

**BOLTON PLANNING & ZONING COMMISSION**  
**Regular Meeting**  
**7:30 p.m., Wednesday, January 8, 2020**  
**Bolton Town Hall, 222 Bolton Center Road**  
**Minutes & Motions**

**Members Present:** Chairman Adam Teller, Vice Chairman James Cropley, Christopher Davey, Arlene Fiano, Thomas Manning, Thomas Robbins and Alternates Rodney Fournier, Marilee Manning, and Jeremy Flick

**Members Excused:** Benjamin Davies.

**Staff Present:** Patrice Carson, AICP, Consulting 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 7:30 p.m. and seated R. Fournier for B. Davies.

**2. Approval of Minutes: December 11, 2019 Regular Meeting Minutes**

Corrections: New Business section should be labeled 5. New Business subheading Other should be labeled d.

J. Cropley **moved** to approve the minutes of the December 11, 2019 regular meeting as corrected. C. Davey **seconded**. Vote: 7-0-0. Motion passed.

**3. Residents' Forum:** No audience members wished to speak.

**4. Staff Reports:**

J. Rupert reported: Last week the Land Use office went live with the online permitting system. Applications will now be available online. Staff will be making full use of this electronic system moving forward. He has not figured out the reporting module as yet so does not have a full report. J. Rupert did say this is a slower time of year.

Enforcement activity included:

- Meeting with Attorney Penny after the last meeting. Staff had expected an application regarding the Lyndale Stand property. J. Rupert will touch base with Mr. Penny before turning this matter over to the Town Attorney.
- Mt. Sumner Road property has a shed on it without a primary structure. This has been turned over to the Town Attorney.
- An unpermitted driveway was installed on Hebron Road.
- 65 Shoddy Mill Road is taking up much time. J. Rupert can share more if the PZC wants to add an executive session to the agenda.

Cathy Gudeahn has announced her retirement at the end of February. This was not unexpected. Staff is working with Administration to hire a replacement and hopes that can be done to allow a couple of weeks of overlap with Cathy and the new hire.

A. Teller asked if the public can view maps on the online system. J. Rupert replied that anything uploaded with an application will be viewable. Email communications regarding applications will be wrapped into the online file. T. Manning asked if the system will be mentioned in the Bolton Bulletin to which J. Rupert replied in the affirmative.

T. Manning **moved** to add an Executive Session regarding 65 Shoddy Mill Road to the agenda. A. Teller is not comfortable adding this to the agenda as it is not the PZC's litigation. The ZEO is the agent for PZC on this enforcement of a zoning regulation, but the Town is the entity suing the property owner. There was no second to the motion. Motion failed.

A certificate of appreciation from the PZC to C. Gudeahn will be created by P. Carson and forward it to A. Teller.

P. Carson stated that Mr. Byam, who owns property on Route 44, is looking to extend his permit. This is allowable by statute for another five years. The current permit expires in June 2020.

A question regarding beer sales from a gas station that has a grocery component to it was broached to Staff. P. Carson and J. Rupert could not find mention of such a use in the zoning regulations. The gas station is in the GMUIZ zone. If there is a special permit in place a modification to that can be requested. The owner has the necessary paperwork from the State for beer and wine sales. The owner is looking for ways to mitigate the anticipated rise in payroll with the minimum wage increase and the opening of Cumberland Farms in Coventry. Dunkin' Donuts is not interested in this location as traffic does not meet the minimum needs.

## **5. Old Business:**

**a. Other:** There was none.

## **6. New Business**

### **a. 2020 Annual Appointment to CRCOG Regional Planning Commission**

P. Carson reported that every year the PZC appoints a commissioner and alternate to the CRCOG RPC. Currently, T. Manning is the commissioner and B. Davies is the alternate. CRCOG meets quarterly. J. Flick will attend but he does not want to commit to being in an appointed slot.

C. Davey **moved** to appoint Tom Manning as Commissioner for Bolton to the CRCOG Regional Planning Commission. A. Fiano **seconded**. Vote: 7-0-0. Motion passed.

R Fournier **moved** to appoint B. Davies as Alternate for Bolton to the CRCOG Regional Planning Commission. J. Cropley **seconded**. Vote 7-0-0. Motion passed.

**b. Other:** There was none.

## **7. Correspondence**

### **a. FOI Training – Monday, February 24, 2020**

This will take place at the Town Hall from 7:00 p.m. to 9:00 p.m. Tom Hennick will present and answer questions. Holding this training is a plus with the Sustainable CT program.

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

- 3.A.20.b. – plain language definitions from Illuminating Engineer Society of North America (IESNA) will be used. The term indirect lighting does not show up in architectural guidelines so this will be removed. Lighting should all be dark sky compliant.
- 3.A.20.c. – this will remain here as other sections refer to this section.
- 3.A.20.d. – this section can probably be modified; P. Carson will collapse this section. This section refers to commercial lighting adjacent to residential property. This regulation allows ZEO to respond to complaints of lighting spilling into their yard. Remove ‘in all residential zones’ in item 6. Remove the word ‘maintained’ from item 7; add ‘be’ after ‘not’ in the next sentence. Item 10 is to be eliminated.
- 3.A.20.e. – this section is about waiving certain standards for certain conditions. Change the title to Exceptions. A super-majority vote is needed for waivers; a regular vote is needed for exceptions. The description section will be changed somewhat. Remove the appendixes and refer to the current standard of the IESNA.
- 3.A.21 – this section may be better located at the end of 3.A.8.a. It is odd to be tucked between lighting and minor modifications in this section.
- 3.A.22.g. – this section allows for minor modifications in the field, if necessary. Even if the permit is not about drainage the Town Engineer can legally be on the site to inspect and may notice if the drainage is not working or being maintained as required by the permit. If drainage structures are not functioning property the Town Engineer issues an email requiring the drainage be corrected before the minor modification is approved. Staff will review this section before the next meeting to see if it can be modified. The section should be regularized and clear-cut to Staff and the public without being dependent on who is in the ZEO position. This is about protecting Staff with having to make a decision they are not comfortable with.

**9. Adjournment:**

**A. Teller** adjourned the meeting at 9:03 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.*