

BOLTON PLANNING & ZONING COMMISSION
Regular Meeting
7:30 p.m., Wednesday, December 12, 2018
Bolton Town Hall, 222 Bolton Center Road
Minutes & Motions

Members Present: Chairman Adam Teller, James Cropley, Christopher Davey, Arlene Fiano, Neal Kerr, Thomas Robbins and Alternates Rodney Fournier, Marilee Manning and Thomas Manning

Members Excused: Benjamin Davies (7:36pm)

Staff Present: Patrice Carson, AICP, Director of Community Development, Jim Rupert, Zoning Enforcement Officer, Yvonne Filip, Recording Secretary

1. Call to Order:

Chairman A. Teller called the meeting to order at 7:31pm.

T. Manning was seated for B. Davies until he arrived at 7:36pm.

2. Approval of Minutes: November 14, 2018 Regular Meeting Minutes

Corrections:

Item 5a, 12th line – change “Davies” to “Davey”.

Item 6a, 10th line – change “buildings” to “building’s” and end the sentence after “use”.

Item 6a, 12th line – change “prefers” to “regulations require”.

A. Fiano moved to approve the regular meeting minutes of the November 14, 2018 as corrected;

J. Cropley seconded. Vote: 5-0-2 (Davies, Kerr abstained). Motion passed.

3. Public Hearings (begin at 7:45 p.m.)

a. Application: Special Permit Application for Light Manufacturing of Precision Wound Coils & Transformers, 837 Boston Turnpike, Able Coil and Electronics Co. (#PL-18-6)

P. Carson read the public hearing notice. Steve Rockefeller, President of Able Coil and Electronics Co., was present along with Andrew Bushnell, Bushnell Associates.

Andrew Bushnell prepared the site plan that he described to the Commission. This is the former Barrels, Boxes, and More building which was originally constructed in 1999-2000. There is one driveway in place for the 200' x 100' metal building, six loading docks in the back, one entrance at the front. The size of the property is 31.76; approximately 2.1 acres are developed along Boston Turnpike. The rest of the parcel is wooded with pockets of wetlands and steep slope. There are two parking spaces at the front and a second parking lot in the back with the surface treatment being processed gravel, paving, and millings. Four of the docks will be cordoned off. At the front of the building thirteen parking spaces are being proposed along with two handicapped spaces. This will be 5,700 square feet of bituminous surface. A handicapped ramp will be constructed. Site work is being proposed to rework the storm water drainage including from the roof, sheet flow from the parking areas, and sheet flow from Boston Turnpike. There are proposed detention ponds at the front and rear of the building. The swale and culvert under

the driveway will have changes to better handle the run off from the roadway. There is a tree growing at the entrance of the culvert that will be removed. A catch basin will be constructed and the pipe will be extended along the drainage swale. A few other trees will be removed as the changes to the front of the building are made. The front landscaping will retain a substantial tree line. There is not a detailed landscaping plan at this time. However, a 4-foot wide landscaping berm is proposed along the parking area in front. The landscaping requirement is 1,260 sq. feet; 1,760 sq. feet is proposed. The entire parking areas will be bituminous which is not adding impervious surface. The dumpster will be in an enclosure at the rear of the building. Mr. Rockefeller added that there is erosion on the property from the water coming from Route 44. The plan is to slow the water flow down and reduce the soil that is washing under the driveway and into wetlands. No work is being proposed in wetland areas on the site. A. Bushnell has received comments from the Town Engineer that he feels are minor and can be worked through.

Pat Mancuso, Capitol Studio Architects, presented the plan for the building. The applicant will be moving the office space into this building. They will be constructing a building within the building to accommodate this. The proposed plan calls for a two-story building in the office area. The entry level will be raised gaining headspace in the basement. Plantings will be along the front and a raised planter bed on the other side. The materials for the building will be brick, thin stone, and metal siding. The design presented is likely 99% complete; some minor changes may be made. There will be no light glare going off the site. This building is a good distance from the nearest resident. There is a good wooded buffer. Signage will be limited to the far east side of the building and a ground sign at the road to include the street number.

T. Manning suggested caution in how the retreat area off the president's office is described.

A. Teller mentioned a comment included on the sewer application which is suggesting a second grinder pump is needed. S. Rockefeller interpreted this differently. The issue will be worked through to the Bolton Lakes sewer committee's satisfaction.

P. Carson reported that the original Staff report was revised to reflect the second set of plans and information received this week. Some matters that must still be addressed include a detailed landscaping plan, a detailed dumpster plan, detail of the fire lane at the front of the building, and the depth and design of the detention ponds based on test hole results, and these items cannot be conditions of a decision. P. Carson has received the sign affidavit; the applicant also submitted the certificates of mailing. The applicant is requesting a waiver of the landscaping islands in the parking areas. Staff feels the redesigned building fits in with the technical nature of this business and its surroundings in this neighborhood. The PZC does not have any issue with the reuse of the building as light industrial and agrees with staff about the design. The Commission also agreed that the landscaping islands in the parking area can be waived, per request.

