

**BOLTON PLANNING & ZONING COMMISSION**  
**REGULAR MEETING MINUTES & MOTIONS**  
**7:30 p.m. Wednesday, September 12, 2018**  
**BOLTON TOWN HALL, 222 BOLTON CENTER ROAD**

**Members Present:** Chairman Adam Teller, James Cropley, Christopher Davey (arrived at 7:57pm), Benjamin Davies, Arlene Fiano, Thomas Robbins and Alternates Marilee Manning (seated for C. Davey) and Thomas Manning (seated for N. Kerr)

**Members Excused:** Neal Kerr and Rodney Fournier (Alternate)

**Staff Present:** Patrice Carson, AICP, Consulting Director of Community Development, Jim Rupert, Zoning Enforcement Officer and Leslie Brand Recording Secretary

**1. Call to Order:** A. Teller called the meeting to order at 7:30pm.

**2. Approval of Minutes: August 8, 2018 Regular Meeting Minutes**

J. Cropley moved to approve the minutes as written. Seconded by A. Fiano. Motion carried Approved 4:0:2 (B. Davies and T. Manning abstained)

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

**4. Staff Reports:**

J. Rupert submitted a written report detailing administrative applications, approvals and enforcement activity. A. Teller inquired if there was an injunction on 65 Shoddy Mill Road. J. Rupert noted that there has been no remediation and a cease and desist order is in place. There has been earth moved onto neighboring property and there are in excess of 20 unregistered motor vehicles on the site. M. Manning questioned what the town is seeking if they don't comply. J. Rupert noted that attorney fees and punitive damages are the norm.

**5. Old Business** A. Teller had consent from the members to hear New Business first.

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

Section 2-9 was discussed. A shed is defined as a building no more than ten feet high and up to 200 square feet with no permanent foundation. Anything larger is considered to be a garage or accessory structure. Discussion ensued regarding permits and setback requirements. Building permits are required for safety issues and zoning permits are required for neighbor issues (i.e. setbacks and wetland encroachments). C. Davey questioned how other structures are regulated i.e. dog houses, playscapes, fences. The public can be unsure as to when certain permits are required. A. Teller suggested putting together a list of what structures would require permits and put all exemptions in one place. If a surveyor is needed for setback requirements it may be more expensive than the project itself. A. Teller suggested that staff track calls for the next few months to get a sense of the most common questions. This information can be used to put together a FAQ list on the Town website? No changes to the definition of a shed in 2-9. The sign regulations were recently redone. C. Davey asked about defining sculptures/artwork vs. signs? A. Teller noted that the intent was to sort out commercial signage vs. attention grabber. A suggestion was made to clear up the language and perhaps eliminate the last sentence.

**b. Other:** There was none

**6. New Business**

**a. 8-24 Referral-Fire Department Training Area**

J. Stille, Administrative Officer, presented information and spoke about this project that has already been approved by the Inland Wetlands Commission. Part of the area is already in use and is completely located on Fire Department property. Training includes extraction procedures and practicing cutting holes in roofs for ventilation. The current location is unsafe due to glass remaining on the ground after extraction exercises. The proposal will include a blacktop area with concrete barriers. No fire trucks will sit in the training area as it is impractical to have them in the training area due to potential explosion. M. Manning noted that fluids are drained prior to testing so there would be no contamination of Inland Wetlands. S. Pierog, 37 Brandy Street, First Selectman noted that the wetlands will be protected and this increase will add good usable space that will be sufficient for the Bolton Fire Department. P. Carson stated that this fits into the preparedness goals of the POCD. J. Cropley moved to recommend that the town approve the proposal at 168 Bolton Center Road. B. Davies seconded. Unanimously Approved 7:0:0

**b. Application/Discussion/Possible Decision: Modification of Site Plan, Remove Mansard Roof from Canopy, 1135 Boston Turnpike (Valero Station), Boston Turnpike Enterprises, LLC (#PL18-5)**

Saleem Mahar spoke on this matter. An expansion of the current canopy as is would be unsafe per engineers as it would be unable to carry the added weight, i.e. snow load with a mansard. P. Carson also received emails from engineers regarding the expansion of the canopy. They concur that it is not possible due to load capability. The modified canopy would match the existing canopy and complies with Section 4.2.6 #3 of the Design Guidelines. The consensus of the commission was that a public hearing was not necessary. M. Manning moved to approved the modification. J. Cropley seconded. Unanimously Approved 7:0:0

**c. Other:** T. Manning attended a meeting of the regional planning commission. Discussion of the Eastern Gateway involved routes 6 and 44. Final approval will be in December or January.

**7. Correspondence:** There was none

**8. Adjournment:**

J. Cropley moved to adjourn at 8:33 p.m. Seconded by B. Davies. Motion carried 8:0:0

Respectfully submitted,

*Leslie J. Brand*

Leslie Brand, Recording Secretary

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