

Bolton Planning & Zoning Commission
Regular Meeting
7:30 PM, Wednesday, February 14, 2018
Bolton Town Hall, 222 Bolton Center Road
Minutes and Motions

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

Members Excused: Neal Kerr

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

1. Call to Order: A. Teller called the meeting to order at 7:51pm.

2. Approval of Minutes: January 10, 2018 Regular Meeting Minutes. Postponed until after the Public Hearing

3. Public Hearings

a. Application: Special Permit Application: Office Building, 7 Loomis Road, MTS Builders, Inc.
A. Teller opened the Public Hearing and P. Carson read the legal notice. T. Manning was seated for N. Kerr.

Mark Reynolds, an architect from Lebanon, represented the applicant and presented the application. 7 Loomis Road is a 1.5 acre parcel that is now primarily cropland with a 3% slope. A. Teller questioned if there were revised plans. M. Reynolds distributed new plans stating the a few changes have been made and the new plans are dated February 14, 2018. There are no wetlands on the property. The plan calls for a general use office building with parking and landscaping. The building has a potential of 5 tenants. The entrance will be from Loomis Road with a total of 30 parking spaces, 2 of which will be handicap accessible. 38% of the lot will be impervious (50% is allowed). There is a 500-foot site line with a mild grade. The site is well drained and the Health Department has approved the septic system. There will be a public water supply well and there is no existing septic. Drainage of the parcel will be to a linear retention area of grass and stone with overflow in the southeast corner. Three quarters of an acre will be grass with landscaping and a row of 5-6 foot high white pines spaced 15-20 feet apart. Lighting will be from 20-foot poles (revised from 25 foot) and building mounted floodlights at the entrance. There will be a minimum of 1 foot candle in all areas with no spillage over the property line.

T. Manning asked about the difference between a private and public water supply. M. Reynolds stated that a well that supports over 25 people is considered public and requires State approval. T. Manning asked what would happen to the retention area in a “100 year” storm. M. Reynolds stated that has been accounted for and that the retention area is not required to meet high demand. 90% of storm events will produce no outflow. The retention area will hold and infiltrate and the perc rate on the property is excellent. C. Davey stated that commercial property should be oriented away from residences. What about the residence to the west? M. Reynolds stated that the location of the well determined the placement of the building and that it fit the site well. A. Teller questioned the trees to be used for screening. A. Fiano asked who the tenants will be. M. Reynolds indicated that the prospective tenants will be office professionals. R. Fournier asked about signage. M. Reynolds stated that there will be

signage of undetermined style as well as a stop sign, locations for which are on the plan. A. Teller asked about the dumpster and screening. M. Reynolds stated that it will be a vinyl clad chain link fence with vinyl slats that will be screened 45-50 feet from the nearest residence.

Review of the January 30, 2018 correspondence from P. Carson to the Planning & Zoning Commission: P. Carson reviewed the comments from:

1. The Fire Marshall with his concerns regarding readily identifiable signage, and working with Mr. Pesce on a dry hydrant.
2. J. Rupert, Building Official with his concerns regarding lighting, dumpster placement, bollards to protect porch posts (deemed unnecessary) and the slope of the property and handicap accessibility.
3. Health Department-Well and septic are conditionally approved.
4. Inland Wetlands Commission-no wetlands on the property.
5. Highway Superintendent-no concerns.
6. Email was received on February 14, 2018 from Town Engineer Joe Dillon approving the drainage.

A. Teller questioned the proposed use of the building. C. Davey asked if the design complied with 16B.4.m. paragraph 1. P. Carson stated that it would be a low impact office building and with screening the building was compliant, the design is pleasing and the area is neighborhood business zoned.

Public commentary:

Sydney Day and Nick Shifrin, 56 West Street: Neighbors to the south, stated that the neighborhood business zone does not follow the property line. They are requesting denial of the permit based on concerns in their letter to P. Carson dated February 13, 2018 with revisions made on February 14, 2018.

Ann Lorch, owns 44 West Street and lives at 100 West Street: Concerned with the size of the building, hours of operation, lighting at entryway, insufficient tree barrier. Also concerned with water quality as she has a hand dug well on her property.

William Anderson, 77 French Road: With the new bike path in town perhaps there could be a bike rack at the building. He is in favor of the project.

Susan Erwin, 49 West Street: Concerned with an increase in traffic and accidents; there are already many accidents near that area. The type of industry that moves in may adversely affect traffic and safety.

Larry Pesce, 11 Loomis Road: Will there be ponding water with the runoff to the southeast corner; how will white pines block the view in 15-20 years; general landscaping concerns?

Commission comments:

A. Fiano expressed concern about pollutant and heavy metal runoff from the parking spaces. Discussion ensued regarding the landscaping in general. White pines were questioned as a choice. Arborvitae and rhododendrons were mentioned along with the possibility of a rain garden. Maintenance of extensive landscape was a concern.