A. Fiano moved to continue the public hearing on this matter to the January 9, 2018 PZC meeting in the Town Hall at 222 Bolton Center Road; **C. Davey seconded**. Vote: 6-0-1 (Cropley abstained). Motion passed.

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

5. Staff Reports:

Rupert reported on the following administrative zoning items:

- generator and propane tank at 19 Shoddy Mill Road
- application for concrete steps at 9 Lori Road
- 500 gallon above ground LP tank at 9 Kenney Drive
- front porch at 48 Stonehenge Lane
- appeal of a decision by the Zoning Enforcement Officer pending for January

Rupert provided an update on the enforcement activities:

- continuation of efforts at 65 Shoddy Mill Road for which they are waiting for a trial date
- a minor chicken issue on Converse Drive
- driveway at 11 Hebron Road and storage of construction equipment without permits
- 82 Mount Sumner Drive has parking of construction equipment in the cul-de-sac and on the property.

A. Teller asked for more details regarding 19 Shoddy Mill Road. J. Rupert responded this is a situation involving an occupant, an owner, and a business. Bolton has received judgment against the occupant and the owner, but not the business that was undertaking some of the work. There was not enough evidence provided against the business so the application was denied by a judge. Now they await a trial date to present the supporting evidence before a judge. There has been no appearance or response from the business. Since enforcement has started the situation has gotten worse with the moving of significant amounts of earth, encroached on a neighboring property, put in two curb cuts without permits or approvals. A driveway permit was applied for without plans including an erosion and sediment control plan. At first inspection there were more than 20 unregistered motor vehicles on the property. The business is tied into this because they were one of the applicants for the driveway.

6. Old Business:

a. Discussion/Possible Decision: Special Permit Application for Light Manufacturing of Precision Wound Coils & Transformers, 837 Boston Turnpike, Able Coil and Electronics Co. (#PL-18-6).

Hearing continued – no discussion/possible decision until the hearing is closed.

b. **Other:** There was none

7. New Business

a. Election of Officers

J. Cropley moved to nominate A. Teller as Chairman; **C. Davey seconded**. **A. Fiano moved** to close the nominations for Chairman; **J. Cropley seconded**. Vote: 7-0-0. Motion passed. All in favor of A. Teller for Chairman Vote: 6-0-1 (Teller abstained). Motion passed.

A. Fiano moved to nominate J. Cropley as Vice Chairman and Secretary; **R. Fournier seconded**. **C. Davey moved** to close the nominations for Vice Chairman and Secretary; **N. Kerr seconded**. Vote: 7-0-0. Motion passed. All in favor of J. Cropley for Vice Chairman and Secretary Vote: 6-0-1 (Cropley abstained). Motion passed.

b. **Other:** T. Manning reported that the CRCOG Regional Planning Commission did not meet due to the weather.

8. Correspondence: There was none

9. Public Forum: Discussion/Review of Possible Amendments to the Zoning Regulations (time permitting) – Section 2 & 3

P. Carson and J. Rupert have reviewed Section 3. The comments are detailed in red on the copy given to the PZC. This is the General provisions section acting as a “catch all” area.

3A3 – Staff does not routinely send out discontinuance letters. A. Teller suggested this is something they should think about doing. The point of this section is for extinguishing non-conforming uses. This practice would allow the Town to terminate the non-conforming use, of which there are many throughout Bolton.

3A3a – Requirement that a non-conforming structure destroyed by fire must be reconstructed within a year of the fire. This timeframe is based on a State Statute. Most non-conformities have to do with setbacks. A variance for those can be obtained if time is running out.

3A4 – Questioned about the need to keep this in place. A. Teller thinks this should be removed.

3A6 – Staff could not find Section 7D. It could be a typographical error.

3A7 – Dealing with wetlands conservation; P. Carson suggested this is an issue for the IWC and should be removed. The IWC are the experts in wetland matters and provide guidance to the PZC. A. Teller feels the IWC protects the quality and ecology of the water, but someone could build something right to the edge of a waterway and the public would have to view this. P. Carson disagrees as the IWC would not allow this to happen. J. Rupert added that this section limits the review in regards to pollution and the ecology of waterways. A discussion ensued about this section with commissioners feeling the PZC should have some review, but not in regards to quality and ecology of the water. A. Teller suggested this section may be removed.

10. Adjournment:

J. Cropley moved to adjourn the meeting at 9:25 p.m.; **N. Kerr seconded.** Vote: 7-0-0.
Motion passed.

Respectfully Submitted,

Yvonne B. Filip

Yvonne B. Filip, Planning & Zoning Commission Recording Secretary

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