

BOLTON PLANNING & ZONING COMMISSION
Regular Meeting
7:30 p.m., Wednesday, December 9, 2020
Virtual Meeting
Minutes & Motions

Members Present: Chairman Adam Teller, Vice Chairman James Cropley, Christopher Davey, Arlene Fiano, Thomas Robbins, T. Manning (arrived 7:38 p.m.), and Alternates Rodney Fournier, Marilee Manning (arrived 7:38 p.m.)

Members Excused: Benjamin Davies, Alternate Jeremy Flick

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

Others Present: Megan Phillips, Nick Lavigne, Ronald Beaudoin, Jane Scopino.

1. **Call to Order:** Chairman A. Teller called the meeting to order at 7:35 p.m. R. Fournier was seated for T. Manning.

2. **Approval of Minutes: November 18, 2020 Regular Meeting Minutes**

Corrections: Page 2, Staff Reports – change “Gramegma’s” to “Gramegna’s”.

C. Davey moved to approve the minutes of the November 18, 2020 regular meeting as amended. **J. Cropley seconded.** Vote: 4-0-2 (R. Fournier, C. Davey). Motion passed.

The Mannings joined the meeting at 7:38 p.m. R. Fournier is now seated for B. Davies.

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

a. Application: Special Permit Application: Proposed Garage/Office Building, Excavation Business, Equipment Storage & Material Processing Areas, 1 Notch Road, William Phillips (#PL-20-12) – Request to Continue Public Hearing to January 13, 2021.

A. Teller began this item at 7:48 p.m. Megan Phillips was present on behalf of Mr. Phillips. The applicant waives any time limits that might still be in effect for the completion of the public hearing. P. Carson said for the record this matter is operating under the Governor’s extension.

Audience of Citizens:

Ronald Beaudoin, 2 Cook Drive – Confirmed he was able to connect via Zoom with the information he received from P. Carson. Any neighbors who wish to speak on this matter should contact the Land Use office for individual Zoom instructions or R. Beaudoin can send an email to the office listing the email address interested in participating. The town prefers to have a list of those who enter the Zoom meeting.

P. Carson said a couple of emails were received on this matter and are included in the file.

A. Teller asked P. Carson to put those asking for the Zoom meeting invitation to be put on the list for circulating the information for the next meeting. He said an email was also received from Attorney Fiorentino on behalf of the applicant asking for the continuance.

A. Teller moved to continue the public hearing on Mr. Phillips’ Special Permit Application #PL-20-12 for a Proposed Garage/Office Building, Excavation Business, Equipment Storage & Material Processing Areas at 1 Notch Road, to Wednesday, January 13, 2020, via Zoom at 7:45pm as requested by the applicant applying the Governor’s Executive Order extension and the applicant consents to a waiver of

time standards to continue. **T. Manning seconded. Motion corrected** to the year 2021 by A. Teller; **seconded by T. Manning.** Vote: 7-0-0. Motion passed.

4. Residents' Forum:

No one wished to speak. C. Davey asked for point of order – since the Special Permit application is not going to be heard this evening should anyone wishing to speak on that matter speak now or after the application is heard. A. Teller said the practice of the PZC is to give speakers the opportunity to be heard once the public hearing is opened. The hearing was noticed for 7:45 p.m. this evening. P. Carson added the public hearing is open, although being continued at the applicant's request, and people can only speak on this while the public hearing is open.

5. Staff Reports:

J. Rupert reported:

- The regular activity in the office has slowed down as is normal for this time of year. It has been a busy year and he is happy for a bit of relief. Activity is expected to pick up around the beginning of March.
- Waiting to hear from the judge regarding the wetlands violation for 45 Shoddy Mill Road.
- A strong letter stating a violation was sent to 11 Hebron Road for an unpermitted driveway. It is hoped the owners will respond to the Town Attorney's letter without having to go through the court system. The next step on this matter, if no response, will take place in two weeks.
- The owners have responded to a violation letter regarding a shed without a primary structure on Mt. Sumner Road; they will remove the shed by February 1, 2021. The shed is unpermitted and improperly located as there is no dwelling on the property and the shed was constructed without zoning or building permits.
- A complaint was received about the keeping of chickens on Brookfield Road. The owners seem to be working toward compliance by submitting an application.
- Answering J. Cropley's question, the Lyndale Farm owner has until the end of the year to come back to the PZC with an application with no additional fee. Attorney Penny has called to finish up the application. After the first of the year the matter will be turned over to the Town Attorney if it has not come before PZC.

P. Carson reported:

- She has been working on the items that are on the agenda.
- A draft for Accessory Dwelling Unit is another item she has worked on.
- P. Carson is preparing an annual report for the Commission.
- Last week Bolton received Bronze status from Sustainable CT. She will be working on items to obtain the Silver certification level.
- P. Carson and J. Rupert will attend the Joint Land Use Boards meeting this Monday.