Sydney Day, 56 West Street, (Environmental Science degree from ECSU) spoke again regarding the validity of the perc test. Were the results affected by testing when the soil was dry?

A. Teller asked if the planting plan can be modified. Nick Shifrin, 56 West Street asked that if the planting plan is revised can it be proved that pollutants are reduced. P. Carson noted that is not a requirement. A. Fiano stated that MTS Builders has a good reputation and has been in town for some

time. J. Cropley asked Ann Lorch, owner of 44 West Street about her concerns with lighting. A. Lorch stated that the house is closer than 200 feet from the proposed building and that cluster planting might be considered to screen the parking area and the lights from cars going in and out. M. Reynolds stated that he is agreeable to and is willing to work with staff on landscaping changes.

T. Manning made a motion to close the public hearing. J. Cropley seconded. Vote 7:0:0. Motion carried.

2. Approval of Minutes: January 10, 2018 Regular Meeting Minutes:

1. Call to order: Indicate T. Manning was seated for J. Cropley
2. Insert December 13, 2017 after Approval of
3. Change to sentence 4 in paragraph 2: A. Teller requested that the wording change “other applicant” to “previous applicant” and that names and titles are added under respectfully submitted.

A. Fiano moved to approve the minutes as amended. B. Davies seconded. Vote 6:0:1 (Cropley)

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

5. Staff Reports

J. Rupert noted that there has been little activity. One new house approved on Loomis Road. Brandy Estates and a lot on Birch Mountain Road.

6. Old Business

a. Discussion/Possible Decision: Special Permit Application: Office Building, 7 Loomis Road, MTS Builders, Inc.

T. Manning moved to approve MTS Builders, Inc.’s Special Permit for a 6,000 square foot Office Building, application #PL-18-1, in accordance with the plans submitted as “Site Development Plan, Loomis Commons, 7 Loomis Road, Bolton, CT” (3 sheets) dated: 10/11/2017, revised through 2/14/18, Lighting Plan (1 sheet) dated 2/12/2018, and elevation and floor drawings (3 sheets), which is conditioned on the following:

1. The approval letter shall be placed on the mylars to be recorded in the Office of the Town Clerk.
2. This approval is subject to compliance with any comments or requirements of the Health District and the Town Engineer.
3. All appropriate seals and signatures of the design professionals for this plan shall be placed on the plans before recording.
4. The owner of the premises shall maintain the retention area depicted along the eastern side of the parcel so that it continues to fulfill its designed drainage function.
5. The side yard and rear yard setback lines shown on the plan are incorrect and shall be corrected to 10 feet as was approved in the (Brook Hollow) Subdivision Plan on September 21, 2005.
6. Light poles shall be shown as 20 feet high on all plans.
7. A waiver is granted of 15H and the requirement for vegetative buffer in the Brook Hollow Subdivision Plan in favor of a planting screen that will protect the adjacent properties from automobile headlights as discussed in the meeting.

This approval is for an office building. Businesses that will be locating in the Office Building will need additional Zoning and Public Health approval. The Planning and Zoning Commission finds with these conditions the plan meets the requirements of the Bolton Zoning Regulations. J. Cropley seconded.

There was discussion about authorizing the staff to approve minor modifications to the screening plan on portions of the site to the west and southwest corner and the dumpster area, and reworded:

7. A waiver is granted of the requirements of Section 15H and of the Subdivision Plan for screening on the west and south sides of the property to the extent authorized by this approval.

8. The Commission authorizes the ZEO to approve as a minor modification, prior to the filing of the mylar, a screening plan for cluster plantings on the west side and southwest corner of the parking area, including the dumpster in lieu of the screening shown on the plans.

T. Manning and J. Cropley accepted the amendments.

During discussion, C. Davies commented that this plan was in line with the 2015 POCD which calls for economic development of areas of Bolton that are identified as areas for economic development. A. Teller agreed and stated this is a Neighborhood Business Zone and the application is for a fairly low intensity use and the surrounding area is also Neighborhood Business Zone and people who purchased property in the Neighborhood Business Zone should look to the regulations to see what is permitted there. A building of this size and character is within the regulations without asking for any waivers except for buffering and the Commission is requiring more buffering concentrated where the abutters asked for it. It is completely consistent with the zone and an appropriate way to develop this area. J. Cropley noted that the other businesses around this area are bigger.

Vote 7:0:0. Motion carried.

b. Discussion: Temporary Health Care Structures (“Granny Pods”)

Deferred. J. Rupert noted that there was nothing new to report.

7. New Business: None

8. Correspondence

1. Email received from NEMO regarding storm water (informational only)
2. March 22, 2018 CFPZA Conference at Aqua Turf Country Club
3. Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter

9. Adjournment: A. Fiano made a motion to adjourn at 10:10pm. J. Cropley seconded. Vote 7:0:0. Motion carried.

Respectfully submitted,



Leslie Brand
Recording Secretary

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