Reports-4th paragraph: Correct the spelling of “Steele Crossing Road” to “Steeles Crossing Road”.

5. Old Business-2nd paragraph: Change “added canopy” to “addition to the canopy”

A. Teller moved to approve the minutes as amended. **C. Davey seconded.** Unanimously Approved 5:00

3. Public Hearings

a. Application: Special Permit Application for Light Assembly/Showroom, 25 West St, JAKEE, LLC (#PL-18-3):

A. Teller opened the public hearing at 7:45 p.m. P. Carson read the legal notice and noted it was published in the Hartford Courant on July 27, 2018 and August 3, 2018. Certified mailing receipts and affidavit for the posting of the sign were presented by the applicant for the record.

John Dean of 102 South Road, Bolton represented himself. He wishes to purchase 25 West Street in Bolton to relocate his business. The business operation will be of similar use and function as in the current space. The showroom space will increase two to three times and storage space will also be increased. Four designers are currently employed with a possible addition of two more designers. Parking will be adequate for clients. C. Davey asked if the cabinets are pre-finished. J. Dean noted that most are pre-finished but some are finished on site. Only water borne coatings are used. They are non-hazardous and non-flammable so there are no special ventilation or disposal requirements. P. Carson noted that a Special Permit is needed for light manufacturing. There will be no additional paving or lighting and no additional structures other than new signage. C. Davey asked if there would be an increase in truck traffic. There are currently two tractor trailers per week. Traffic may increase but not substantially. The loading dock is on the side of the building making deliveries easier. General operating hours will be 8:30 a.m. to 5:00 p.m. A. Teller asked if there would be outside storage. J. Dean indicated no. The consensus of the board is that they are glad that he is keeping his growing business in Bolton.

Sandra Pierog, 37 Brandy Street, noted she was commenting as a neighbor and complimented J. Dean on the use of solar at his current facility and asked if it will be used at new site. J. Dean noted that it is a consideration but it is not financially feasible at the outset. Storage trailers that are at the current facility will not be moved to the new location. They will try to sell or scrap them.

J. Cropley moved to close the public hearing at 8:02 p.m. **C. Davey seconded.** Unanimously Approved 7:0:0

4. Resident's Forum (Public Comment for items NOT on the agenda): No public comment

5. Staff Reports:

P. Carson had no written report but offered to answer questions. M. Manning asked if there was any resolution to the Brew Haus issue. S. Pierog noted that Jim Rupert offered to meet with the owner. The owner declined. There has been no cease and desist order although he was in violation of his home based business license. Off road parking must be available. The driveway had been blocked with a note asking customers to park on the street. Street parking is frowned upon as the swale has already been damaged. The owner has resolved this by selling only with online signups and sales by appointment only.

6. Old Business

a. Discussion/Possible Decision: Special Permit Application for Light Assembly/Showroom, 25 West St, JAKEE, LLC (#PL-18-3)

T. Manning moved to approve JAKEE, LLC's Special Permit for light assembly, showroom and office in the existing building at 25 West Street (currently NetSource), application #PL-18-3, in accordance with the application submitted, which is conditioned on the following:

1. This approval is subject to compliance with any comments or requirements of the Health District, Fire Marshal, and the Town Engineer.

The Planning and Zoning Commission finds with this condition the plan meets the requirements of the Bolton Zoning Regulations. **J. Cropley seconded.** Unanimously Approved 7:0:0

b. General Discussion/Review of Possible Amendments to the Zoning Regulations (time permitting)

Basement/cellar definitions were discussed. Consensus was to remove the word basement from regulations as it is not referred to and leave the word cellar.

2-3 Canopy differences. A. Fiano noted that there were no suggested changes other than to remove the word "below". Impervious coverage was changed in 2017.

T. Manning followed up on the wording of FEMA and agency names in general. Agency names should be updated as these regulations are amended. A. Teller suggested adding the verbiage "or its successor".

A. Teller noted that in 3-23 the definition of farm stand has set back requirements. These are generally not included in the regulations but should be included in the Farm Stand standards section. No site plan should be required for a small farm stand. Perhaps also do the same thing for a home based business that has no customers. T. Manning noted that a farm stand up to 1,000 square feet is permitted. Perhaps if no building permit is required, no site plan should be required.

P. Carson noted that in 2-7 there is a note about discussing lot coverage or density although there is no current definition. J. Rupert will need to be part of this discussion. A. Teller noted that "lot of record" may not be the appropriate language. If it never came before the Zoning Board is it a lot of record? Under 3-A-3 re: non-conforming uses P. Carson is not sure why the reference is there. Consensus to remove that reference and the reference in Low Impact Development under 16-A-2L on page 16-9 regarding storm water.

C. Davey asked about mixed use versus permitted use. Discussion ensued. The zone categories specify the uses that are permitted. A. Teller noted that a permit is required for permitted use. P. Carson suggested leaving the mixed use definition as is. T. Manning suggested ending that definition after "a single property".

Under 2-9 A. Teller asked if the bracketed language in reference to the extinguishment of non-conforming lot is needed. P. Carson stated the references noted in 8-A-3 may not fit here. On page 2-8 end with

“regulation”. C. Davey asked for the definition of a non-conforming lot. P. Carson stated that a non-conforming lot is a lot of record that does not meet the current regulations.

Under 2-8, C. Davey noted that under Open Lot Sales, the second line is confusing. What is being restricted? P. Carson noted that this may mean having items for sale outside, not what the building is being used for. Remove the word “review”. Christmas trees brought to a lot for sale or car sales are an example of Open Lot Sales. This does not include tag sales, rummage sales, etc. A. Teller suggested changing the second line to “outdoor sales incidental or accessory to a permitted use on an approved site plan”.

C. Davey questioned “abutting” under item 2, open space. What is abutting? A. Teller noted that it comes from the statute.

c. Other: There was none

7. New Business

a. Other: There was none

8. Correspondence:

Quarterly newsletter from the Connecticut Federation of Planning and Zoning Agencies was received.

9. Adjournment:

A. Teller moved to adjourn the meeting at 9:02 p.m. **C. Davey seconded.** Unanimously Approved 7:0:0

Respectfully submitted,

Leslie J. Brand

Leslie Brand
Recording Secretary

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