6. Old Business:

a. Discussion/Possible Decision: Special Permit Application: Proposed Garage/Office Building, Excavation Business, Equipment Storage & Material Processing Areas, 1 Notch Road, William Phillips (#PL-20-12)

There was no further action on this agenda item since the public hearing was continued.

b. Other: There was none.

7. New Business

a. Discussion/Possible Decision: FY 2021/22 Budget

Proposed budget narrative and proposed budget were included in the packet.

The budget narrative was shared. A. Teller wanted to add under section two where we indicate no increases, the fiscal year we are talking about begins when the COVID restrictions are most likely lifted. Are there any applications that have been waiting or held up because of COVID. P. Carson and J. Rupert have not heard from anyone that they are holding up their application because of COVID. A. Teller saw the article about the drive-in property today. Such an application may garner more interest and multiple hearings/meetings may be required. We might want to note there is a little possibility that we might have this budget but then go over it. J. Rupert said we should be able to add something without much difficulty. A. Teller roughed out some language to be added to section two – Please note that if applications delayed by COVID are filed all at once in fiscal 2021 public hearing expenses would increase including publication and clerk compensation. There may be some applications coming forward in the next fiscal year or at the end of this year but these are not being held up by the pandemic.

The budget was shared by P. Carson. This is a flat budget. There is a note that the budget can flex based on the amount of activity coming to the Commission. And there is a note of a \$400 potential drop if that was forced on PZC out of payroll which is a little more than 5%.

T. Manning moved to approve the budget narrative with item 2 amended as discussed, the proposed budget and drop as presented. **R. Fournier seconded.** Vote: 7-0-0. Motion passed.

b. Other: There was none.

8. Correspondence

a. Report on Statewide Planning Conversation – Racism, Planning, Zoning

P. Carson said there has been nothing new on this item. There was a Diversity session discussion by four nationally known speakers at the CCM conference. If there is a meeting recording link that can be shared it will be sent to the PZC. ADUs were not discussed.

A Joint Land Use Boards meeting will be held Monday at 7:00pm. P. Carson will email the Zoom information to attend. A. Teller said each board will be giving a summary of what it has been working on.

T. Manning reported the CRCOG meeting included a presentation on regional planning.

C. Davey asked if Members will be given an overview of the Charter Revision Commission (CRC) at the Joint Meeting of the Land Use Boards? Is there anything we should discuss or make recommendations to that Commission? A. Teller said there is nothing on that agenda regarding charter revision and it will not be part of his brief. The CRC has discussed making the PZC an appointed board rather than elected and combining the PZC with the IWA. Both are proposals that have received support from the majority of the CRC. Also discussed by the CRC is making the Board of Selectmen (BOS) a seven member board with the BOS being more accountable for everything that happens in town. These changes may create a more coordinated approach with the Economic Development Commission, Planning, and Land Use. Not everyone will love this approach but these proposals have bipartisan support of the majority of the CRC.

Combining the PZC and IWA will simplify regulations. Currently, applicants must receive IWA support before receiving a final decision by PZC usually over two months because of the frequency of meetings for each board. Under the proposal the applicant can receive an approval at one meeting with the unstated assumption that most applications are not that complicated. If a more complicated application is brought forth that is where Staff and more reviews by experts would be involved. These proposals have not gone through final draft or voting by the CRC. This is an effort to make things more workable for the applicants and the public. Wetlands education is offered through DEEP and people can benefit from this education whether they are on a wetlands board or not. There is also a suggestion of changing the Board of Finance to a Finance Commission made up of the BOS, Board of Education, and two at-large appointees.

A. Teller said this all has to go to the BOS. They make a decision on the proposals, removing some or sending all the options to the voters. The BOS also decides on how the question(s) are presented to the voters – as a package or as separate questions – as it is permitted either way.

M. Manning said the trend seems to be centralizing the process. A. Teller said the CRC also considered having a Town Manager and strong selectmen but that was voted down. The group of seven BOS would be accountable for the whole process. If townspeople don't like the decisions being made on the board, the officials can be voted out.

R. Fournier said he is glad the coin toss is being saved. A. Teller said there are some real supporters of that process.

J. Cropley asked if ADUs are adopted would things that happened in the past and not allowed be able to go forward? A. Teller said people could apply under the new regulation if they want to. The regulation would be more permissive. People will put up garages or finish off basements to allow someone to live on the property as it is expensive to live in such a town. A. Teller predicts it will happen a lot especially if another building is allowed on a one-acre lot. C. Davey asked if a property consists of multiple acres what would prevent someone from putting many accessory dwellings on the property? Or converting barns into loft apartments and renting those out? How far do we want to prevent the excess? A. Teller said there are formulas available regarding density, number of units, and lot coverage. Those are techniques that should be considered, along with what Desegregate CT is trying to achieve to allow one ADU per lot.

9. Adjournment:

J. Cropley moved to adjourn the *virtual* meeting at 8:36 p.m. **R. Fournier seconded.**

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.