

BOLTON PLANNING & ZONING COMMISSION
Regular Meeting
7:30 p.m., Wednesday, November 13, 2019
Bolton Town Hall, 222 Bolton Center Road
Minutes & Motions

Members Present: Chairman Adam Teller, Arlene Fiano, Thomas Robbins, James Cropley, Marilee Manning (alternate), Thomas Manning (alternate), Christopher Davey, Benjamin Davies, Rodney Fournier (alternate)

Members Excused: Neal Kerr

Staff Present: Patrice Carson, AICP, Consulting Director of Community Development, Yvonne Filip, Recording Secretary

1. **Call to Order:** Chairman A. Teller called the meeting to order at 7:30 p.m.
A. Teller seated T. Manning for N. Kerr.

2. **Approval of Minutes: October 9, 2019 Regular Meeting Minutes**
Correction: Staff Reports, 1st item should be 11 Hebron Road instead of 255 Hebron Road.
J. Cropley moved to accept the minutes of the October 9, 2019 regular meeting as corrected. **C. Davey seconded.** Vote: 6-0-1 (Davies).

3. Residents' Forum:

William Anderson, 77 French Road - distributed a letter to the Members. Expressed concern that wording in the regulations and on a ZBA form are dissimilar and create confusion in his mind. A. Teller indicated the PZC is allowed to be more protective in the regulations than mentioned in the statutes.

4. Staff Reports:

J. Rupert was not present but provided a written report. It was commented that there are more cases where people are ignoring regulations or cease and desist orders. Funds to deal with these issues come out of the Town budget and ties up the ZEO.

P. Carson mentioned the new plaque on the wall. The Town was awarded an Economic Best Practice. Sandra Pierog commended P. Carson for putting completing and submitting the application. Ellington was the only other nearby town to receive the award. This is a feather in Bolton's cap. We can point to this award when people say the Town is not business friendly. A. Teller joins S. Pierog in commended P. Carson. Social messages do not match what he knows happens in dealing with the town. Regulations are in place for a purpose.

T. Manning asked about the issue on Tamarack Drive that was brought up at the previous meeting. Staff reported that nothing has been resolved yet. Phone calls are going back and forth with DEEP.

5. Old Business:

a. **Application/Discussion/Possible Decision: Modification of Site Plan, Remodel Existing Space to Use for Dog Day Care with Caretaker Quarters, 1270 Boston Turnpike (Bolton Kennels), Christopher Lange/John Beyer, Jr. (#PL-19-5)**

Christopher Lange was present. The application was amended to indicate a modification of a site plan. Suzanne Choate, Professional Engineer of Design Professionals, put together a plan that was presented this evening. She analyzed the traffic flow finding there is enough space for 2-way traffic. The applicant will contact the State about widening the curb cut. There is space available for four regular parking spaces and one accessible space. The accessible space will be as close to the entrance as possible. The proposed fence and deck are shown. S. Choate did a quick diagram of the lighting details. Comments from the Town Engineer are addressed on the plan.

C. Lange reported that the health inspector has done a review with approval given for the proposed plan. The dumpster is located at the back of the property, which is not part of the project, and will remain there. It is currently used for dog waste. The well is in the lower kennel building. It has been disconnected for the renovations. It will be reconnected and tested for potability when the renovations are complete. The well location is on the property record.

Some of the stonewall along the driveway was removed. The gravel and fence encroachment to the Coventry property will be addressed. The distance a driveway can be to the property line is not regulated via text message from J. Rupert. There is no issue with impervious coverage because of all of the land in the back; the property is over five acres in total. There is no landscape plan. There will be a fence erected around the front.

No audience members wished to speak.

T. Manning: I make A MOTION to approve Christopher Lange/John Beyer, Jr.'s Site Plan for dog day care and remodeling the existing front building at 1270 Boston Turnpike (Bolton Kennel), application #PL-19-5, in accordance with the application and plans submitted as "Bolton Kennel Site Plan, 1270 Boston Turnpike, Town of Bolton, Connecticut, Map 6, Lot 13" (4 sheets) dated: 10/14/19 & 10/18/19, revised 11/12/2019, which is conditioned on the following:

1. A copy of the referral to the CTDOT for work proposed within the CTDOT right of way shall be submitted to the Building Department.
2. 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 these conditions the plan meets the requirements of the Bolton Zoning Regulations. **J. Cropley seconded.** Vote: 7-0-0.

b. **Discussion/Decision: Change of December 11, 2019 Meeting Date**

It was decided to keep the December 11, 2019 meeting date for the election of officers if nothing else. If no new applications come in, the meeting can be cancelled and the election of officers will take place at the January meeting.

c. **Other**

Nothing

6. New Business

a. Informal Discussion: Activity Related to Businesses Other Than Lyndale Stand at 1225 Boston Turnpike, Attorney Stephen Penny

Stephen Penny was not available this evening due to a death in the family, J. Rupert will talk to him in a week or so to meet with Staff and/or come before the Commission.

b. Discussion/Possible Decision: FY 2020/21 Budget

P. Carson had nothing to add to the proposed budget; dropping part of the \$2,400 payroll category could be considered, but PZC can be volatile depending upon the year. S. Pierog commented that the budget is so low it would probably not be on the BOS' radar. A category was added for advertising that was taken from another account.

J. Cropley moved to accept the budget of \$7,120 as presented. **T. Robbins seconded.** Vote: 7-0-0.

All fees are paid for by the applicant. The fee of \$385 is used to advertise twice before a public hearing and once afterwards. Applicants must notify abutters pay for postage and provide proof of the mailings to Staff. The services of the Town Engineer and Town Attorney are paid from the fee also.

c. Other

P. Carson distributed a conglomeration of information about home occupations since it was discussed in detail at the last meeting.

7. Correspondence

The newsletter was distributed. A. Teller commented that there is a conflict of interest case presented.

Bolton has indicated that all employees and elected officials are required to take a class on Sexual Harassment. This must be completed by the end of February 2020.

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

Discussion ensued about manufacturing of items under a home occupation. The gun manufacturing informal discussion from last month was referred to. Concern was expressed about gun manufacturing taking place in a residential zone without neighbors having to be notified. A home occupation application should have a clear narrative with the applicant being held to the extent of the occupation as described. There is no legal way for the ZEO to enter the home or ask why people are going in and out.

T. Manning reported that the building code has introduced a new category of Live/Work Units. He will research how this applies to home occupation. More people are working for themselves or working from home.

A.Teller feels PZC must be proactive about changing the regulation; it is now too vague. P. Carson suggested having a category for normal occupations that does not allow manufacturing

and another stepped up category that includes manufacturing to a certain level as a Special Use permit. This could include notification of neighbors and holding a public hearing. There is concern about manufacturing creep once approved and how it could become disruptive to the neighbors.

9. Adjournment:

A. Teller moved to adjourn the meeting at 9:07 p.m.

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.